

STATES OF JERSEY

OFFICIAL REPORT

WEDNESDAY, 25th JUNE 2025

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[9.30]

The Roll was called and the Dean led the Assembly in Prayer.

Deputy K.F. Morel St. John, St. Lawrence and Trinity:

Just to say, I am going to have to take leave of the Assembly if they are okay. I have an important family appointment. My daughter's leaving ceremony for school is taking place in about 40 minutes, so if I may.

The Deputy Bailiff:

Thank you very much for letting us know.

COMMUNICATIONS BY THE PRESIDING OFFICER

1.1 Welcome to Sarah Champion, MP for Rotherham

I would like to welcome to the gallery this morning Sarah Champion and her assistant. Sarah Champion is the Member of Parliament for Rotherham and is chair of the Channel Islands All-Party Parliamentary Group. As Members may know, the purpose of that group is to promote a better understanding of the constitutional position of the Channel Islands and the issues facing our islands and to foster a better relationship with the U.K. (United Kingdom). So I would like the Members to give her a warm welcome in the usual way. **[Approbation]** Thank you.

PUBLIC BUSINESS - resumption

2. Draft Elections (Jersey) Amendment Law 202- (P.28/2025) - resumption

The Deputy Bailiff:

We now return to the debates, the Second Reading of the Draft Elections (Jersey) Amendment Law, Articles 5 to 17.

2.1 Connétable K.S. Shenton-Stone of St. Martin:

Having considered Deputy Scott's request for a reference back and comments made by Deputy Bailhache in the debate yesterday, and having sought advice, P.P.C. (Privileges and Procedures Committee) would like to withdraw Article 5. This will enable P.P.C. and the J.E.A. (Jersey Electoral Authority) to consider this Article more fully. Withdrawing Article 5 will not affect the Assembly being able to vote for the rest of the Articles. Before I close, I will be voting for the withdrawal of Article 5 but I would like to ask the advice of the S.G. (Solicitor General) as to the consequences of keeping Article 5 would be.

Mr. M. Jowitt., H.M. Solicitor General:

The first point is that if it were rejected it would not have any knock-on effect on the other Articles in the Amendment Law. If it is adopted then I would repeat the two points that I think Deputy Bailhache made in yesterday's debate, which I thought had real force to them. The first point he made was that in amending Article 13D(1) of the Elections Law to create a right for the public to complain, Article 5 as presently drafted does not amend Article 13D(3) to empower the Assembly to make regulations to govern the manner in which the J.E.A. might handle complaints by the public. So one would have a strange contradiction in the law in which complaints by candidates would be governed by regulations made by the Assembly, whereas complaints by the public would not be. In the context of the advice I gave yesterday, which was that it is foreseeable that the way in which the J.E.A. handles a complaint by a member of the public might result in judicial review proceedings in the Royal Court. That, in my view, is a legal lacuna of some potential significance. The second point Deputy Bailhache made is rather more fundamental. I think he said something to the effect of if you give people the right to complain you must expect that people will do so, and he described it colourfully as are we opening a Pandora's box? So Article 5 is widely drawn in terms of who the

public can complain about. We read at 5(b) that the public can, if it is enacted, complain against the conduct of a person carrying out functions in connection with a public election under this or any other law. We rely to a significant extent on volunteers to staff and run our polling stations on election day, whether that is a Jurat volunteering to be an Autorisé, or whether it is a member of the public volunteering to sit at a table and dispense ballot papers and tick people's names off on the list, whether it is volunteers who count the votes at the end of the process or anyone else involved, would be, as it were, in the frame to be complained about by members of the public. It may be that Members would want to reflect in this debate on the extent to which that might have a chilling effect on volunteers wishing in future to assist in running our polling stations on election day. My own experience as an Autorisé in the last general election is that the system relies, as I say, very substantially on volunteers in carrying out simply a civic duty. Those are the points that Deputy Bailhache made yesterday. I echo them. In my view, they have considerable substance to them and that is, I hope, helpful.

The Deputy Bailiff:

So the proposal made by the chair is that she should have leave of the Assembly to withdraw Article 5. Is that seconded? **[Seconded]** Does any Member wish to speak on the Connétable's proposition to seek leave of the Assembly to withdraw Article 5?

2.1.1 Deputy M.R. Scott of St. Brelade:

I very much thank the Privileges and Procedures Committee for considering the email that I sent to States Members last night in which I discussed the content of a possible proposition to refer back and also thank you, Sir, for giving me the opportunity to draft the content of that email. I do think that we often perhaps leap before we look and sometimes we just need to do work, and many hands make light work. Could this situation have been avoided if there had been more engagement with the Corporate Scrutiny Panel? I do not know but I do think that as we progress during this debate understanding the value of having early scrutiny is something I would point out to all States Members. Thank you very much.

2.1.2 Deputy M. Tadier of St. Brelade:

We finished yesterday quite unsatisfactorily and we have started this morning very unsatisfactorily. We seem to have the worst of both worlds here. A reference back basically would have asked for an Article or many Articles which the mover thought she had a problem with to go back and look for clarification about inaccuracies or ambiguities rather in the law. That is what a reference back is for. I noticed, my reading of the email that was circulated by the Member last night, did not have any inaccuracies that it wanted to be clarified. It simply had, I think, political differences, if I can put it that way and concerns. It is not for P.P.C. to do a reference back and then come back with concerns, and I think that is why ultimately the reference back would not have succeeded. In withdrawing Article 5, what the chair of P.P.C. is doing is withdrawing our rights as an elected Assembly to make a consideration of Article 5 and its merits and have a proper debate on that. She, I think, unfortunately, is capitulating to the threat of a spurious reference back, which I suspect would not have passed, and at the same time has made, I would say, the knee-jerk reaction to deprive us of our say on Article 5. I think that Article 5, as we have heard from the Solicitor General, its removal is highly problematic, and it seems that it would put us in a very strange position. If that is not what he said, then I am happy to ...

Deputy M.R. Scott:

Just a point of clarification, please. Just perhaps Deputy Tadier would clarify, that is not what the Solicitor-General said.

The Deputy Bailiff:

I think that is what he thinks he said.

Deputy M. Tadier:

No, that is fine.

The Deputy Bailiff:

Just carry on, Deputy.

Deputy M. Tadier:

Okay, that is not what the Solicitor General said.

[9:45]

I think nonetheless, with the contribution of the Solicitor General perhaps to the opposite side of the argument, is that I think we should still be considering Article 5 and actually just rejecting it or considering its merits and telling P.P.C. what or how it should be amended. I think that there is a good case for the J.E.A. clearly to be accepting and considering complaints, and not only complaints from candidates who may have an axe to grind with another candidate about something they said, something which likely is difficult to prove, but actually something potentially much more egregious that has happened to a member of the public against a candidate, or indeed the other way around. It could be a candidate who has received some kind of malicious threat or behaviour that is unacceptable from a member of the public. It seems that all of those things need to be capably conceived of by the Electoral Authority. I do not know if this is the place to say it, but I will simply say also, that in considering the wider objective of what the Jersey Electoral Authority is there to do, I think it should be given more powers in fact. It should be empowered to actually not just look at how the technical nature of the voting process works but the fairness of our voting system. I think it is probably correct to say at this point, while we have got a welcome visitor from the U.K. with responsibility for the Channel Islands, to say that this Assembly, by a narrow margin, has voted to make our electoral system even more of a postcode lottery than it is already. We know that in Jersey we have a postcode lottery whereby if you live in the urban areas you are already disenfranchised ... your power of vote rather, I should say, is much less than it should be than the wealthy who live in the country. "Same as it ever was", to quote David Byrne and Talking Heads, and it has only just got worse for political reasons and for gerrymandering purposes. Whether it is at the Ministry of Justice level or whether it is done at the Privy Council level because we know of course since 1771 ...

The Deputy Bailiff:

We are debating whether or not to [Laughter] ...

Deputy M. Tadier:

I know, Sir. But I am minded to channel Mastermind and say, I have started so I will finish.

The Deputy Bailiff:

It is important to focus on the issue at hand.

Deputy M. Tadier:

Getting back to Article 5 and perhaps why we should maintain it is that I think we should be empowering the Jersey Electoral Authority to give them proper powers to look at the fairness of our system so that the U.K. do not need to intervene in the same way that they did in 1771, because we need to show that we are a proper self-governing democracy, that we do not need the U.K. Government to intervene, but if we continue to make our electoral processes less fair, whether it is through the removal of Article 5, the redress, or in fact through the gerrymandering of our system, that we may actually need the U.K. to step in and do something for us to help.

2.1.3 Connétable D.W. Mezbourian of St. Lawrence:

I am not sure that I am pleased to follow Deputy Tadier because I think I lost the gist of what he was trying to say. Has the chairman of P.P.C. capitulated or has she made a considered decision and come to the Assembly, as is her right, to ask for permission to withdraw this Article? We will decide when we vote upon it. My concern, I was thinking about this last night and of course the Solicitor General just mentioned the volunteers who help with elections, and that has been my concern since reading this proposed new Article. We rely so heavily on volunteers to help to run the elections that my feeling is that if they were aware that the J.E.A. could investigate complaints against them I think it would be difficult to encourage people to come forward to undertake this important voluntary role. At the moment, if there are any complaints on the day of an election, they are dealt with by the Jurat as Autorisé. The ultimate decision rests with the Jurat and I, who have been involved with elections for many years, do not recall any situations where maybe there have been minor quibbles where they have not been resolved satisfactorily to all parties. So my concern is volunteers, but also Parish staff. They are employees. If there are complaints made against them then the Parish deals with those complaints under the contract of employment. We have disciplinary procedures that we follow. My concern is that if authority is handed to the J.E.A. to deal with complaints against members of staff, I do not know how that could be managed, and it is something that I urge P.P.C. to consider if this Article is withdrawn, and further consideration is given to implementing a formal complaints procedure. My view is that we do not have a formal complaints procedure but things work and if it ain't broke why should we be looking to change it?

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

Could I ask a question of the Solicitor General please?

The Deputy Bailiff:

Yes, you may.

Deputy R.J. Ward:

In the current system that was just suggested, if somebody makes a complaint to a Jurat who is the ultimate end of that complaint, what happens if the person does not agree with the outcome or sees a wider issue? Do they have any outcome from, for example, our election laws, which I believe we have an Election Law, and what would that mean in terms of the complaints process or have we simply got the end of a complaints process for an individual who can be both judge and jury on that complaint?

The Solicitor General:

I think there is only a limited redress to the Royal Court in respect of disputed elections and procedure and examination papers. It is dealt with in part 10 of the Election Law. If I can just have a moment. Yes, I think it is limited to every case of a disputed public election or Parish election shall be dealt with by the Royal Court. I do not think there is any higher redress if there is simply a complaint on the day to the Autorisé about, for example, the layout of voting booths, whether someone has had sufficient time to cast their vote or whether someone should or should not have received a home vote, I do not see there is any higher redress.

Deputy R.J. Ward:

May I just add to the question? So in our current situation, is there no way at all to make a complaint about an individual's conduct or is there a way of making a complaint about an individual's conduct that could theoretically go to the Royal Court to be followed up if the outcome was not satisfactory on the day?

The Solicitor General:

At the moment it is only a candidate who can complain under the existing law about either the conduct of another candidate at the election or the conduct of any person carrying out functions in connection

with the election under this or any other law. That is a complaint that would be dealt with under the existing law by the J.E.A. The law makes no provision for an appeal against a decision by the J.E.A. in respect of such a complaint, which is why I gave the advice I gave yesterday, that if there were to be a legal challenge it would in all likelihood lie by way of an application for leave to seek judicial review.

The Deputy Bailiff:

Deputy Jeune, is that a question for the Solicitor General?

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity

Yes. By adding on to that question by Deputy Ward. Also of course volunteers should be allowed to complain and so is there any provision within the law and do we feel that going to the Royal Court is justification for maybe complaining about unsafe working conditions like long hours or access to toilets or harassment and bullying or lack of support. These are maybe low-level complaints and I am wondering if going to the Royal Courts is the right place to do it and can they do that at this moment?

The Solicitor General:

No, volunteers are not able, as a matter of law, to make a complaint that the J.E.A. can consider under what is presently 13D of the Elections (Jersey) Law. It is candidates who can complain about one another or can complain about the conduct of any person carrying out functions in connection with the elections under this or any other law. The reference to the Royal Court is only where the J.E.A. makes a decision and a person who is dissatisfied with that decision may be able to challenge it on the usual judicial review grounds that the decision made by the J.E.A. was unlawful, was irrational or was procedurally irregular. But the sort of minor complaints that the Deputy speaks of are just that, they are minor complaints which are not susceptible to legal challenge or resolution through the law.

Deputy R.J. Ward:

May I ask another question? I did have a follow-up, but thanks to Deputy Jeune for giving me a moment to think about that. I suppose my question is, it is a what-if question, if a member of the public or a volunteer sees something happen in the election process, which they see as significant, where do they go to make a complaint and what redress do they have if they make that complaint in the current situation?

The Solicitor General:

I think I have already answered that question. The complaint is made to the Autorisé who deals with it on the day. There is no further redress to the Royal Court other than that which I have mentioned under part 10. I am not sure I can help the Deputy any further.

Deputy R.J. Ward:

Sorry, what I am trying to get to is if that outcome on the day over a significant process in our election process is seen by the Autorisés - I have dealt with that - but the person does not agree with that, is there any redress after that the person can take because it could be a significant impact on our election. We have to think about these things when we think about democracy because it is such an important thing to get right.

The Solicitor General:

Well, if the Deputy is referring to a complaint which is so significant that it gives rise to a dispute about the outcome of an election, then that is amenable to review by the Royal Court under part 10 of the Elections Law: it is a case about a disputed public election or Parish election. If it really were the case that something had happened at a polling station which called into serious question the

validity of the result, then the buck, as it were, would not stop with the Autorisé, it could be taken further to the Royal Court.

Deputy R.J. Ward:

One final point, would that include an individual that is volunteering to do that work? So if a complaint was made towards an individual.

The Solicitor General:

The law says Article 57: “Any person, whether or not a candidate in an election, may dispute a public election or Parish election by making application to the Royal Court, being an application on oath, setting out the grounds for the dispute and made before the end of the period of 12 months following the day that has been fixed for delivering returns to the Royal Court”, so any person.

Deputy M. Tadier:

A question?

The Deputy Bailiff:

Yes.

Deputy M. Tadier:

Given the fact that in this instance the J.E.A. would be removed from the equation and it would be the Autorisé making a judgment on any complaints, is the fact that the Autorisé is a Jurat - so a Jurat is elected by an electoral college of both the Advocates and Members of this Assembly - could that be used as a motive for somebody who was not satisfied with the outcome of the judgment to then complain to the Royal Court because of course one of the potential candidates in that election could be somebody who has voted for the Jurat to have that particular position. Then it gets referred to the Royal Court where Jurats are also members of the Royal Court, so I am afraid it does get very feudal. Is that likely to be grounds for complaint and is that in fact why legally the J.E.A. was perhaps put in here to give some wiggle room to not compromise the role of perhaps Jurats in this whole process?

The Deputy Bailiff:

Solicitor General, is that a question you can respond to?

The Solicitor General:

We are starting to stray into the realms of the speculative. **[Interruption]** Starting. The proposition, Article 5 is not about removing the role of the Jersey Electoral Authority, it is about in fact extending its remit. By removing it, or if Members vote against it, does not remove the remit of the J.E.A. as presently enacted, it simply means it will not be extended.

[10:00]

I am not sure for the purposes of this debate that it would be helpful for me to venture a highly-speculative answer to a highly-speculative question.

The Deputy Bailiff:

The next person to speak was Deputy Rob Ward. Do you want to speak now or later or not at all?

2.1.4 Deputy R.J. Ward:

Yes, let us give it a go; thank you. I do not think this should be withdrawn, I think we should debate it and we should vote on it. I think we should debate it and we vote on it because there is a choice to be made. I am afraid that I always have concerns whenever we hear the phrase: “Well if it ain’t broke, don’t fix it.” You do not need to improve it, it has not been a problem, so let us not go near it. With election processes you have to look at your processes and you have to look at them

consistently. It happens around the world. There is international best practice; this Assembly has ignored it recently by making a change within the year of an election. That is a fact, factual information for us, we have decided to ignore best practice around the world. Just to say “it ain’t broke” I think is a very tenuous approach to what we are doing. We have a situation where we have a Jersey Electoral Authority which I think should oversee all aspects of the election process; it should be independent of the judiciary. It should be very clearly set out as to its terms of reference, it should be clearly set out in terms of its processes and what it can and cannot do, the ways in which you can make complaints and, also, which complaints will be ignored. We get it all the time. There were lots of complaints made about us, they were ignored by the commissioner because they are not proper complaints, they are just personal attacks sometimes. Now you need that process in place. This Article 5 is an enabling law to allow that to happen in the future, that is all it is. Article 5 says, yes, go away and work out and get the Jersey Electoral Authority its ability to deal with complaints in a constructive, independent, neutral way away from candidates, away from the Parish structures. Because there are Constable elections going on at the same time, there are other elections going on, and I think we need that credibility in that complaints system. It takes it away from an individual. Individuals, therefore, are exposed to review in their decision-making. There is nothing now that does not expose individuals or a volunteer in the election process if somebody makes a formal complaint and wants to take it further. What we do have is an immediate move, it seems, to a much higher authority than the Jersey Electoral Authority who could make a valued, independent judgment on these complaints. This is something that is needed, it is constructive, it is useful, and it is something we should not just be throwing out because of the pressures being put on. I have to say, I am afraid, that I am incredibly disappointed in the use of Standing Orders yesterday when a term of reference ... if that is the process we are going to have a terms of reference, fabulous; I look forward to using it myself. Sorry, a reference back. To say I have a reference back and then be given overnight so that we can receive emails with an argument for a reference back, that is not a process of a reference back I have ever seen before in this Assembly. I do not know if anyone else - and there are some very experienced Members of this Assembly - have ever seen the process used in that way. That has clouded this judgment we are making here, which will be a poor judgment just to remove it. We will forego our rights, our ability and our duty to make decisions on this because of, I think, a very misplaced use of a reference back.

Deputy M.R. Scott:

Can I ask a point of clarification?

The Deputy Bailiff:

Well only if you are prepared to give way.

Deputy R.J. Ward:

No, I have got to finish my speech; I will do it at the end. I am happy to but let me finish because I get thrown; I have now been thrown. So, the reference back I thought was used. We have got ourselves in a situation in this Assembly that we get ourselves into so many times. We are not going down rabbit holes, we have gone through an entire warren of rabbit holes here. We will end up there again and again and again and again because we take something that is simple, is clear and gives us a way forward and say: “Oh no, we cannot do that” for some dubious reasons which are raised constantly about it. Now if you do not like the way the Electoral Authority is working when it comes back, bring changes to the Electoral Authority to this Assembly. At the moment we will have nothing there in terms of complaints apart from something where we have said: “Oh, well there are no complaints and they are dealt with very easily”, so something that should not be a problem has suddenly become a problem. I am afraid I think it is fundamentally wrong to make judgments, particularly legal advice, on the notion of a Pandora’s box, something that is created, a straw person to be stood there to go and argue with. It does not exist. Just because we think it does not happen

does not mean it is there. I think we have got ourselves in a really poor position here. I think the best thing that we can do is debate this, vote on it. If it is rejected at least we go out to the electorate and say: “We made this decision on Article 5, we do not want you to have your complaints go to the Jersey Electoral Authority. We are happy to have an individual judge on them” and then that is the end of it. That is as far as your complaints can go; if you do not like it, move on. I urge people to reject the removal of Article 5 today. Let us debate it and let us go through it properly because this is not the correct way, I believe, to proceed with this process.

The Deputy Bailiff:

Deputy Scott, your point of clarification?

Deputy M.R. Scott:

Yes, please. I just wanted the Deputy to clarify his understanding in terms of the history or the novelty of the reference back. Because earlier in this States sitting we debated P.27/2025 regarding the Draft Elections (Electoral Registers) Law. That was referred back to the P.P.C. in the context of the proposal that was in it regarding the actual availability of registers and the people on it. Then the P.P.C. considered it and brought an amendment, so is it that different?

The Deputy Bailiff:

I think a point of clarification needs to be limited to seeking clarification of what a Member said.

Deputy M.R. Scott:

I just want to clarify if really this reference back I was considering was that different.

Deputy R.J. Ward:

Yes, I do believe it is fundamentally different because the previous reference back was dealt with on the same day at the time because the person referring back had a very clear idea in their head before they put their button on to say: “I would like to reference back” as to what that reference back was. Whereas the reference back yesterday seemed to stop and be given overnight to decide on what the reference back would be. That is why I think it was a fundamentally different application of our Standing Orders and I am very disappointed in it.

Deputy M.R. Scott:

Another point of clarification. Does the Deputy not recall I said I was willing to give the details at the time?

The Deputy Bailiff:

Well I believe what you have said, Deputy, I do not think this is ...

Deputy R.J. Ward:

Well can I just say, I do remember that but it did not happen, and it is about reality in this Assembly.

2.1.5 Deputy J. Renouf of St. Brelade:

I too am going to speak against the withdrawal of this because I think that the reasons advanced for withdrawing this cannot be remedied by a reference back. The reasons advanced are so fundamental that they are not amenable to a little compromise, they are a fundamental ...

Deputy M.R. Scott:

Sorry, Sir ...

Deputy J. Renouf:

I am not going to accept a point of intervention.

Deputy M.R. Scott:

Okay, but it is not a reference back.

Deputy J. Renouf:

We are debating whether this is withdrawn and, if it is withdrawn, then the consequence of it will be that it will go back to P.P.C. to bring forward further proposals in the future. It may not be a reference back; it has the same effect. It will be for the P.P.C. to bring those proposals forward. I am not going to take further points of intervention. Those points are fundamental. They are about whether or not the J.E.A. is involved in this process. The logical response, it seems to me, for people who do not want that is to vote against it, which we can do today. We can move to that today. I do think that Members need to think very carefully about what they are considering here because, as the Solicitor General has made clear, there is already a process in place to involve the J.E.A. in complaints. That is accessible to candidates and candidates only. What we are saying if we do not pass Article 5 is that is what is good enough for us as candidates, we are going to deny to members of the public. When members of the public come to us and say: "We wanted to complain" we will be saying: "Well, tough, because we voted not to let you complain using that process which was good enough for us. Good enough for us, we are happy with it. We have been using it already, it has already been in place, but we are not going to extend it to you, members of the public. You can use an old-fashioned process that is already in existence" and so on. I do not think that this Assembly should be going down that route. I think we should be voting now, very clearly, in the knowledge of the issues. This proposition was first lodged at the beginning of April. Members have had 2½ months, more than 2½ months, to examine all the implications of it and some Members have. Comité des Connétables has brought amendments to it, detailed amendments. Deputy Jeune brought an amendment to it. The Assembly referred it back once to Corporate Services. Corporate Services have looked at it. Members have had ample opportunity to ask questions. The Assembly raised a great big flag saying: "Look more closely at this proposition" when it referenced it back. If Members wished to raise issues around Article 5 they have had huge amounts of time available to do so. Our job is to come to this Assembly prepared. If Members had problems with that, then they should have raised them. They could have spoken to the chair of P.P.C., they could have sought clarification elsewhere, they could have brought amendments to this. So I think we have had ample time to discuss this, we have had ample time to look at it. We are in danger of denying to the members of the public, some in my view we should support. We should accept Article 5 but Members may disagree; that is fine. In my view, we should move to the vote to vote on Article 5, make the decision now. The issues are simple, they are not going to be resolved by further consideration by P.P.C. because you cannot resolve the fundamental issue by further tinkering. It is a basic point which everybody can see and vote on now, there is no further clarification of that necessary. I think we should move ahead. We should accept that the issues are clear, that the issues that were raised by Deputy Bailhache and amplified by the Solicitor General were basically political objections to a change in the process that may or may not have validity. Members are entirely entitled to their own opinions on those but we should vote on them now and not waste any further time on this. If this goes back, we will still be debating it in September or October and that is just ridiculous.

2.1.6 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter:

Well, I perhaps am going against the tide and I support the chair of P.P.C.'s wish to seek leave of the Assembly to withdraw Article 5. Members will recall yesterday in moving the Article, one of the things that the chair said was that people would be able to complain about what was said at hustings as part of this potential process. The reason I raise that is because one of my colleagues this morning has made a most outrageous contribution to this Assembly talking about "constitutional nonsense". The reality is that at a hustings candidates can articulate their platform. We may not agree with it but I fundamentally disagree that a Member of this Assembly would stand up and say that a legitimate in-principle decision of this Assembly, approved by the majority, should be submitted to either the

Ministry of Justice or the Privy Council to have it overturned. That to my mind is a fundamental misunderstanding of our constitutional position. I, for one, will not stand for it, particularly when of course we are going to argue about the role of Senator; of course we are. To some extent the Deputy was playing to the crowd which is no longer there **[Laughter]** but the Senatorial office can only be described as the most democratic office. It is a constitutional nonsense to suggest that it shows we cannot govern ourselves and that the U.K. should intervene in something that has been democratically decided by this Assembly of democratically-elected Members.

[10:15]

The Deputy that made that assertion, and his party, that could be their legitimate position in their manifesto, they could espouse such matters from a hustings. Should people be able to complain about that to the J.E.A. or is that legitimate political dialogue? I absolutely accept that there needs to be an improved process for dealing with complaints. We currently have a limited complaint process where candidates complain about other candidates but, as other contributors said yesterday, particularly Deputy Bailhache, it would not be like for like. In regard to complaints between candidates there are regulations moved in this Assembly; that is how it should be dealt with. What is being currently proposed here would mean that it was a different process for other complaints. That to me seems to be at best confusing and inherently unfair. I do think it is right that P.P.C. are allowed to withdraw Article 5 to consider what complaints process might be required. It might be that they arrive at the very eminent common-sense approach which has made this Island what it is that “if it ain’t broke, don’t bother fixing it”. We seem to have moved into a world of “even if it is not broke, we will bring in some legislation and try to do something differently” and we have got to guard against that. We could very easily, by accepting this, I think, bring the whole electoral process into disrepute. P.P.C. have said they would like to give it more thought, they will do some more work on it and bring it back. I think they should be supported in that process to take it back and to give it further consideration because of all of the issues which other Members have referred to, not least of which the Solicitor General.

2.1.7 Connétable M.K. Jackson of St. Brelade:

If I can just draw Members’ attention to a comment from the Corporate Services Scrutiny Panel, page 7, paragraph 36, which is very helpful and basically suggests that the panel is concerned about the process and urges the P.P.C. to look into it, which is what the chair is proposing. Before sitting down I would reinforce the point that we must look after our *asseoirs*, the helpers in the elections, they are exceedingly important. I will be supporting the P.P.C. proposal.

The Deputy Bailiff:

If no other Member wishes to speak, I call upon the chair of P.P.C. to reply.

2.1.8 The Connétable of St. Martin:

I would like to thank everyone for speaking. I would just like to add that I do believe that the reference back should have been debated during the sitting yesterday and then we would not be where we are today. I was told that it was a knee-jerk reaction. It is absolutely not a knee-jerk reaction nor a capitulation but it is more of a pragmatic response. The issues raised by Deputy Bailhache are valid and there would need to be an amendment to the legislation to remedy them. The J.E.A. has only just been re-established and it is only right that the chair and members of that body have an opportunity to have a part in the discussions which will ultimately dictate the parameters of their work. I am very for a level playing field, that the public and those of us elected, or standing for election, should all have the same rights to the complaints. At the moment the way Article 5 stands that is not the case and so I would ask Members to allow P.P.C. to withdraw this.

The Deputy Bailiff:

Is the appel called for? The appel has been called for. I invite Members to return to their seats.

Deputy R.J. Ward:

Can I just confirm what the vote is for?

The Deputy Bailiff:

Yes, it is whether or not P.P.C. have leave of the Assembly to withdraw Article 5 of the draft law. I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce the proposition has been adopted.

Pour: 30		Contre: 14		Abstained: 0
Connétable of St. Helier		Deputy G.P. Southern		
Connétable of St. Lawrence		Deputy M. Tadier		
Connétable of St. Brelade		Deputy R.J. Ward		
Connétable of Trinity		Deputy C.S. Alves		
Connétable of St. Peter		Deputy S.Y. Mézec		
Connétable of St. Martin		Deputy T.A. Coles		
Connétable of St. John		Deputy D.J. Warr		
Connétable of Grouville		Deputy H.M. Miles		
Connétable of St. Ouen		Deputy J. Renouf		
Connétable of St. Mary		Deputy C.D. Curtis		
Connétable of St. Saviour		Deputy L.V. Feltham		
Deputy C.F. Labey		Deputy H.L. Jeune		
Deputy S.G. Luce		Deputy R.S. Kovacs		
Deputy L.M.C. Doublet		Deputy M.B. Andrews		
Deputy M.R. Le Hégarat				
Deputy S.M. Ahier				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy K.L. Moore				
Deputy Sir P.M. Bailhache				
Deputy M.R. Scott				
Deputy R.E. Binet				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				

The Deputy Bailiff:

We now resume the debate on Articles 6 to 17 inclusive in Second Reading. Does any other Member wish to speak on those Articles?

Deputy M. Tadier:

I think I did put my light on yesterday.

The Deputy Bailiff:

Yes, you did.

2.2 Deputy M. Tadier:

But I am glad to have had a little bit of a break and to have some clarity about where we are going. There is no reference back and that is helpful. No Article 5; that is also helpful. I want to start my observations talking about inclusion in the electoral process and how we perhaps cater or do not cater for inclusion. I was at a B.I.M.R. (British Islands and Mediterranean Region) conference recently with the Constable of St. Brelade and Deputy Doublet. There was a lot of ground covered but one of the key things for me was around disability. Something that struck me was the fact that, the correct name I think is one of the labels, if you like, that we use is to talk about disabled people. The speaker said that it is correct to call them disabled but they are not disabled by their afflictions or rather their impairments, they are disabled by society and what society does not allow them to do. I would like to apply that kind of critical thinking to our electoral processes. One of the questions I would have for the chair of P.P.C. when it comes to the ballot papers that we talk about in these Articles and how they are issued is how do we ensure the secrecy and privacy of the ballot box for blind people? For example, it may well be that you say: "Well of course a blind person would be expected to get a postal vote to be able to vote at home" but then again the question arises, how do we ensure the secrecy of the ballot for those individuals? I think the secrecy of the ballot is something that many of us take for granted. I think many in our community would even say it is sacrosanct. The ability to be able to vote without anybody else knowing how you voted is something, as I say, that we all take for granted. I would first of all question P.P.C. - and perhaps the chair can come up with the answer in the summing up or at least agree to give it consideration - if, as a blind person, you were to turn up to any polling station, would you be given a ballot paper with braille on it if you were able to read braille? If not, why not? These are the kind of questions that we should be thinking about. We are at least 10 years on now from our Discrimination Law, yet if we are not leading by example in this, then we have to think about those things. Are all polling stations accessible and does the person who wants to vote with a disability have to go out of their way to make the point that they need some kind of assistance? I think these are things that we need to think about. How are complaints made by those disabled people now? If they want to make a complaint about the electoral process, is that still going to be covered? The second point is perhaps slightly more rarified but I think something that needs to be given consideration is that when a new candidate is elected, if they are neither of a Christian faith nor are they an atheist or a humanist, what option do they have when they take the oath of office? In the U.K. in the House of Commons the process is that the clerk will ask whether you want to swear an oath or to affirm, which is of course what we want to do. Then if you do want to swear, you will be asked which holy book you wish to swear on. I do not know what would happen in Jersey if a Muslim or a Sikh or a Hindu, the list could go on, or anyone else, was elected, would we simply say to that person: "It is the Bible or nothing else. You have to take an affirmation"? It seems to me that those kind of considerations ... which are also considerations for the Royal Court of course because you have your own people that you swear in for different reasons. In the 21st century in 2025, when we have just celebrated Pride this week, is it only the Bible or is it only basically a non-religious affirmation? While we are on that point, could I ask for consideration to be given - whether it arises from these Articles - about the swearing-in process? Why do elected States Members who are elected to this Assembly, to this Parliament, have to swear an oath of office in the Royal Court which has absolutely nothing to do with this Assembly? It would make just as much sense for Jurats to have to take their oath of office in this Assembly, as it would for newly-elected States Members to take an oath in the Royal Court. It does not say much for the separation of powers in Jersey. I will make those points about perhaps modernisation and inclusion, whether or not they go down well and fall on ... I was going to say "deaf ears" but that would not be entirely appropriate, given the context of my speech earlier. I would like to turn my attention to the role of the Jersey Electoral Authority now perhaps in co-ordinating elections. The choice I think that we

were faced with is that it should be the Jersey Electoral Authority who organise hustings - did I say “hustings” earlier rather than elections? - and not the candidate. Now the reality is, certainly in some elections, it is theoretically the candidates who would arrange the hustings for themselves. Certainly in the Senatorial elections - and if we have Senatorial elections coming back - I think that is perhaps where the most consideration of organisation of hustings, how many hustings in particular, needs to be given real consideration because the only time that I stood for Senator was back in 2008. The nomination evening was Tuesday, 16th September at the Town Hall. There were 21 candidates and then when all the nominations had been made, it was said that the candidates had to choose where the hustings would be. But, as if by magic, the chair of the Comité des Connétables - it was Connétable Vibert at the time from St. Ouen - pulls out a little piece of paper from his pocket and says: “But if it is helpful, these are all the dates from the Parish Halls when the Parish Halls are available and would the candidates like to do this?” There was some discussion but the majority basically went in favour of the prescribed list and the pre-booked dates for all of the Parish Halls. Now I would hope that if we do have Senators back - and it is by no means a given, there is still time for Members to change their mind and see the light - that certainly there should not be 12 hustings plus another 3 perhaps, one for the Chamber of Commerce, one for the R.J.A. and H.S. (Royal Jersey Agricultural and Horticultural Society) and one wherever we might get pulled in, or they might get pulled in, I should say; that was not a Freudian slip. It should be maybe done in a more sensible way. If it is for the Jersey Electoral Authority to decide when and how the hustings take place I think first of all. They should probably think about streamlining the process, think about how many people turn up to hustings, think about how big the Island is. If it is truly an Island-wide vote then you do not need to have each one in each Parish. So it may well be that the Electoral Authority think: “We will have one in the west”, it is a very good school, by the way, around Les Quennevais, “one in the east and one in the centre somewhere.” I think that is probably perfectly sufficient. The Senatorial candidates, there will probably be quite a few of them, can spend their time perhaps engaging in other novel ways; I am sure they will have their time stretched anyway in that process. Changes to the ballot paper. This is just a small remark and I do not think it is one that is necessarily fundamental but it is just an observation. I have some comment to make and perhaps some reservations on the changing of the name of a “spoilt” paper to a “cancelled” paper.

[10:30]

The reason for that is I think it changes the emphasis and the way that we look at the purpose of what is still a spoilt paper. I think it is entirely possible of course that spoilt papers may end up in the ballot box because somebody has made a mistake on the ballot paper. Usually a spoilt paper could be considered a form of protest. It is where somebody goes down, rather than casting a vote for the candidates that are available, for whatever reason, they may wish to make a protest. It is an opportunity to explore some of their best artwork or graffiti or poetry that they may wish to write on the ballot paper; therefore, it is called a spoilt ballot paper. I think that in changing the word to “cancelled” it perhaps just makes it quite bland. I think perhaps a better word would have been “void” because - let me get back to the point - a spoilt paper is an active effort that the voter has taken. A cancelled paper is what happens to a spoilt paper, so it gets cancelled.

The Deputy Bailiff:

Deputy, the word chosen in the draft law is “annulled”.

Deputy M. Tadier:

Annulled. I just heard “cancelled” earlier but annulled, thank you, Sir. So annulled is the same as cancelled, so the same point applies; it has been annulled. I would have probably preferred the word “void” because you can void your paper and then a paper can become void because it has been spoilt but I am not going to necessarily ask for that to be taken separately. It is just an observation about how perhaps language matters and how the perception might change because I think protest is an

important part of the democratic process as well. I think that the reason the J.E.A. is going to have such an important job in the next election is that there are likely to be many more complaints, not necessarily about conduct during hustings, but things like posters. We know that posters were creating a massive problem for candidates. It was really difficult to know where posters should go. Unlike in Europe where there are designated areas to be able to put up posters, they are often put up for you and that there is a formula whereby a guaranteed exposure and a fairness is included. In Jersey it is very much a free-for-all. We are going to see, not just this time Deputies' posters and Constables' posters being put up, but Senators' posters will be put up as well. There could be 20 Senatorial candidates standing for the 9 seats, maybe even more. There is going to be an awful lot of clutter, and I think serious consideration needs to be given to dealing with that in a democratic society, a society which is increasingly used in digital forum. The Tourism industry in Jersey recently got rid of its visitors centre because it said that people did not want to have drop-in and they were not valuing paper leaflets anymore. Clearly, they have had to go back on that but there is some debate to be had about to what extent posters, not least because of the environmental impact that they have, should be featuring in an election in the 21st century. I personally would favour probably a ban on posters but that is perhaps more extreme. There is of course the counterargument that it would hinder new candidates who perhaps need to get their faces out there and more well known. I will leave those thoughts, perhaps not necessarily for the chair of the P.P.C., but for the chair of the J.E.A. With those comments, I will sit down.

2.2.1 Connétable A.N. Jehan of St. John:

I generally welcome these changes and in particular the review of polling stations. This is a subject that I have written about, and we have spoken about many times in this Assembly. There are many improvement opportunities in this respect. For example, hopefully a polling station will be placed in the La Mare area of St. Clement, something I know the Constable of St. Clement has also been keen to see. In answer to Deputy Tadier's question about accessibility of polling stations, I believe that all polling stations were audited before the last general election to ensure accessibility and, in some cases, significant investment was made to ensure compliance. The proposal is for the J.E.A., in consultation with the Autorisé, to decide on location of polling stations. I would ask my colleague the chair of P.P.C. to confirm that the electoral administrators will also be included in these discussions. It is the electoral administrators, in many cases, who possess a lot of experience around elections and, importantly, local knowledge. These people are also tasked with recruiting volunteers for polling day. I would also ask for clarification on the hustings. In terms of the hustings, in my experience candidates can never win an election at a hustings but, again, my experience tells me that candidates can lose an election at a hustings. Three years after the last Deputies' hustings in St. John people still laugh about the candidate who said the new hospital will be free: "I tell you, free" and people still laugh about that today. I presume the pre-selected dates are for the filmed hustings and that there will be no constraint on candidates to hold additional meetings if candidates agree to them. Also, if interest groups want to invite candidates to speak on specific subjects at a hustings, as they have in the past, then they will be free to do so. It is all of our responsibilities to encourage participations in an election. Hustings should be encouraged as part of that engagement. In terms of postal votes, we have in this debate been reminded that many Islanders participate in overseas elections. Often this is done through postal voting. There appears to be a nervousness in Jersey around postal voting. The public needs to be encouraged to do this early. The recent election in Guernsey allowed members of the public, if they had missed the postal deadline, to drop off their completed postal votes right up until the polls closed at 8.00 p.m. on election day at Frossard House. Currently, our postal votes are low, despite the changes made in 2021: just 6 per cent of electors in St. John who participated in 2022 compared to around 18 per cent in the U.K. In Guernsey it was reported that around 9,000 Islanders had opted for a postal vote; that is approximately a third of their electorate and around half of those who exercised their right, or should I say duty, to vote. They did so by postal vote. I would also encourage P.P.C. to look at how we can further promote postal voting

as part of the engagement piece and perhaps give clear instructions to candidates as to what they can and cannot do in relation to this. I mentioned the Guernsey election. In that recent election some 12 per cent of Guernsey voters took advantage of pre-polling and, again, in St. John it was just 4 per cent in 2022. I think this is an area that P.P.C. can also promote around engagement. While I have asked these questions, I would like to thank the P.P.C. for taking on board the feedback from the last time we debated this subject, and I will be supporting their proposals.

2.2.2 Deputy J. Renouf:

I just want to make a small point because I think it is worth remembering that the substantial thrust of these proposals that remain, and indeed the one that we have removed, for P.P.C. to consider further is to give more power to the Jersey Electoral Authority. I want to make it very clear that I am completely in favour of that move, that this represents a significant professionalisation, if you like, of the process. I think that we should be profoundly grateful for the work that the Jersey Electoral Authority did around the previous election. They made clear and sensible points about that election which are reflected in some of these recommendations. I think the views that have been expressed that express nervousness around, for example, the fact that we would be giving the J.E.A. the right to set guidance and so on, do not cause me the concern that this seems to cause other people. I would expect guidance and the work that they do in collaboration with the electoral authorities in each Parish, which is mandated in the question around where the polling stations are, and so on, that these people who put themselves forward for these roles in my experience are exceptionally committed, they are very responsible, they care deeply about their roles and they have a vested interest in ensuring that the recommendations they make, the decisions that they come to, the guidance that they issue are sensible because they are the ones who are going to live with the consequences if they are not. They are the ones who will have to deal with the complaints and so on, should we eventually get to that stage, which I hope we do. I would simply draw attention to that fact. The consequence of this passing is that we do have a more significant role for the J.E.A. I think that is to be welcomed, notwithstanding the fact that of course they need to co-operate with the existing structures that are in place. I welcome these changes.

The Deputy Bailiff:

Does any other Member wish to speak on these Articles in Second Reading? I call upon the Chair to reply.

2.2.3 The Connétable of St. Martin:

I thank everybody who has spoken. I have made notes so forgive me if they are not all in order. I would just like to start by saying that I am really grateful to the J.E.A. We have got an absolutely excellent chair and members of that committee are very well qualified to carry out their roles and they are very responsible and committed individuals. I would like to assure my colleague that P.P.C. will be promoting postal voting and pre-poll voting. It has been the tenet of my chairmanship that we have got the A.V.R. (automatic voter registration) in, we have got Sunday voting in, and I really want to get people out voting, so we will be doing everything we can to promote these things. As for postal voting, there is a date stated but there is discretion; there will be discretion for the receiving of postal votes. I would also like to say, the J.E.A. will be responsible for arranging the hustings, and that was done to try and help Members, not hinder Members. Hustings are incredibly important. It was just that some of us - well most of us, all of us - were pulled in all sorts of directions at last one and we could not be in 3, 4 places at once. There will not be a ban on having extra hustings, I would like to assure people of that. I do not know but I will look into what happens if somebody is blind and they are voting. As Connétable Jehan said, Parishes and the authorities, we do take disability access very, very seriously, and all the Parishes were audited, had a disability audit before the last election. In my own Parish we then set up a disability and inclusion fund. We had a special ramp built, which we have stored for the next year. We have got special voting booths and we all try to

enhance things even more. Bearing in mind that the elections will be on a Sunday next year, schools will probably be utilised where a lot of disability and inclusion is taken into consideration. The oath of office, I am not certain, I will look at the Deputy Bailiff for this but I do believe it already happens. If you are non-religious you can take an affirmation oath in the ...

Deputy M. Tadier:

So a clarification, would the chair give way?

The Connétable of St. Martin:

Yes.

Deputy M. Tadier:

It is just to say it is not a question of whether you can affirm or take an oath on the Bible, it is the fact that you cannot take an oath on a different religious book. If you are Muslim, you would have to affirm rather than swear on the Bible. I think consideration needs to be given to being able to vote on a different book. Not vote, swear, sorry.

The Connétable of St. Martin:

Yes, this is something that I think had not been brought up with P.P.C. before but it is something that P.P.C. can look at. Electoral administrators will be included in discussions. It would be rather foolish to leave them out because I agree they do have a lot of knowledge, they do have an ongoing role, they have been discussing it. I think I have answered everybody's questions. It has been a very good discussion. Thank you, all, very much.

Deputy I. Gardiner of St. Helier North:

A point of clarification?

The Deputy Bailiff:

Yes, do you give way for a point of clarification?

The Connétable of St. Martin:

Yes, I do.

Deputy I. Gardiner:

If the chair can indicate if the new people will be appointed or any change in the membership.

The Connétable of St. Martin:

We have already got a new committee constituted, so they have had their first meeting. It came to the States. If you look it up they ...

The Deputy Bailiff:

Through the Chair. If the Member looks it up.

The Connétable of St. Martin:

Through the Chair, sorry. If the Deputy would like to look up the composition of the J.E.A., they are an excellent group of chair and members; they have had one meeting already. I hope that Members will support these administrative changes to the Elections Law and I call for the appel. Thank you.

[10:45]

The Deputy Bailiff:

The appel has been called for. Members are invited to return their seats. We are considering the adoption of Articles 6 to 17 inclusive in Second Reading, and I ask the Greffier to open the voting.

If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the Articles 6 to 17 have been adopted unanimously in Second Reading.

Pour: 42		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

The Deputy Bailiff:

Chair, we now turn to the balance of the Articles, Articles 18 to 30, do you propose them *en bloc*?

The Connétable of St. Martin:

Yes, Sir. I propose the law in Third Reading. I wish to place ...

The Deputy Bailiff:

We are not in Third Reading.

The Connétable of St. Martin:

Oh sorry, no we are not.

The Deputy Bailiff:

No, it is the balance of the Articles.

The Connétable of St. Martin:

The balance of the Articles, yes. Sorry, Sir.

The Deputy Bailiff:

The balance of the Articles, Articles 18 to 30 inclusive. Do you propose those Articles?

2.3 The Connétable of St. Martin:

Yes, please; I propose them *en bloc*.

The Deputy Bailiff:

Do you want to make any remarks in support of those Articles?

The Connétable of St. Martin:

I would just be very grateful if everybody would support these Articles. Thank you.

The Deputy Bailiff:

Are Articles 18 to 30 seconded? **[Seconded]** Does any Member wish to speak on Articles 18 to 30 of the Draft Law?

2.3.1 Deputy R.J. Ward:

I am sorry ... no, I am not sorry, I should be speaking **[Laughter]** because I think recently with all these numbers, it is not going to stop me speaking. I am a bit concerned over the postal vote. I do not think it should be 3 days before the poll that postal votes are accepted. I think any given practice should be on the closing of the poll on that day. I have seen a number of elections around the world, I have seen this happen, it is certainly possible in much, much, much larger jurisdictions like the U.S. (United States) who have accepted postal votes on the day and then do not open until on the day. The argument is that postal votes should not be counted until the day. There is no reason, therefore, to have postal votes having to arrive 3 days beforehand unless they are going to be counted beforehand, which I do not think is good practice, personally, for an election. Therefore, they need to be accepted right up until the end of the close of poll on polling day, in my view. I am afraid I would ask for Article 20 to be taken separately, which is no later than the day, if possible, even if it is my own little protest vote. I do want to make the point that I am very keen on observing elections around the world. My name is on a report that is about to go out on one of them and I cannot stand here and say that I think it is the right thing to have 3 days before a poll when I firmly do not believe that is the case, so just that.

The Deputy Bailiff:

You seek a separate vote on Article 44, Deputy Rob Ward?

Deputy R.J. Ward:

Yes.

The Deputy Bailiff:

Which is your right.

Deputy R.J. Ward:

Article 20 not 44.

The Deputy Bailiff:

I am sorry, Article 20, which amends Article 44.

2.3.2 Deputy H.L. Jeune:

I just wanted to stand to support Deputy Rob Ward's proposal, also because I think that this is concerning. I understand that it was probably put in because of the Sunday vote but I believe there is post received on a Saturday. I would be worried that this really does put restrictions on being able to receive the postal votes. I also would be supportive of that.

2.3.3 Deputy S.G. Luce of Grouville and St. Martin:

I, too, want to stand up and support the sentiments. I was a little bit surprised that chair of P.P.C. did not reference the speech of the Constable of St. John, given that he spoke about the Guernsey postal vote situation. I do understand that our election will be on a Sunday, it is going to make postal vote delivery a challenge; in fact, postal vote delivery on the Saturday might be a challenge. We need to look at this to make sure that as many people who want to vote by post can do so and get their votes registered. We need to accept at the same time that the change of a voting general election date to a Sunday is going to give us some challenges as to how this is done. We do seem to be going from noon on polling day to 3 days before. That is a big change and I would like P.P.C. to go away and have a look to see whether they can improve on that. I think we might need to accept that accepting postal votes on the election day, if it is a Sunday, could prove to be a problem.

2.3.4 Deputy L.M.C. Doublet of St. Saviour:

I wanted to thank Deputy Ward for raising this; I believe Deputy Tadier mentioned in his speech about people with disabilities being able to access voting. Indeed, Islanders who want to access postal voting, for some people it will be convenience, but for many Islanders it will be those who have disabilities or who are caring for people. I think we risk disenfranchising people and it is putting additional barriers in. I am also going to vote against Article 20. I would urge the Assembly to do so because, having reflected on some of the previous speeches, I find myself feeling quite strongly about this, that we should be able to accept those postal votes on the day. If there is a Minister in the Assembly who has responsibility for communicating with Jersey Post on this because other times of the year they do operate outside their normal days. Given the importance of a democratic election, there might be something that could be done there. I do not know if there are any Ministers present who can comment on that before we go to the vote.

2.3.5 The Connétable of St. John:

I do not have responsibility but I can speak with a little bit of knowledge. It would be far too costly to operate a postal service on a Sunday just for an election. It would be possible for the public, if they have missed the postal vote through the postal service, to use Union Street as a receptacle for postal votes, just as I mentioned in my earlier speech that Frossard House is used in Guernsey. You can go to the polling station with some identity and hand in your postal vote if you have missed the vote. I would also urge Members to reject this change. I think it is not a good way of encouraging

people to vote, I think it is a way of putting people off. We should be making it easier, not harder, and I would encourage colleagues to reject this item.

2.3.6 Deputy M. Tadier:

Also on the subject of postal voting, I would like clarity, first of all, from the Solicitor General, if possible, and if not from the chair of P.P.C., as to what the consequences of withdrawing Article 20 - not withdrawing it but not voting for it - would be. Would that leave some kind of lacuna or would it simply mean that a new process would have to be in place? While I share the general concerns about a deadline, if we look at the wording of Article 20 as proposed, it is saying that: "No later than noon on the day of the poll there is substituted before the end of the third working day before the day of the poll." Can I just clarify that is for the arrival of the postal vote, so the postal vote must reach where it has got to get to before the end of the third working day before the day of the poll? If my maths is correct, the third working day before the end of the poll, if we take Wednesday, Thursday, Friday as the working days, not Saturday and Sunday, it has got to arrive by the end of Wednesday, is that correct? It seems like a lot of time is being put there, the logical thing would at least be to make it the Friday, the last working day before the poll. I would also make the point that Saturday and Sunday in terms of the election are working days because there will be people working on the elections and Sunday there will be staff around. It does seem like a complete mess, this Article. It does not make sense by any stretch of the imagination. I apologise if I have misinterpreted that, but I presume I am correct in saying it is the arrival of the ballot paper, not the last date of which the ballot papers can be sent out. I do have concerns though about members of the public being able to drop a ballot paper in, a postal ballot themselves or giving it to somebody, delivering it to a government building. That seems potentially wholly inappropriate. The reason we trust Jersey Post is because they have set confidentiality and very professional standards that they have to adhere to. I do not know if we were to ... how do we know if you give your postal ballot to somebody else: "Can you drop that in for me?" that seems very problematic that it might not be tampered with. We know postal voting is one of the areas that needs to be very secure and it is one of the areas which often most suspicion is directed towards in terms of potential for voter fraud. I think I would need some serious clarification on what the process is for receiving those. At the moment, like those who have already spoken, I cannot support Article 20. I think that is a much bigger problem that would have merited a reference back than some of the others that we have heard about.

The Deputy Bailiff:

Deputy, do you want to ask the Solicitor now about the consequence of the Assembly rejecting Article 20?

Deputy M. Tadier:

Please; thank you for the reminder.

The Solicitor General:

Well the procedure will remain as it is at present under the Elections Law for postal voting, which involves sending your postal vote in a pre-marked envelope provided by the judicial Greffier to the Judicial Greffier's address by no later than noon. It must be received, forgive me, no later than noon on the day of the poll, so that would be the position that would remain.

The Connétable of St. Brelade:

May I just explore a bit further the comment from the Solicitor General by asking for the interpretation of postal? Does "postal" mean delivered by Jersey Post or can it encompass a person putting it in a letterbox at a predetermined place?

The Solicitor General:

I do not think that is defined but to give the statute its purpose of interpretation, if you delivered it as an elector by hand through the letterbox that would fit the bill.

The Deputy Bailiff:

Does any other Member wish to speak in Second Reading on these Articles? I call upon the Chair to reply.

2.3.7 The Connétable of St. Martin:

I am happy to take Article 20 separately. I would just like to say that if you are really late with your postal vote and you were thinking of handing it in on the day of the election, you can take your postal vote with you to the polling station. But you would have to vote with your postal vote, if that makes sense, and not as a vote in case you are perceived to be voting twice. But, yes, I am happy to take Article 20 separately.

The Deputy Bailiff:

Yes, chair, in terms of voting, would you like the Assembly to consider 18 and 19 first and then Article 20 and then Articles 21 to 30?

The Connétable of St. Martin:

Yes, please, Sir.

The Deputy Bailiff:

The first voting will be on Articles 18 and 19 only. Then we will have a separate vote on the postal voting amendment Article 20. The first vote is on Articles 18 and 19 only and I invite Members to return to their seats and the Greffier to open the voting on Articles 18 and 19. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Articles 18 and 19 have been adopted unanimously.

Pour: 42		Contre: 0		Abstained: 0
Connétable of St. Helier				
Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				

Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

I move on to a separate vote on Article 20, it proposes an amendment in respect of postal voting. I invite the Greffier to open the voting. It is Article 20, yes.

[11:00]

If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that Article 20 has been rejected.

Pour: 8		Contre: 34		Abstained: 0
Connétable of St. Helier		Connétable of St. John		
Connétable of St. Lawrence		Connétable of St. Mary		
Connétable of St. Brelade		Connétable of St. Saviour		
Connétable of St. Peter		Deputy G.P. Southern		
Connétable of St. Martin		Deputy C.F. Labey		
Connétable of Grouville		Deputy M. Tadier		
Connétable of St. Ouen		Deputy S.G. Luce		
Deputy Sir P.M. Bailhache		Deputy L.M.C. Doublet		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy R.J. Ward		
		Deputy C.S. Alves		
		Deputy I. Gardiner		
		Deputy I.J. Gorst		
		Deputy K.L. Moore		

	Deputy S.Y. Mézec		
	Deputy D.J. Warr		
	Deputy H.M. Miles		
	Deputy M.R. Scott		
	Deputy J. Renouf		
	Deputy C.D. Curtis		
	Deputy L.V. Feltham		
	Deputy R.E. Binet		
	Deputy H.L. Jeune		
	Deputy M.E. Millar		
	Deputy A. Howell		
	Deputy T.J.A. Binet		
	Deputy M.R. Ferey		
	Deputy R.S. Kovacs		
	Deputy A.F. Curtis		
	Deputy B. Ward		
	Deputy K.M. Wilson		
	Deputy L.K.F. Stephenson		
	Deputy M.B. Andrews		

The Deputy Greffier of the States:

Those Members voting pour: the Connétables of St. Helier, St. Lawrence, St. Brelade, St. Peter, St. Martin, Grouville and St. Ouen and Deputy Bailhache.

The Deputy Bailiff:

I move on to Articles 21 to 30 and I ask the Greffier to open the voting on Articles 21 to 30. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the balance of the Articles have been adopted unanimously.

Pour: 43	Contre: 0	Abstained: 0
Connétable of St. Helier		
Connétable of St. Lawrence		
Connétable of St. Brelade		
Connétable of St. Peter		
Connétable of St. Martin		
Connétable of St. John		
Connétable of Grouville		
Connétable of St. Ouen		
Connétable of St. Mary		
Connétable of St. Saviour		
Deputy G.P. Southern		
Deputy C.F. Labey		
Deputy M. Tadier		
Deputy S.G. Luce		
Deputy L.M.C. Doublet		
Deputy M.R. Le Hegarat		
Deputy S.M. Ahier		

Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Chair, do you wish to propose the draft law in Third Reading?

2.4 The Connétable of St. Martin:

Yes, please, Sir. I would like to thank all Members again and I propose the law in Third Reading. I wish to place on record P.P.C.'s gratitude to the 22 election observers, former Jersey Electoral Authority and Parish administrators, for the recommendations they made following the last elections and hope that the amendments we have chosen to bring forward will enhance the existing electoral process. Thank you. I ask the Members to adopt this law in Third Reading and I call for the appel.

The Deputy Bailiff:

Is the matter seconded in Third Reading? [**Seconded**] Does any Member wish to speak in Third Reading?

2.4.1 Deputy R.J. Ward:

A few points I want to make which are very important about our electoral process. I mentioned before about opening up electoral polling stations. We need to encourage young people to vote. We are incredibly progressive on this Island by having 16 year-olds being able to vote. We need to promote that and we need to make sure that young people are encouraged to vote because it is their future they are voting for. One way to do this is through our pre-polls right in the centre of where those young people go every day. Because we have a concentration of 16- and-above year-olds in one area of our Island around Highlands and the top there, which is a 5-minute walk from every other

institution where most people can vote at that age. I think a pre-poll there would be an extremely good idea. I will do everything I can, as Minister for Education and Lifelong Learning, to enable that. Whoever is arranging polling stations, please read this part of the Hansard. The next thing is to ensure access to polling stations, I think, is in every single electoral report around the world. It is always reported on and I think it is something we need to take very, very seriously. There are lots of ways to mitigate sight impairment, hearing impairment, physical impairment, also issues around religious belief. In the U.K., when I observed their elections, there were private areas for those who wore the veil to vote, for example, and that was about inclusivity and accessibility to the vote. We need to be considering those important things as well. The final couple of things, and I am trying to go as fast as I can, this is a really important point for us in terms of postal ballots. I just want to ensure that postal ballots are counted at the same time as other ballots; that is good practice. We should not be encouraging postal ballots before the ballot is finished. They can be influential in the outcome of the ballot and that has been an issue for many jurisdictions around the world as to how those ballots are handled. The final thing as well, we probably do not do that and that is great, but I just want to reiterate that. But I want to make the point as well that whatever change we have to make, be that an extra delivery by Jersey Post on a Saturday or Sunday of envelopes that are clearly election envelopes because they are easily found, to how we staff polling stations, it is not about convenience to do it, and I recognise the hard work that people put into polling day to enable our democracy; they are very important people. But this is about the promotion of a democratic system that everyone has access to. We have a history of fighting for that democracy, therefore, we have to keep it here. It cannot be the convenience of anybody. The only convenience can be that we have a democratic right that can be shown very, very clearly. I support all of these in Third Reading and just with those points to make.

2.4.2 Deputy M. Tadier:

Sir, got to keep the word count up. I will not be long. I said to a colleague that we will look back on this in a few years' time when electronic voting is the norm and think how much of a waste of time a lot of what we have been debating here today is. Because we are debating the intricacies and vagaries of a very cumbersome paper-based analogue system. We may well look back on it but members of the public are looking at us now thinking, it is the 21st century, it is 2025. I can pick up my phone, I can go to my banking app, press a button and it already knows from my face who I am and I can transfer. I cannot but, theoretically, somebody could transfer tens of thousands or millions of pounds, potentially, with just an examination ... no, I am saying hypothetically. I could not but I am sure there are Members in the Assembly who could do that. The system is perfectly secure, let us not pretend about that. At what point do we have a P.P.C. or at what point do we have an Assembly that says we will make it our goal to bring this democracy into the 20th century but, no ... let us say the 21st century. Let us be fair and aspire to just allow people to vote with the press of a button or, yes, press of a screen because that is how simple it can be. The actual mechanisms of why people do not vote are of course complex but technology should not be one of them. We cannot simply have the answer given that it is not secure enough. Jersey is an international finance centre and we know that online banking, as I have said, other things are done perfectly securely. It is now time for this Assembly to take up the challenge and a future Assembly, to take up the challenge of electronic voting which will render a lot of these amendments redundant in the future. That said, I do also acknowledge the work that is being done by this P.P.C., and it is not an easy job. I know in the future whichever P.P.C., whichever iteration is in place, will have some tough decisions to make. But if we always keep in mind the accessibility of the vote and improving our system, I think that P.P.C. will not go far wrong.

2.4.3 The Connétable of St. Lawrence:

I just wanted to pick up on what the Minister for Education and Lifelong Learning said. It absolutely is incumbent upon us to encourage the younger generation to be aware of politics and to take part in

decision-making by casting their vote. I remember, I think, when Deputy Labey brought the proposition to allow voting at the age of 16, how proud I was that she had done that and how proud I felt to be able to vote for that at the time to encourage our young people to be aware and to participate. Of course the Minister for Education and Lifelong Learning will be aware that when the elections were held on a normal weekday I think probably every Parish Hall had a visit from children from their local primary school. Certainly in St. Lawrence we welcomed members of St. Lawrence Primary School. They rocked up from next door, some of them were there very early to see the ballot box being checked and sealed. They were aware from the outset of what was happening. They watched the electors coming in, giving their names, being identified, receiving their papers, et cetera, and then going to vote. Of course now with the election being on a Sunday we will not have that happening because the schools will be closed. I think it is incumbent upon us to encourage families to come to the polling station, rather than just the electors themselves. Of course we do see parents coming with their children, with their younger children during the day on a normal weekday when we voted on the Wednesdays. I think if we can just encourage families to come now. Let us make it a family event. We have tried to encourage people to turn out because it is on a Sunday. Hopefully, the weather will not stop them from coming out on 7th June next year but I think it is incumbent upon us all to encourage everyone to participate by bringing their children, particularly, I think, primary schoolchildren with them to vote next year.

The Deputy Bailiff:

Does any other Member wish to speak in Third Reading? I call upon the Chair to reply.

2.4.4 The Connétable of St. Martin:

Thank you, again, to everybody who has spoken. I am sorry to disappoint Deputy Tadier but it was one of my dearest wishes and ambitions to get electronic voting for 2026. We have looked into it but it is not secure enough. It has to be absolutely ironclad and not be vulnerable to cyberattacks or malware or whatever. We have really looked into it. It is very costly but then the ease of access if you could get a good system would counteract the cost of it. I might be a bit of a luddite myself but for over 30 years - I have never mentioned my husband in this Assembly before - but he is an absolute genius with computing. He really is highly thought of and highly skilled. Not only have I discussed it with the committee but the thought of having electronic voting here was one of my ambitions for this Assembly. I am really sorry that we could not do it but it is just not secure. To Deputy Ward, the fact that it has been mentioned before, we hopefully will be using schools as polling stations. As has been said before, young people are used to schools, they are not so used to Parish Halls or community centres or whatever. Hopefully, they will be more than happy to go and vote on a Sunday. As the Constable of St. Lawrence said, we are hoping that it might be a bit of a family day out. When you are on your way to the beach, if it is a really hot day, or you are away to wherever you are going or on your way out of church or whatever, on a Sunday we hope that people will come out and vote. I have made some other notes but I cannot read them. I would just like to thank Members for their forbearance, it has been a very long sitting getting all these Articles and the A.V.R. through. I would like to thank all the Members for their forbearance and I would ask Members to adopt this law in Third Reading. I call for the appel.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting in Third Reading. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the law has been adopted unanimously in Third Reading.

Pour: 44		Contre: 0		Abstained: 0
Connétable of St. Helier				

Connétable of St. Lawrence				
Connétable of St. Brelade				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Martin				
Connétable of St. John				
Connétable of Grouville				
Connétable of St. Ouen				
Connétable of St. Mary				
Connétable of St. Saviour				
Deputy G.P. Southern				
Deputy C.F. Labey				
Deputy M. Tadier				
Deputy S.G. Luce				
Deputy L.M.C. Doublet				
Deputy M.R. Le Hegarat				
Deputy S.M. Ahier				
Deputy R.J. Ward				
Deputy C.S. Alves				
Deputy I. Gardiner				
Deputy I.J. Gorst				
Deputy K.L. Moore				
Deputy S.Y. Mézec				
Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
Deputy D.J. Warr				
Deputy H.M. Miles				
Deputy M.R. Scott				
Deputy J. Renouf				
Deputy C.D. Curtis				
Deputy L.V. Feltham				
Deputy R.E. Binet				
Deputy H.L. Jeune				
Deputy M.E. Millar				
Deputy A. Howell				
Deputy T.J.A. Binet				
Deputy M.R. Ferey				
Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

3. Draft Single-Use Plastics Etc. (Restrictions) Law (Jersey) Amendment Regulations 202-(P.37/2025)

The Deputy Bailiff:

The next item is Draft Single-Use Plastics Regulations Law Amendment Regulations, the (Restrictions) Law Amendment Regulations, lodged by the Minister for Infrastructure. The main respondent is the chair of the Environment, Housing and Infrastructure Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Single-Use Plastics Etc. (Restrictions) Law (Jersey) Amendment Regulations 202-. The States make these Regulations under Article 15(1) of the Single-Use Plastics Etc. (Restrictions) (Jersey) Law 2021.

3.1 Connétable A.N. Jehan of St. John (The Minister for Infrastructure):

The 2021 Single-Use Plastics Law is aimed at reducing the Island's use of avoidable single-use plastics and supporting Jersey's Carbon Neutral Roadmap. In December 2024 single-use vapes were brought into the scope of the law. Royal Assent has been received for this amendment and I will be looking to sign the commencement order shortly. The intention is that the single-use vapes ban will come into force around early August. As part of the work to expand the Single-Use Plastics Law to cover vapes, we took the opportunity to review the original law and make some minor changes to provide clarification and to facilitate its enforcement.

[11:15]

As a reminder, under the Single-Use Plastics Law customers can no longer receive single-use carrier bags made of plastic or paper when buying goods. Traders must charge at least 70 pence for a reusable bag made of recyclable paper or plastic and this must be charged separately and include G.S.T. (goods and services tax). The law provides a clear definition of what constitutes a reusable bag and details exemptions from the law, including bags that are used to contain uncooked fish and fish products. The law has been operational for several years now and I hope Members will agree that it has resulted in a fundamental change in the Island's use of plastic bags. From everyday observations of shoppers in town and at the supermarket, it is evident that thin single-use plastic bags have been largely phased out of use. Some clarification to the law are required to help with enforcement and these are covered in these regulations and a further order that I will be making in due course. These regulations have meant paragraph 2 of the schedule to the Single-Use Plastics Law, this concerns exemptions from the requirement to charge 70 pence for a reusable bag under certain circumstances. The effect of this is that the minimum price that a trader must charge for a recyclable plastic or paper bag does not apply to bags that are supplied by wholesale from one trader to another or supplied second-hand under a trader's bag reuse scheme. The intent of the single-use plastics legislation was to reduce the use of single-use plastic in the Island, restricting the use of single-use plastic and paper bags and requiring a minimum charge for a reusable bag so that these are not overused. Applying the 70 pence per bag minimum charge for reusable bags for wholesale transactions between traders and for second-hand bags does not align with the intent of the law and formal clarification that they are excluded has been requested by trading standards to facilitate enforcement of the law. This amendment, therefore, provides clarification that when a trader sells reusable plastic bags in a wholesale-distributed capacity to another trader, the requirement to charge a minimum of 70 pence per bag does not apply. It also provides clarity that where, for example, a charity or organisation has donated used bags it does not need to apply the 70 pence charge when providing them on to customers. I encourage the Assembly to support this regulation so that appropriate exceptions from the charge for the reusable bags can be applied in order to facilitate enforcements. I move the principles.

The Deputy Bailiff:

Thank you, Minister. Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles of these regulations?

3.1.1 Deputy H.L. Jeune of St. John, St. Lawrence and Trinity:

As chair of the Environment, Housing and Infrastructure Scrutiny Panel, I rise to support the principles to the Single-Use Plastics Law and the panel issued a short comments paper to reflect this. These changes are necessary, clarifying rules for wholesalers and reuse schemes will help businesses comply without sacrificing Jersey's sustainability goals. It is right that following a review of current restrictions we introduce clarification and flexibility. These changes will ensure the law is practical, while still advancing our environmental goals. But let us not mistake tidying up the law for finishing the job. Plastic bags and single-use vapes were low-hanging fruit. Now we must target the next wave of needless waste; disposable cutlery, coffee cups and packaging, products used for minutes but polluting our environment for centuries. The evidence is clear, plastic pollution damages marine life, lines our hedgerows along our roads, chokes landfills, creates harmful air pollution when burned and fuels the climate crisis. Solutions do exist, for example, bamboo cutlery or reusable cup schemes. Alternative materials for packaging are readily available. Many jurisdictions have banned single-use plastics and have seen a surge in eco-friendly alternatives, creating new opportunities for sustainable industries. It is always important that when implementing such schemes that officials and the Minister sets out regular co-operative engagement with traders to ensure compliance is not onerous and enforcement is handled fairly to try to minimise resentment. That is where partnerships with Eco active and charities promoting plastic-free Jersey come in, ensuring Islanders, schools and mainly businesses and traders that understand the why behind these changes and not just the what. Some may argue that widening these restrictions could pose challenges for businesses but I firmly believe that innovation and adaption will follow. I commend the many businesses that have already voluntarily introduced schemes to encourage their customers to move away from single-use plastics, going beyond these particular restrictions that are currently in place at the moment. While the panel welcomes these modest amendments, I urge the Minister and future Ministers to build on them.

3.1.2 Deputy R.J. Ward of St. Helier Central:

I do agree with what is happening here. I think there is some confusion still over what it is charged for, and I sit here with a paper cup in front of me and a paper bag. I am not sure whether this paper bag will be charged 70p; I do not think it would. It is difficult to resist but even if it has an invisible warning on it. I am amazed at how many people looked for where the ball went then. But I think there is an inconsistency at times as to what we are paying for and what we are not. One of the ones is that you do not have the option with takeaways when they put it in a tiny little bag and deliver it to your door and not pay 70p for the bag. Also, one issue I would raise is that I do not know where the money goes to and if the money was targeted towards a specific thing I think it would be a lot easier and more palatable. I think that was the initial intention of the proposition but there we go. But this is a step forward but I do agree there are more steps to be taken for us as a society. I do not know about other people's households but the argument over whether somebody just paid 70p for a plastic bag is one that rages in my house and I think it can be a real stress on relationships. I think we do need to look into the future as well and I would agree with some of the comments that were already made.

3.1.3 Deputy I. Gardiner of St. Helier North:

Very, very quickly. First of all, I am grateful to the Minister for bringing this amendment because the amendment needed to be brought some time ago. It has been raised almost immediately, after we adopted the proposition that the reuse of already used bags needs to be free by charity shops and others, and it is a really welcome amendment. Interestingly now Deputy Ward mentioned what was in the proposition, and I did go back through my files and I found a speech. The first speech I made

about this item in the Assembly when we debated it was 20th June 2020; 5 years ago and here we are. We know that the change was tangible. We do know that we have less single-use bags flying around Jersey and they are polluting our beaches as well. It was a tangible change. It just showed that the behavioural change does require courage and I remember how long we debated it. I would like to encourage this Minister or a future Minister to follow Deputy Jeune and Deputy Ward. We have other single-use plastics but, most important, where the money is going. How would the profits from selling the bags can support our climate emergency initiatives?

3.1.4 Deputy A.F. Curtis of St. Clement:

I just want to briefly pick up on the some of the wording in this and I hope the Minister can clarify. The panel did raise it and I think we have got a good position on this. It is just to reassure traders around the words about what he referred to, a trader's reuse scheme. My understanding is this is not a laborious scheme or something very hard to implement. It is as simple as a trader who wishes to receive bags from the public and then re-provide those to other members of the public who trade. The schedule that is being amended describes that exemption as: "A recyclable plastic carrier bag is as such, unless (a) it is supplied by wholesale to another trader", the first instance the Minister mentioned and, "(b) it is supplied at retail after it was earlier (i) supplied at retail by a trader and (ii) returned to a trader." While I know the Minister in his speech discussed a trader's reuse scheme, it is just if he could clarify for those businesses thinking how quickly and easily once this is enacted they can, ultimately, then act on this. It is as simple as a company having a bin at the side of their property for used plastic bags who then people can pick from. That clarity of how easy this can be to use I think would be useful for traders and the public alike.

3.1.5 Deputy D.J. Warr of St. Helier South:

I just rise to respond to Deputy Gardiner's commentary about the monetary side of these things. When we looked back at analysis in our business and where coffee shops are notorious for all the disposable stuff that we handle, the amount of money we receive from people who buy goods in our shop comes in at around about £3.50 in a month. I just want to say please do not bring any red tape about this. It is tiny in the grand scheme of things. The schemes are working and people's habits are changing. Please let us keep off the backs of traders, trying to work out where we spend our £3.50.

The Deputy Bailiff:

If no other Member wishes to speak on the principles, I call upon the Minister to reply.

3.1.6 The Connétable of St. John:

I thank those who have contributed to the debate, in particular the Environment Scrutiny Panel and Deputy Jeune. We are well aware that more needs to be done. This is not the end. My wife and I are part of the Adopt a Lane Scheme in St. John and in the last few days we have been out with litter-pickers. and it is amazing how much plastic is there. I am pleased to report that we did find some bamboo spoons, although I was not happy to find them but it was better than finding plastic spoons. I am acutely aware of that, that we have got to do more. I would join the Deputy in commending those businesses who have adopted change. I think to Deputy Ward's point, we are looking to work with traders but sometimes we need to put legislation in place but we would much prefer to work with traders. To Deputy Warr, we are working with those takeaway businesses that he mentioned and looking to see what options people have when they purchase goods, how they can be transported to them. In terms of Deputy Curtis's point, there are reuse schemes in some of the local supermarkets. I believe that if you have a reuse scheme you could start today.

The Deputy Bailiff:

The appel has been called for?

The Connétable of St. John:

Yes, please.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats and I invite the Greffier to open the voting on the principles of the draft regulations. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce the principles have been adopted unanimously.

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Connétable of St. Helier				
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Deputy Sir P.M. Bailhache				
Deputy T.A. Coles				
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Deputy R.S. Kovacs				
Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Deputy Jeune, presumably you do not wish to scrutinise this matter because you have considered it already.

Deputy H.L. Jeune (Chair, Environment, Housing and Infrastructure Scrutiny Panel):

No, Sir.

The Deputy Bailiff:

Thank you very much. Minister, how do you wish to propose the regulations in Second Reading? There are only 3.

3.2 The Connétable of St. John:

En bloc, Sir, please.

The Deputy Bailiff:

Are the regulations seconded? **[Seconded]** Does any Member wish to speak on the regulations? All Members in favour of adopting the regulations, kindly show. The appel has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously in Second Reading.

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Deputy I. Gardiner				
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Deputy A.F. Curtis				
Deputy B. Ward				
Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Minister, do you propose the regulations in Third Reading?

3.3 The Connétable of St. John:

I do, Sir, and in doing so I would just like to once again thank the Scrutiny Panel for their constructive comments and also thank the officers who have worked on this project. I call for the appel.

The Deputy Bailiff:

Thank you, Minister. Are the regulations seconded in Third Reading? **[Seconded]** Does anyone wish to speak on the regulations, as adopted in Second Reading? The appel has been called for. I invite Members to return to their seats and the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously in Third Reading.

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Deputy R.S. Kovacs				
Deputy A.F. Curtis				
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Deputy K.M. Wilson				
Deputy M.B. Andrews				

4. Draft Proceeds of Crime (Jersey) Amendment Regulations 202- (P.39/2025)

The Deputy Bailiff:

The next item is the Draft Proceeds of Crime Amendment Regulations lodged by the Minister for External Relations. The main respondent is the chair of the Economic and International Affairs Scrutiny Panel. I ask the Greffier to read the citation.

The Deputy Greffier of the States:

Draft Proceeds of Crime (Jersey) Amendment Regulations 202-. The States make these Regulations under Article 47(1)(b) of the Sanctions and Asset-Freezing (Jersey) Law 2019.

4.1 Deputy I.J. Gorst of St. Mary, St. Ouen and St. Peter (The Minister for External Relations):

This is a small amendment to Article 34 of the Proceeds of Crime (Jersey) Law 1999.

[11:30]

The amendment was 2022 but the effect of the amendment came into force in 2023, the Draft Proceeds of Crime (Financial Intelligence) (Amendment) (Jersey) Regulations 2022 amended Article 34. It was quite a complex amendment and at the time there was an oversight around the ability to transfer information to the Minister for External Relations in the carrying out of his or her functions under the Sanctions and Asset-Freezing (Jersey) Law 2019. This corrects that oversight and reintroduces the gateway to provide that information. I make the principles of this amendment.

The Deputy Bailiff:

Thank you, Minister. Are the principles seconded? **[Seconded]** Does any Member wish to speak on the principles?

4.1.1 Deputy M. Tadier of St. Brelade:

Just as the chair of the Scrutiny Panel, it is to say that we have looked at this, we have had a briefing, we understand this is largely a technical matter that needed remedying. It was an oversight and that has been corrected. We are quite happy and Members can rest assured that certainly from a panel's point of view we have no concerns and we are happy to support it.

4.1.2 Deputy P.M. Bailhache of St. Clement:

I too of course support this proposition. But I just wondered whether the Minister for External Relations has been inadvertently breaking the law in the last few years and whether he needs to rely upon the indulgence of the Attorney General in that respect.

The Deputy Bailiff:

Does any other Member wish to speak on the principles? I call upon the Minister to reply.

4.1.3 Deputy I.J. Gorst:

I hope that I am never inadvertently breaking the law, other than perhaps when my right foot slipped slightly on something called the accelerator. But I never obviously wish to do that, it is just an inadvertent slip. The reality is of course with regard to this amendment, what it does is reinstate the gateway for the Financial Intelligence Unit to provide the information to the Minister. The Financial Intelligence Unit can of its own accord provide the information and I am reliably informed that it has not caused a hindrance to that. It is just the reinstatement of the explicit provision within the legislation to make it clear so that no one could at a future point say the Minister should not have received or the information should not have been provided to the Minister. It is reverting back to the position that ought to have been with an explicit provision rather than just relying on a decision of the F.I.U. (Financial Intelligence Unit). I hope that answers the Deputy's question. I am of course grateful as ever to my panel for the work that they undertake in these particular areas and improve the legislation and provisions that we bring forward. I call for the appel in the principles.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats. I ask the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The principles have been adopted unanimously:

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Deputy C.F. Labey			
Deputy M. Tadier			
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Deputy I.J. Gorst			
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Deputy Sir P.M. Bailhache			
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Deputy A.F. Curtis				
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Deputy K.M. Wilson				
Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Can you confirm for the purpose of Standing Orders, Deputy Tadier, that your panel does not wish to scrutinise this matter?

Deputy M. Tadier (Chair, Economic and International Affairs Scrutiny Panel):

Yes, Sir, thanks. We have scrutinised it already and we have issued a comments paper and ...

The Deputy Bailiff:

Yes, we have seen that. Thank you very much. Do you wish to propose the regulations, Minister, in Second Reading?

4.2 Deputy I.J. Gorst:

I do, Sir. As Members will see, there are only 2, so I will decide to take them *en bloc*. Thank you.

The Deputy Bailiff:

Are the regulations seconded? **[Seconded]** Does any Member wish to speak on the regulations in Second Reading? Is the appel called for?

Deputy I.J. Gorst:

Yes, Sir, thank you.

The Deputy Bailiff:

The appel has been called for. Members are invited to return to their seats and the Greffier is asked to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously in Second Reading:

Pour: 44		Contre: 0		Abstained: 0
Connétable of St. Helier				
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Deputy L.K.F. Stephenson				
Deputy M.B. Andrews				

Minister, do you propose the matter in Third Reading?

4.3 Deputy I.J. Gorst:

If I may, Sir, thank you.

The Deputy Bailiff:

Is the matter seconded? **[Seconded]** Does any Member wish to speak on the regulations, as adopted, in Third Reading? Is the appel called for?

Deputy I.J. Gorst:

No, Sir. Standing alone will suffice, thank you.

The Deputy Bailiff:

Those in favour kindly show. The appel has been called for. Members are invited to return to their seats and I ask the Greffier to open the voting. I ask the Greffier to close the voting. I can announce that the regulations have been adopted unanimously in Third Reading:

Pour: 44		Contre: 0		Abstained: 0
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5. Non-Elected Members on Scrutiny Panels and Change in the Troy Rule (P.46/2025)

The Deputy Bailiff:

The final item of Public Business is Non-Elected Members on Scrutiny Panels and Change in the Troy Rule, lodged by Deputy Scott. The main respondents are the chair of the Privileges and Procedures Committee and the president of the Scrutiny Liaison Committee. I ask the Greffier to read the proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion – (a) that the appointment to Scrutiny Panels of persons who are not States Members should be permitted, on similar terms and with similar safeguards as non-States Members may be appointed to the Public Accounts Committee and subject to such further democratic safeguards as the Privileges and Procedures Committee and Scrutiny Liaison Committee may regard as appropriate, provided that the relevant Scrutiny Panel shall contain a minimum of two States Members (including the Chair and Vice-Chair) and that the number of non-States Members on that Panel shall be no greater than 50 per cent of the total membership of the Panel; (b) that the limit on the number of Ministers and Assistant Ministers prescribed in Standing Order 112A for the purposes of Article 25A(1) of the States of Jersey Law 2005 should be increased from 21 to 25; and (c) to request the Privileges and Procedures Committee to bring forward the necessary amendments to the Standing Orders of the States of Jersey to give effect to this proposition in time for the General Election in 2026.

5.1 Deputy M.R. Scott of St. Brelade:

This proposition proposes 2 simple changes to Standing Orders to be brought forward by the Privileges and Procedures Committee. I wish to thank the Privileges and Procedures Committee and the Scrutiny Liaison Committee for the comments they have produced on this proposition. If adopted by the States Assembly it would require very little work from the P.P.C. in this term and no further work from current Scrutiny Liaison Committee members, unless the chair of a Scrutiny Panel with the support of other members of the S.L.C. (Scrutiny Liaison Committee) should wish to have the benefit of the change in the Standing Orders before the election. Otherwise the detail of the appointments and suitable safeguards with respect to part (a) could be addressed after the election by the next Privileges and Procedures Committee and the next Scrutiny Liaison Committee before any appointments of unelected members on any Scrutiny Panel, should any Scrutiny Panel seek to benefit from the resourcing offered by part (a) of the amendment; that would be on whatever terms the next P.P.C. and S.L.C. agree. This proposition is about the organisation of resourcing. Contrary to fears among some Members of this Assembly, it is not about taking power away from Back-Benchers but about improving their clout. A positive response to this proposition, which was uninvited by me, was posted by the Policy Centre on LinkedIn. It includes a compliment of our Children, Education and Home Affairs Scrutiny Panel, so it could be worth sharing here: “Scrutiny Panels have an important role to play in Jersey’s political system. Often they produce well-researched reports that should contribute to more effective policy making. Also, given the reluctance of many government departments to publish any information, Scrutiny Panels play a valuable role in making available statistics and analysis that would otherwise not be available. For example, the recent report on secondary education funding by the Children, Education and Home Affairs Panel, chaired by Deputy Catherine Curtis, provides by far the best analysis of all aspects of secondary education in Jersey.” The post goes on: “However, the panels have limited resources and the pool of States Members to sit on the panels is inevitably small. Expanding Scrutiny Panels to include suitably qualified local people could significantly increase their effectiveness.” I could not have put it better myself. Parliamentary scrutiny is the process by which an elected Parliament examines the actions and policies of Members in executive roles to ensure accountability, legality, efficiency and fairness. It, therefore, may disturb Members that the comments of the Scrutiny Liaison Committee suggested the work of Scrutiny is inherently political. Scrutiny should be an objective, impartial and unpoliticised function. Its purpose is not to push a political agenda. Members may recall this point being made by the leader of the Reform Party when members of that party first stood for roles of Scrutiny chairs in the States Assembly en masse. It takes a certain mindset, aptitude and energy to scrutinise complex proposals and intricate legislation to identify flaws and unseen consequences. The devil usually is in the detail. It is understandable that not every States Member is suited to it. The work demands on States Members pulls them in many different directions and they cannot always pay attention to the detail that good parliamentary scrutiny work requires. Members of some panels may rely on Scrutiny officers and other members to do such work more than the members of other panels do. Panels with a comparatively small number of members may struggle to scrutinise their workload more than other panels. The S.L.C.’s comments claim a lack of awareness of any comparable jurisdiction where lay members are appointed to be quivering of Scrutiny Panels and gave the example of U.K. Select Committees. Those comments fail to mention the work of the 780 unelected members of the House of Lords in the U.K.’s Parliament. In the mother of all parliamentary systems in the Commonwealth these unelected members have a scrutinising, revising and advisory role extending to reviewing propositions, calling in Bills, proposing amendments and even running U.K. Select Committees. When recently introducing legislation to reform the House of Lords, for reasons I wholeheartedly support, Pat McFadden, a Labour Cabinet Office Minister, described the role of its unelected members as vital. The use of unelected people, the delivery of vital parliamentary work, is not inherently democratic or even unusual. We have 6 unelected members of this very States Assembly, whose participation in our work is restricted in some way. They support, rather than compete with

our various roles. This proposition does not propose that unelected members of Scrutiny Panels even have voting power on Scrutiny Panels, nor does it seek a separate bicameral chamber for unelected lay members engaged in the work of parliamentary scrutiny or that those lay members include hereditary peers, lifetime members or be appointed by the Chief Minister. That would be unnecessary, undemocratic and certainly has not been required for the lay members of our Public Accounts Committee, whose code of conduct requires them to avoid being political.

[11:45]

The U.K. in the meantime does not have unelected members on its own Public Accounts Committee. At least the States Assembly has been progressive in that respect. Part (a) of this proposition proposes a simple amendment to Standing Orders to enable Scrutiny Panels of the future to better resource themselves to address gaps in numbers, experience, skills and dispositions in both their unelected officers and elected members, just like any highly performing and productive team would do in a way that serves the public best, as scrutiny function currently does not have access to such a vital resource, let alone the existence of one. In New Zealand Select Committees have special advisers who can join in discussions but are not allowed to vote. The comments of both P.P.C. and S.L.C. suggest that we have no need of lay members to support the work of Scrutiny Panels because they can appoint special advisers. The Constable of St. Brelade suggested yesterday that Scrutiny needed to be resourced in a way to balance the resourcing of government departments. In response to a question I asked her earlier in this States sitting, the chair of the Scrutiny Liaison Committee reported that all 6 panels represented by it have engaged only 5 special advisers over the course of the last 3 years at the cost of £62,025, well below its £200,000 budget for this year. It is not a process that is employed by our Scrutiny Panels regularly. At what cost is this reluctance to do so to the quality of scrutiny work? Why the reluctance, other than a potential cost? In a former role as a Scrutiny chair I and my fellow panel members followed the process of appointing a special adviser after starting a review into the Island's supply chain. It was painfully cumbersome. The next chair, if he had continued this review, would have gained a similar insight into the length and complications of drafting a tender and conducting the tender process, the comparison of cost estimates, the limitations of the panel's budget for a special adviser, which the panel had no control over, and the need to obtain the approval to the appointment of other S.L.C. members, who could have competing claims for budget or, dare I say, possibly political reasons for not being supportive of a chair or the work of a panel. Our economy has not grown in real terms for 20 years and needs to support government spending in other areas. The cost of our public sector and of the States Assembly has kept growing with an impact on the offering and delivery of other public services. We are fighting against a deficit in Government's overall operating account, with the Jersey Fiscal Policy Panel warning us of the depletion of reserves that protect our finances. The revenue expenditure of the States Greffe in 2024 was close to £10 million, compared to £7,479,000 in 2022, which is a percentage increase of nearly 30 per cent in 3 years. The rate of government spending simply is not sustainable without resorting to unpopular measures such as cuts in budget or services and increasing taxes. At the same time advances in knowledge, technology, general practice and other developments continue across all areas of our Island community, as well as globally. States Members' workloads are likely to increase without the support of additional financing or structural and systemic change. As was flagged by my fellow Deputy of St. Brelade, Deputy Renouf, during the debate in the last States meeting of his proposition to introduce differential pay for States Members, the rates of salary set for our current number of States Members has the effect of excluding a significant part of our relatively younger community from standing for election and also their contribution of valuable knowledge and skills to the parliamentary business of a States Member. The circus of electioneering, full-time work, the multitude of roles assumed by a States Member, the 4-year term of service and the culture are all disincentives to such people standing for election too. So many relatively high earners with valuable skills do not stand for election but willingly give up some time to serve the public on a voluntary and usually a part-time basis. I know some Members have difficulty with the concept of unpaid work but

for those who can afford to forego payment for their time it is their way of giving back to the community. Jersey's strongest resource is its community, which has become increasingly sophisticated over the years through its private investment and personal self-investment. This is an opportunity for the States Assembly to demonstrate true leadership, innovative action and inclusion. Why should we continue if a political system designed to exclude most people with relatively well-paid professional backgrounds, notwithstanding that 2 of the members of the Privileges and Procedures Committee and 4 out of 6 members of the Scrutiny Liaison Committee are members of the P.P.C.'s Diversity and Inclusivity Forum? Why the reluctance to see anyone with a professional background that is relevant to scrutiny work be given the power to make scrutiny itself more powerful? Could prejudice and the advancement of political ambitions even possibly be a reason for the obstruction of the delivery and support of the delivery of impartial objective and effective scrutiny? Having non-political individuals in roles traditionally seen as political helps to depoliticise the process by focusing the questioning on the subject matter, policy and its impacts, rather than political point-scoring or character attacks. We can foster more constructive discussions focused on policy that better serve the public. The comments issued by the P.P.C. or mentioned an alternative way of resourcing Scrutiny Panels recommended by the Members' Remuneration Reviewer, the amendment of Standing Orders to make participation in at least one Scrutiny Panel or the P.A.C. (Public Accounts Committee) compulsory for States Members. I have been in the unsatisfactory position of chairing a Scrutiny Panel with only 2 members but I am not a fan of compulsory labour. I am a fan of voluntary work and inclusion, subject to the safeguards that ensure that the parliamentary scrutiny function is depoliticised. I hope my fellow Members might be like-minded and like-open minded and will support this part of this proposition. I can be briefer in part (b) of the proposition, as the comments of the P.P.C. and the S.L.C. did not offer much in the way of reasoning for their positions. If we read between the lines of those comments, there appears to be an irrational fear of the loss of Back-Bencher power. Jersey is unique in the privileges it gives to Back-Benchers. Most jurisdictions restrict the number of propositions that can be brought by Back-Benchers and the way in which they can bring them. In Jersey any States Member can bring a proposition and canvas support for it across the whole of the States Assembly. There seems to be a suggestion that an elected majority can form a dictatorship. Democracy seeks that an elected majority make the decisions. The leader of the Reform Party in previous debates has advocated a political party system such as there is in the U.K. That basically means having a parliamentary majority that is associated by common manifesto. That democratic principle already applies in constituting the Council of Ministers. The elected Chief Minister elected by a majority constructs a coalition of Ministers and Assistant Ministers who support his political agenda as set out at the time of his election. A majority of States Members are asked to support a list of policy priorities known as the Common Strategic Policy. It would make no difference at that point whether the majority in support of that Common Strategic Policy comprises States Members in Ministerial and Assistant Ministerial positions or not. Having more States Members in Ministerial and Assistant Ministerial roles enables a majority-collective focus on a budget needed to support these agreed strategic priorities. That does not mean that States Members in that number might not be persuaded to break ranks. This often happens in political party systems. The comments of the P.P.C. suggested that budgetary control has not been a significant and unmanageable problem during this Ministerial Government. I suggest those Members look at the progress of the last 2 Government Plans, the rapid adjustment of budgets and the most recent reports of the Fiscal Policy Panel. There is only so much that can be done by any number of States Members. I come back to the principle of inclusion and quality of delivery; that includes the delivery of Ministerial work too. I would suggest there is more useful work that can be done by a greater number of Ministers and Assistant Ministers in delivering bring policies to serve our community, particularly in co-ordinating roles. Thanks to the current restriction on their number, for example, the co-ordination of sports and infrastructure work that has been assumed by the Minister for Infrastructure, in addition to the duties of the Connétable of St. John. Who in Government is co-ordinating the support of older people, including in the provision of the accessible banking services and training in

digital skills? Deputy Tadier suggested in the last States meeting he had worked less as an Assistant Minister than at any time in his work as a States Member. I am afraid the Deputy is absent from the Chamber, but he perhaps can hear me. I am not sure if that was because of the nature of the role or because he did not volunteer for other work. The majority of us could always find more work to do in our different roles, but we do not have the time to do that. Instead of the content of part (b) of the proposition, I might have suggested a parallel system to the one I have proposed in part (a), whereby unelected political advisers are appointed to help out Ministers. Such roles already exist in the parliamentary systems of the U.K., Canada, New Zealand, Ireland and Sweden. This proposition offers an opportunity for the Ministerial system to be more inclusive than it currently is towards Back-Benchers. It also offers a more inclusive system of scrutiny, which offers enhancement of the role of Back-Benchers serving in that area of Government without diminishing Back-Bencher power. For those reasons, it is in the public's interest and I commend this proposition to the States Assembly for all the reasons given in this speech.

The Deputy Bailiff:

Is the proposition seconded? **[Seconded]**

5.1.1 Connétable K. Shenton-Stone of St. Martin:

Just to respond to something the Deputy said in her speech. The increase in the Greffe budget represents growth of the Greffe's restructure in order to provide greater support to Members, such as a new constituency team, as well as a pension scheme for Members, which is an essential investment if we are going to encourage new candidates to come forward. Members will have seen that P.P.C. presented comments on Deputy Scott's proposition. P.P.C. has concluded it cannot support either part of what the Deputy has proposed. I will not repeat everything P.P.C. has included in its comments, but I will pick up on a couple of points. In relation to the idea of having non-States Members on Scrutiny Panels, I would underline that scrutinising Government is a fundamental role to which parliamentarians are elected. For those States Members who do not sit in the Government of Jersey, it is expected that we should perform that function.

[12:00]

I accept that it is not obligatory to sit on a Scrutiny Panel, but becoming a Member of a panel is how we can fulfil our responsibilities to hold Government to account. Permitting that role to be undertaken by non-elected people would be an abdication of that responsibility. In correspondence sent to all Members over the weekend, the Deputy has cited the example of the House of Lords in the U.K. Putting aside the fact that an unelected Chamber is itself a matter of political debate in the U.K., I do not see the analogy with what the Deputy is proposing here. The House of Lords is a second Chamber that functions alongside the House of Commons. It does not replace the work of elected representatives, which is what the Deputy's proposition would achieve if adopted.

Deputy M.R. Scott:

Sir, could I just ask the Member to give way?

The Deputy Bailiff:

Prepared to give way?

The Connétable of St. Martin:

No. I have had a long morning. Thank you, Sir.

The Deputy Bailiff:

No.

The Connétable of St. Martin:

In terms of the Troy Rule, the committee cannot see what problem the Deputy is endeavouring to resolve by increasing the number of Ministers and Assistant Ministers in the Government of Jersey. I am not aware that the Government has been particularly hampered by the existence of the Troy Rule. In her email to Members, the Deputy provided information on Governments with parliamentary majorities, but they operate in jurisdictions with fully-fledged party politics, which we do not have. If we did, it would be easier to see how increasing the numbers of Ministers and Assistant Ministers to 25 might work. But that is not the case. I do not think we want a system where Members could be encouraged to vote for the Government simply because they are in Government as a Minister or Assistant Minister. Do we not rather want Members to vote on the basis of principles, policies and manifestos? In a system where the majority of us do not belong to a party, do we not want our Government and this Assembly to reach decisions on the basis of reasoned and rational debate? There were good reasons why the Troy Rule was introduced and was appropriate for Jersey's parliamentary system, and those reasons remain as valid today.

5.1.2 Deputy M.R. Ferey of St. Saviour:

I think both of these aspects of this proposition strive towards an overarching goal of ensuring that Jersey's Government is equipped with the best talent, expertise and leadership to serve our community effectively and responsibly. Those are laudable ambitions. Scrutiny, of course, is a cornerstone of our democracy that holds Government to account, ensures transparency and fosters informed decision-making. Our current system relies primarily on elected States Members to form this essential function. While our Assembly is fortunate to have committed and capable Members, I agree that it is unrealistic to expect every panel to have a deep subject matter expertise in all fields. The Clothier Report emphasise the importance for scrutiny and a balanced government structure, highlighting that expert advice is crucial for effective governance. While elected officials bring democratic legitimacy, having more lay Members on panels would create a different problem, and filtering out those who have applied to be on Scrutiny Panels who had vested interests, or saw their role as representing lobby groups, would present a huge challenge. We have seen the benefits of having lay Members on panels, such as the Public Accounts Committee, to ensure thorough and independent financial oversight, but the remit of this panel is tightly drawn. Extending this model to other Scrutiny Panels is, in my view, not the way forward. In relation to the Troy Rule, the Assembly adopted the Troy Rule in 2001 following the review of the machinery of government. The rule, under which the Executive remains in the minority, was designed to ensure that in the absence of party politics, the Government would need cross-Assembly co-operation to be able to deliver on its objectives. This includes the exclusion of Assistant Ministers from sitting on the Scrutiny Panels. In effect, this means that we always operate with a minority coalition Government. While the principle behind this restriction was well-intended to ensure sufficient scrutiny and prevent excessive concentration of power, the realities of governance have demonstrated that this limitation can be counterproductive. The answer to this question, therefore, is rather than change the Troy Rule, we should encourage more existing Members, and future candidates, to join political parties and stand on a solid political agreed manifesto. **[Approbation]** Thank you for that foot-stamping. I do not want to turn this into a party political broadcast, but Advance Jersey has rebranded and is now open to existing Members and new candidates. Seriously though, we face complex challenges that require strong Ministerial oversight and governance. Departments dealing with healthcare, economic policy, infrastructure and education must be adequately staffed with political leadership to drive policies forward. The existing limit, while placing constraints on the number of Members who have been involved in Ministerial functions, does still encourage input and support from Members who are not on the Executive. There is no universal rule regarding the proportion of elected Members who should serve in Executive roles in other jurisdictions. For these reasons, while I am glad that the Deputy has moved this proposition so that we can have this debate, I will not be supporting either parts.

5.1.3 Deputy I. Gardiner of St. Helier North:

This proposition asked us to make 2 big changes. First, allow people who are not elected to sit as members on Scrutiny Panels. Second, increase the number of Ministers and Assistant Ministers by changing what we call the Troy Rule. At first glance, this might seem like technical changes. But they would seriously affect how our democracy works, and how we are held to account, all of us. I would like to speak on 2 parts of the proposition through my different roles. Firstly, as a president of the Scrutiny Liaison Committee, expressing views that was submitted in the comments from all chairs. The part asking to allow people who are not elected to become members of the panel, to sit on the panel. What does it mean in practice? Let us reflect. Scrutiny Panels holding Ministers to account, reviewing legislation, scrutinising policies, and challenging Government Ministers' decisions. These are some of the most powerful democratic functions in our system. Deputy Scott said, rightly: "But we do have non-elected members sitting on the Public Accounts Committee". In my other role as the chair of the Public Accounts Committee at the previous term, I needed to bring forward a code of conduct, which we are still developing, because of the so many challenges that we had last term with non-elected members sitting on the Public Accounts Committee and expressing very political views in the public. It is very, very complex to hold the balance, and as the chair of the Public Accounts Committee, I am managing it day in and day out. I do receive comments from the public questioning some of the appointments to the Public Accounts Committee, and recently we did have a member of the Public Accounts Committee that decided to stand down because has a very big passion to specific political views. Again, Public Accounts Committee has rightly said: "We are not questioning Ministers. We are not getting involved in policies. We are not scrutinising and influencing legislation." Public Accounts Committee looking back and questioning officers, not political representatives, not elected representatives, not Ministers. Public Accounts Committee works with officers, looking back how the States Assembly decisions were implemented, if the governance structures are correct in place to deliver what the States Assembly decided. If the structures are in place and the framework in place to deliver what the Ministers are intending to do. This is the fundamental difference between Public Accounts Committee and Scrutiny Panels. To be fair, when I was a new elected Member, I did my parliamentary governance course for 9 months as a new elected Member, 2019, and I remember I came with these ideas, and I shared with others: "Let us have non-elected members on the Scrutiny Panel." I did have this idea personally. But when I looked and I discussed it with the coaches in the course and we discussed at the C.P.A. (Commonwealth Parliamentary Association) as well: "How can it work? Would it be more beneficial or compromise the democratic process of the scrutiny?" Here we are, I did not bring this proposition forward. I think it is clear which decision I make then. About expert advice on the scrutiny. Absolutely. All of us cannot hold the breadth of knowledge and expertise that our work requires, and we do use advisers. Some advisers are paid, and some advisers are unpaid. As a Scrutiny Panel, usually we do not know what will come through the term, what the Minister will decide to bring forward as a policy and legislation. We did have some indications, but you never know what will happen in 4 years. How you ensure that you have the breadth and the depth of expertise on the Scrutiny Panel, which also represent views from all possible direction, we need to get our reach out to academy, we need to reach out to the experts in their specific field. How you ensure that on, for example, Environment, Housing and Infrastructure we have lay Members who expertise in all aspects of the Bridging Island Plan, offshoring, waste strategy, housing, you name it, and ensure that they are all politically balanced. I think it is almost mission impossible to achieve on the panel. I am not sure if you need, because as a panel you say: "I have a specific question on liquid waste strategy." I look and I search for advisers, and probably from various sites, to get the expertise and invite them to give this expertise on this specific point to make sure that the scrutiny is evidence-based and robust on topics that we are scrutinising at that moment. The system works well and allow panels to get experts when they need, while keeping decision in hands of the people that were chosen and elected by the public. By appointing non-elected people as formal members of Scrutiny Panels would be a step to far from our perspective, and it would give unelected individuals influence over government policy without the public ever having a say. I do not think how democracy would work, and this is

why, when we discuss with the chairs, we decided that we will oppose for this part of the proposition. Now I will speak as my other hat as a Member, because it is my speech about the Troy Rule. We all know that no more than 21 Members can be part of the Government, which ensure that majority of the Assembly is outside of the Government. I will not go into the party politics, but it is crucial for me because it leaves enough of us in the Assembly to question decision, challenge the policies, and provide independent scrutiny. If we are raised to limit to 25, we will tip that balance. The Government will become the majority in this Assembly, and democratic balance will be broken, and the power to hold Ministers to account will weaken. The Troy Rule was created for a reason to keep our democracy healthy and to ensure that Government does not dominate this Assembly, and there are always enough independent Members to challenge it. If we change it, we risk reducing our ability to stand up for the public that elected us. I am sure that all of us here in this Assembly want to do the best for Jersey, but we must be careful not to fix problems by damaging the foundation of our democracy. We should protect the balance between Government and the Scrutiny, and not to tip it in favour for more Ministers. It is strengthening our democracy and let us not to weaken it. For this reason, I urge you not to support this proposition.

[12:15]

5.1.4 Deputy L.M.C. Doublet of St. Saviour:

I am pleased to follow the president of S.L.C., and I am speaking today partly as chair of the Health and Social Security Scrutiny Panel, and therefore fellow member of the Scrutiny Liaison Committee, but also I want to reflect briefly on some of my previous experiences in other roles. I note about the Member who has brought this proposition, and I have every faith that she has really good intentions with this, and it is clear that the Member cares very much about effective democracy, and I believe that is the motivation behind this. Indeed, Deputy Gardiner mentioned that she had raised the idea of having lay members on Scrutiny Panels herself. It is something that I have asked officers about in the past and thought that it might have been a good idea. But then after the advice given, and reflecting, decided that it was not a good idea. I want to respond to some of the points that the Deputy made in her opening speech. First of all, having lay Members will not necessarily make scrutiny more diverse. That is something that we need to take responsibility for in the work that we are doing to encourage more diverse election candidates, which I feel the Greffe are doing very well at the moment. It also will not necessarily make Scrutiny more objective, because every single human being has views, whether they are a parliamentarian or not, and they would be required to set those aside to do the work of Scrutiny in exactly the same way that we are required to set them aside as States Members when we do that work. Deputy Gardiner has spoken about this. We are objective and evidence-based in our approach. It is deeply embedded in Scrutiny. There are officers advising on this, and the very first piece of advice that officers give to somebody who is newly appointed to a Scrutiny Panel is that it is very clear from the beginning that we set our political views aside. Certainly, every meeting that I chair, our conflicts are declared at the beginning of the meeting. That is in every single meeting. That is the time when we can declare any strongly held views, and then we set them aside and we go into the meeting. We are not operating in isolation as a group of States Members on Scrutiny. It is not the wild west. It is one of the most rigorously structured systems that we have in our Parliament. I am really proud of our Scrutiny system, and when we travel to other Parliaments that becomes really clear that we can be really, really proud of that. I am going to mention the officers again, because if anybody looks like they are perhaps veering towards being political, officers will advise us. You can be sure they will point that out to us. That is part of their job, so that we can correct our course. In terms of advisers, years ago ... sorry, I will go back to another point that the Deputy made. The Deputy mentioned that she wanted to depoliticise the process and to prevent political point-scoring or character attacks. I was quite concerned to hear that language, and I want to very clearly refute this view that might be held by the Deputy or anybody, because certainly for this S.L.C. that I am part of, and the wider Scrutiny membership, the integrity and the hard work that I see in Scrutiny and the body of Members who are part of Scrutiny, I am

really proud of that. I would like that to be put on the record. Moving on to advisers. More than 10 years ago, when I was first appointed as Scrutiny chair, the use of advisers, who are effectively lay people taking part in the work of a Scrutiny Panel, they were used far more frequently. Pretty much every single Scrutiny review, there was an adviser appointed for that review. That was something I reflected on. I think I was the first Scrutiny chair to put in a process for appointing advisers, of interviewing advisers, and making sure that they were carefully selected for their skills to fit the review. Over the years, Scrutiny has done its part in giving up part of its budget. We have had many different money-saving cuts, economising programmes that have come through this Assembly, and Scrutiny has done its part. At one point, I recall, and somebody please correct me if I am wrong, but I think our budget was cut in half. We made those savings largely by reducing our use of advisers. What the Deputy has done with this proposition, and I want to thank her for this, is she has forced us to reflect on this. I have looked at the budget, and something that I can take from this proposition ... just to be clear, I will not be voting for any part of this proposition, but I think some good has come of it, because in terms of my own reflection I do think that we have maybe swung too far the other way and that we do not use advisers enough. Particularly, we need to make better use of academic advisers. What we are currently doing is writing to academics and asking for their views. But, of course, academics do not always want to give their time for free, and we could make better use of that. I also just want to remind the Assembly that we do have a team of highly skilled researchers who support the Scrutiny officers, and the Scrutiny officers themselves, who are able to source that academic research for us. That did not used to be there when all we had really was maybe one officer, and we could use an adviser. Scrutiny has evolved. We can continue to evolve, and personally I commit to taking the intention behind this proposition, and I am sure we will reflect on that at the Scrutiny Liaison Committee and take on board what we can. But I will not be voting for the part about lay Members, and I certainly, for all the reasons that Deputy Gardiner so adequately outlined, and I am sure other Members will, I will very firmly not be voting to remove the Troy Rule, because I believe in a democratic Assembly, and it is quite simply undemocratic to remove that.

5.1.5 Connétable M. Labey of Grouville:

I rise to take umbrage with some of the comments made by the Deputy. Our Scrutiny Panel, the Children, Education and Home Affairs Scrutiny Panel, have hardly changed, even after the change of Government we remained the same. Therefore, as a relatively inexperienced Member of this House, I have only served three-quarters of my first term, but I have been on that panel for 3 years, and I am now currently the vice-chair of it. I totally refute the implication that there is any politicising on that Scrutiny Panel. We scrutinise 3 Ministers, the Minister for Children and Families, the Minister for Justice and Home Affairs, and the Minister for Education and Lifelong Learning. The Minister for Education and Lifelong Learning is a member of the Reform Party, and have I seen the chair, Deputy Catherine Curtis, ever give the Minister for Education and Lifelong Learning an easy ride? Look at that face. He has quoted, and I will quote him right now in front of Deputy Curtis, and said, she is the bane of his life. I will say that politicised; I do not think so. I have never once seen it, and the chair works very hard, as do our officers, and we are very well supported by those. I will not mention anymore because others have said so. I will not allow the Deputy to say that we are politicised in any way. I also support the Troy Rule in all its forms, and I hope it will remain so *ad infinitum*. That has all I have to say.

5.1.6 Connétable K.C. Lewis of St. Saviour:

I will not repeat things that have been said. If I am paid by the word, I would be a very poor man. I do have a great deal of sympathy with Deputy Scott regarding this predicament. But there is no way I can support any part of this whatsoever, however well-intentioned it is. I would remind Members at the end of the last State sitting we had, we did have one Deputy complaining vociferously that he had not been invited on to any panels at all. I believe he has now been invited on to Deputy Tadier's panel, and I congratulate them for that.

5.1.7 Deputy H.M. Miles of St. Brelade:

Some of what I wanted to say has been said already, but I did want to make some comments about Deputy Scott's opening speech, in particular. I think her opening comment was she thinks: "Our clout needs improving." I do not think our clout needs improving, certainly in my experience of Scrutiny. She also talks about people who are suitably qualified, and I ask the question: in what way? Is that from membership of a lobby group, is that by academic learning, is that by reputation? Indeed, lots of Members of this Assembly have got very high and professional qualifications that they bring to very good use in a Scrutiny function. The experience that Deputy Scott has described is not one that I recognise. I have a very hard-working, committed, experienced panel who cope admirably with the workload, and all of them have roles on other panels, and that indeed is one of the strengths of our panel. I also have a full panel. I never had any trouble recruiting members to our panel, and indeed other panel chairs are the same. I do not identify any gaps in skills or disposition. We work to our strengths, but if we need to fill a gap, if we recognise that we do not have enough experience or knowledge about a particular area, we will ask people who are experts to come and talk to us. That might be paid or unpaid. One of the things that Deputy Scott also said was that some of us had a problem with unpaid work. I certainly do not have a problem with unpaid work. Previously, I have done a lot of it, and I know a lot of people in this Assembly currently do. I also want to refute the allegation of prejudice and political point-scoring, and that is something that the Connétable of Grouville has articulated. I do not find myself in the position that Deputy Scott observes. As I have said, most people have said what I want to say about laypeople on Scrutiny Panels, but I just want to talk about my own experience. Like Deputy Scott, I was a lay member of the Public Accounts Committee. My term followed hers in 2020, until I stood for election in 2022. My role from the outset was very clear, I was selected for my specific skill set for a very particular review following a Comptroller and Auditor General report. While my expertise was useful to the panel, I had a very specific role, and I understood it very well. I understood that I had no authority from the electorate, I was not accountable to the public, I could not be held responsible through an election, I did not represent the views of any electorate. The core activity, as we have heard of the P.A.C., is very, very different. It does not hold Ministers to account, it does not review legislation, and it does not make any comments on policy. It is about balance and the careful equilibrium between executive power and democratic scrutiny that underpins our parliamentary system. It is my view, that the addition of lay members on Scrutiny Panels would upset the balance. At the beginning of the term, panels do not really know what they will be scrutinising, and most panels have a dual or a triple role scrutinising one or more Ministers. Things that are of interest to the public pop up after we have created our manifesto, after we have stood on a political platform. As we have already heard, we do not know what sort of expertise is going to be needed until the reviews are properly scoped. We have already heard that panels are able to recruit expertise in different ways, and some of that will be paid, some of it will be unpaid. I cast my mind back to the Assisted Dying Citizens Jury, I was a member of the steering group. Every single Member, every single person who gave evidence to that citizens jury was unpaid, and that included medical professionals, it included academics, it included international experts who were pro, against, and on the fence of assisted dying. So, we have some examples of where that works particularly well without seconding people, if you like, on to panels. That is all I am going to say about Scrutiny Panels. The second part of the proposition wants to amend the so-called Troy Rule. It is my understanding that the Troy Rule exists as a safeguard, not as some arbitrary cap. It is a very deliberate mechanism rooted in the Clothier Report, as we have heard, and the principles of good governance to ensure that a majority of this Assembly remains outside the Executive, and therefore able to scrutinise, able to challenge, and to hold Ministers to account. This proposal would erode that safeguard. It would allow the Executive to approach or even exceed parity with the Back Bench, and in doing so, it would blur the lines between the Executive and those who scrutinise. Deputy Scott also tells us that this would improve budgetary discipline, but I am not convinced there is any evidence of that.

[12:30]

The Fiscal Policy Panel's concerns about public finances are very real, but they are not caused by the Troy Rule. If anything, they underscore the need for stronger scrutiny, not weaker. The answer to fiscal drift is not to pack the Executive with more voices, in my opinion, but to really empower those who question it. We are told that other island jurisdictions do things differently. That might be true, but Jersey is not Malta, it is not Gibraltar, it is not Australia. We are a small jurisdiction with a unique political culture, and one that lacks party structures that might otherwise provide internal checks and balances. I would argue that in Jersey, scrutiny is not a luxury, it is our only line of defence. So, at a time when public trust in Government, we are told, is already fragile, I am concerned that expanding the Executive risks sending the wrong message, that power is being consolidated and concentrated, not shared, and that accountability is being diluted and not strengthened. I do not want to abandon that principle lightly, so I will be rejecting both elements of this proposition, to protect the balance, to protect scrutiny, and ultimately protect public trust.

5.1.8 Deputy J. Renouf of St. Brelade:

I too can shorten my speech because some points have been very excellently made. One thing that has not been pointed out is what we have here is a rather complex situation and there are in effect 3 different options hidden within this proposition, all of which need to be addressed. The 3 options before us are to pass part (a), to pass part (b), or pass parts (a) and (b). The implications of choosing any of those 3 different options are very different. It seems to me, in a nutshell, that if we pass part (a) and not part (b), we will be adopting a solution to a problem that does not exist. If we pass part (b) and not part (a), then we will be creating a problem, but removing the potential solution. And if we pass part (a) and (b) we will be solving problems for which solutions already exist. If I start with part (a), Scrutiny, as many people have said, does use outside advisers. There is a mechanism already in existence to make use of outside expertise where required. As Deputy Gardiner said, it is bespoke to the problem, as professional expertise should be, and it allows flexibility, enabling reaction to what Government brings forward. Or to put another way, if we were to have lay Members on Scrutiny Panels, we would still need to have expert advisers in order to respond to those changes in situation. Only 5 Scrutiny Panels apparently have used outside experts this term, which the Deputy thinks is not enough. I can say from my own point of view, there is no reluctance to make use of that facility, the review panel I chaired did make use of that process. The question of politicisation is worth examining. Scrutiny should, of course, not be political in the sense of left and right, or in the sense of making purely political points, ideological points. But it is also true that in the very broadest sense, all work of scrutiny is inherently political. A criticism or proposed reform of a Government proposal in Scrutiny is political in the broader sense, even when it is based on rigorous, objective, impartial analysis, because it is a point of view that contradicts a Minister or Government's position. But adding lay members would politicise Scrutiny in a new dimension. Would we not see a case where a prominent businessperson is chosen to sit on a panel, leading to perhaps a union arguing that they too should have a seat at the Scrutiny table? Membership of Scrutiny Panels would surely become a contested area, because the work of Scrutiny Panels affects policy in the future, but the lay members would have this power without an electoral mandate and without accountability. The proposer's solution to the potential politicisation of these lay roles is to have a code of conduct, or restricted voting rights, or to fine tune recruitment. All of them are minefields because the work of Scrutiny is fundamentally political in the broader sense, but the roles of politicians and potential lay members in this regard are completely different. Members of this Assembly are accountable for our actions to the electorate. No such accountability would exist for lay members, and that, to me, seems to be the key point. I do not think the case has been remotely made for part (a). In terms of part (b), I am not aware of a single jurisdiction where the Executive is granted an automatic majority. Under the Troy Rule, let us recall, the Executive has to find 4 votes to achieve a majority. Just 4 votes. I would respectfully submit that when a Government cannot find 4 non-Executive votes, it should probably be looking at what it is proposing. I am happy to include the Government of which I was a part in

that observation. It is wrong in principle to try and construct a parliamentary majority without an electoral mandate. We have the Troy Rule as a safeguard against an over-mighty Executive that might try and achieve excessive power without having won electoral backing for its programme, remembering that our Governments are built by the Assembly, and that will remain the case unless or until a party or coalition of parties achieve a parliamentary majority, at which point the Troy Rule becomes functionally irrelevant. But what really condemns this proposition is the failure to offer any justification for the creation of new Ministerial or Assistant Minister positions. Nowhere is there an analysis of the failure of Government that is a consequence of the lack of Ministers or Assistant Ministers. This proposition is purely about stuffing the Ministerial ranks with enough bodies to create a majority. It does not matter whether they are needed for good Government or not. That case has not been made, not even addressed. The Chief Minister has talked frequently about the swelling of Government bureaucracy, about how posts have been created without enough thought for whether they are really needed, and the need to be extremely careful about creating new positions. This proposition does not apply the same rigour to the construction of the Executive. I could teasingly suggest that the Chief Minister might have other reasons for wanting to support this, given the little local difficulty I believe he had in maybe promising more than 21 posts in his Government at the time of the vote of no confidence 18 months ago. We will wait to see whether that was what the Chief Minister's position is. The argument for part (b) uses a diversion to make the case. Budget discipline is required, according to the proposition, and the way to do it is to make sure that the Government has a majority. This is so faulty in logic that it is quite hard to know where to begin. It presupposes that all Governments are completely committed to budget discipline, which, by the way, is not defined, when there is nothing to say that Government is. It fails to make the link between the Government's lack of a built-in Ministerial majority on the one hand, and budget and discipline on the other. This is particularly so because there has not been a case of which I am aware when the Government has failed to get its Budget through. So, the budget ill-discipline, which the Deputy argues needs to be corrected by giving the Government an inbuilt majority to get its way, has in fact been caused by the Government getting its way. It has not been the failure of Scrutiny to control costs that has driven the lack of fiscal control. To the extent that a lack of fiscal control exists, it has been deliberate government policy. It is true that Back Bench and Scrutiny amendments have tinkered at the edges, but I cannot think of any Back Bench or Scrutiny amendment that has been responsible for catastrophic budget ill-discipline, and certainly the Deputy has not mentioned an example in her report. The Deputy says the proposition is more inclusive and it does not affect Back Bench power. Neither are true. It is only more inclusive for those extra 4 Members who get added to the Executive. It is even more exclusionary for those who are not selected, and of course it reduces Back Bench power. That is the whole point according to the proposer herself. It is designed to enable it to be easier for the Government to get things through. In summary, as far as I can see, the problem as defined does not exist, the arguments in favour of the proposition fall apart under examination, a supposed solution introduces multiple unintended and negative consequences, and no evidence has been presented to either explain the problem or justify the solutions. In other words, it is a bad set of solutions to a non-existent set of problems. Apart from that, I love it.

5.1.9 Deputy M. Tadier of St. Brelade:

When I first heard of the Troy Rule, because I was not a States Member at the time, I just simply thought there had been a spelling mistake and that somebody had mixed up the 2 letters in between the 4 letter word, because I thought that the Troy Rule, or the Tory rule as I thought it had been misspelt, was just the rule up until that point, which said that 90 per cent of any States Assembly had to be filled with Tories, and it did not really matter about the other 10 per cent. It was only that when I read it a bit more closely, and I am looking at the proposition by, of course, the eponymous Peter Troy, Deputy of St. Brelade, who was my predecessor, what he said in his proposition and an amendment to the machinery of government proposals, was that: "The 10 per cent margin, which I am suggesting, is to create a fraction that can be used to separate the Executive from the non-

Executive.” In other words, as he put it, the number not involved in the Executive must exceed the Executive by at least 10 per cent. What that meant in his Assembly was that there were 53 Members, and that 10 per cent of 53 was 5.3, so you round that up for good practice, and that means that there had to be a differential of 6. The first question I would like to ask is just a technical one. At what point did the differential change, because, as I currently understand it, there is a maximum of 21 that can serve in the Executive. But if we do the maths, we have got a 49-Member Assembly, so 4.9 would be 10 per cent of that. We round it up to 5 per cent. So, there should be a differential of 5. So, the maximum number should be 22, because 22 plus 5 is 27, and 22 plus 27 gives us the 49. The starting point is that the Council of Ministers are selling themselves short, because they could, if they were applying the spirit of the Troy Rule, which was the 10 per cent difference, the current Chief Minister could have another Member for the Executive if he wanted to. I am not sure if he does, and I am not putting myself forward for that either. But I come back to what this proposition seeks to do and what I will simply say, because I do not want to keep Members, is that the problem with this proposition is that it is muddled, it is confused, and it is mutually contradictory between part (a) and (b), which I think has been alluded to. On the one hand, it is saying that there are not enough people to do Scrutiny work, yet part (b) says: “Let us take out 4 more Members who are currently on Scrutiny, potentially, so that they can join the Executive and give the Executive a majority.” Presumably more work for Scrutiny, because there are more bodies to do the work on the Executive side, but fewer bodies to do that. Then we have this muddled solution to say: “But the way we deal with that is to draft more people in from the outside who do not have an elected mandate.” It is very bizarre. If the Deputy were trying to resolve one problem, it might be that if she wants a less powerful Government, if she wants a Government that does not automatically get things through or reduces the chance of that, and enables more people to do Scrutiny, the answer is not to increase the Executive, but to reduce it. I, for one, would be willing to give consideration to having a much slimmed down Executive. The Executive could probably function on 11 to 15 Members, and that one way to do that would be to abolish Assistant Ministers. I was listening, by the way, when the Deputy gave her introduction, and I was in the coffee room listening intently. It is just sometimes in here with the differences in temperatures you have got cold air blowing from one direction, maybe hot air blowing from another direction, and it can get quite uncomfortable, so I sometimes do retire out there. But I am following on very closely with what is being said. The question of Assistant Ministers does need to be examined very carefully, because, as I have said before, there are Assistant Ministers who are effectively full Ministers that are given a great deal of responsibility, who might be Ministers in their own right, and also Assistant Ministers in other departments. I do think there needs to be that flexibility. But what I would much prefer to see is that all Ministers are elected by this Assembly, so all the Executive is elected, but they have tangible portfolios to which they can answer, and that maybe an answer would be to increase the percentage of the Troy Rule, not from the 10 per cent, but maybe to 20 or 30 per cent. So, that is food for thought for whoever might wish to engage with that, either this current P.P.C., or a future P.P.C., but certainly the answer for me, if there is a problem here, is not in adopting any of these proposals. Shall I let you move the adjournment, or should I move it?

The Deputy Bailiff:

You can move it. Before we do move it, shall I invite Members who wish to speak, who have not yet spoken, to indicate that they do wish to speak on this matter? Are there any Members who wish to speak? No. The Chief Minister wishes to speak, is that right?

[12:45]

Deputy L.J. Farnham of St. Mary, St. Ouen and St. Peter:

No, Sir. I was just wondering if no Members wishes to speak, I would just test the mood in the room to see if it is worth extending.

The Deputy Bailiff:

Well, that is why I was asking that question.

Deputy L.J. Farnham:

Okay. Sorry.

The Deputy Bailiff:

No Member wishes ... Deputy Curtis, do you wish to speak?

Deputy A.F. Curtis of St. Clement:

I was just being very quick to second the Chief Minister on that.

The Deputy Bailiff:

Are Members content to continue? I invite Deputy Scott to respond.

5.1.10 Deputy M.R. Scott:

I thank Members for their contributions to this debate. The focus of this proposition is on community, both the one outside and inside this Assembly. It is about the policies and legislation that we adopt for the community, and how we make and deliver them, and ensure they serve our community optimally. It is about our culture as a States Assembly, how we within the States Assembly choose to support each other or not, how we engage with a community resource outside this Assembly, and how we can improve the services we lead as States Members at a cost that better supports our community. The comments of the P.P.C. and S.L.C., and indeed that some Members state, that they are unclear about what the problem is that this proposition seeks to solve. In the case of part (a), I hope that the bumpy progress of recent propositions brought by the P.P.C. has helped to illustrate the problem when there is not enough scrutiny before a matter is brought before to debate, because it seems that the use and understanding of Scrutiny as a resort by States Members may need more development there to assist a better quality of debate. Turning to the comments, which I will try and group together as much as I can, from Members. The first point I perhaps will make is that some chose to take offence at the idea that I suggested that the Scrutiny process can be politicised. It can be. That is the unfortunate truth. I am not saying it is right now. But I also was emphasising that the value of including unelected members, as is done in the House of Lords, is to produce a resource. It is not undemocratic, because they are not given the same rights to participate as elected Members. They are recognised for contributing specific skills, whatever they are, to the process of scrutiny. There is ... sorry, Sir, I am distracted by the talk. Thank you. Let us come to the chair of P.P.C., since I think she needs some attention. She has suggested that I had sought to replace States Members with unelected members, and I believe that is not what I am saying. I am not saying get rid of States Members, although I am sure many people would like to see fewer in their number. I am saying let us use a resource to support the delivery of scrutiny. I am not diminishing the efforts of current members. I am saying let us expand and build upon them in the same way that we have seen in other jurisdictions that produce much more in the way of the sort of work that the Scrutiny function does here because of the additional resource of those members. The House of Lords, let us face it, there are quite a few people who need not be there, but their actual work that they do, the contributions that they make, is huge in terms of the area of scrutiny. But what we are hearing is people saying: "Well, we do not want that because we are good enough." That perhaps suggests a lack of inclusion and humility. I do not deny that the parliamentarians are elected for the scrutiny function, but not all of them do it, and I am not suggesting that they should be forced to do it either. Deputy Ferey, he basically was just talking about the benefits of having a parliamentary majority, if you have a political party, and I am sure we are all rushing to sign up. The chair of the S.L.C., we are not elected to work on our own, but to work with others in producing our work. She mentioned the challenges in chairing the P.A.C. in terms of the behaviour of individual Members, and also that they were working on

further amending their Code of Conduct. But here is the point, she either manages, or she does not. She either thinks it is a good idea to have those members in that panel, or she does not. She found the work challenging. The job of a States Member is to be challenged constantly within the confines of her own Code of Conduct if we are challenging each other. Bad choices can be asked to step down, but she has not proposed yet that the constitution of the P.A.C. exclude unelected Members, and that at least is consistent with the principle of inclusion and diversity. She also mentioned that that getting the balance right is mission impossible. That applies with respect to our States Assembly in terms of spread of resourcing too. We are not in control of the elections, thank gosh, and the results, and what we have in the States Assembly result can be very different. She did not address the nature of parliamentary majorities and how small jurisdictions respond to them, given that political party systems, as I have already mentioned in my opening speech, are not generally adopted in small jurisdictions, for the reasons discussed, but their purpose is to produce a parliamentary majority. You can cut it in different ways. Deputy Doublet, she mentioned that she and Deputy Gardiner had considered lay members, but were discouraged by Greffe officers. That is what you said, I am sorry.

Deputy L.M.C. Doublet:

Would the Member give way so I can clarify?

Deputy M.R. Scott:

Yes, of course.

Deputy L.M.C. Doublet:

I said I was advised, I did not disclose what the advice was.

Deputy M.R. Scott:

Okay. She was advised by Greffe officers, who one may presume did not go for the ... encourage her to proceed with that idea. But I appreciate that her reason for wanting to keep the advice that was personally given to her by Greffe officers confidential. We need to set political sides ... sorry, Sir, I am just trying to ... I am going to open the ... no, I can close this because I am trying to address these various comments. I just wondered if ... she said: "That when Scrutiny members are working together they need to set political views aside." I very much hope she is not suggesting that unelected members would not be able to do the same. The quality of output of the U.K. parliamentary work would be diminished without the House of Lords, and I do not think there has been much consideration of that. I am glad that she is working well with other S.L.C. members. She mentioned the decline in use of special advisers, and Scrutiny having given up part of its budget. But highly skilled ...

The Connétable of St. Martin:

I am sorry, Sir. Should it not be through the Chair, and not use the word "she"?

The Deputy Bailiff:

Thank you very much, yes. Well, "she" is third party. It is not "you". But, yes, it is rather better to refer to a Member by their title if you can.

Deputy M.R. Scott:

Sorry, Sir, are you saying I should not use personal pronouns?

The Deputy Bailiff:

Well, no. I think it is appropriate probably not to do it continually. I do not think this is a big issue, but a matter of courtesy would normally have referred to a Member by their title.

Deputy M.R. Scott:

Thank you, Sir. Highly skilled researchers still need to ask the right questions, be asked to look into the right questions, and that is again where the inclusion of unelected members in the scrutiny process has proved value. At the end of the day, I am just asking who would Members be representing if part (a) of the proposition is rejected? Maybe some of us have flipped through the *Jersey Evening Post* and noticed a common theme in its economists, and what they say. Advocate Carl Parslow, who chairs the Jersey Consumer Council voluntarily: “Jersey is not short of talent. It brims with corporate professionals, entrepreneurs, technocrats and civil society leaders. The Island punches above its weight in finance, law, digital, sport, and many other areas. But its political system is increasingly divorced from its reservoir of skill.” Chris McFadyen: “States now lacks the spectrum of Members who have in-depth commercial experience.” What value might non-voting members bring to Scrutiny? Look at the way that Scrutiny has been reviewing and amending legislation for years. During my own term as a States Member, I have sought red-lined versions of proposed amended laws to make scrutiny work easier. It does make scrutiny easier. That contribution towards the scrutiny process was the result of my professional background. Why did the States Assembly have to wait for somebody with a background like mine to be elected to request this? When most people like me shy from standing for election, for the reasons I mentioned in my opening speech, to do with a circus, to do with a 4-year term, to do with the salary. If someone of a similar background had been included as a non-voting member, perhaps only for the term of 2 years at a time, the job of Scrutiny would have been made easier and more efficient years ago. I also suggest the comments that have shown a lack of long-term vision. It would be for a Scrutiny Panel to assess whether it would benefit from the inclusion of a resource, which the proposition does not seek to force upon them. Such a future resource to any Scrutiny Panel for future would be on the terms that P.P.C. and the S.L.C. would agree including the safeguarding measures mentioned, including a code of conduct that would need to be enforced by the chair, and presumably that would be part of the role for chair, and they would do that. So, how confident can the community be that Scrutiny Panels right now are asking the best questions in areas like the economy, supply chain, and the cost of living that would best expose flaws in Ministerial thinking, policy officer work, and proposed legislation? Are the questions being asked by some Scrutiny Panels too easy for a Minister to dodge? Would some of them benefit from the technical and objective eyes of those with more local knowledge and direct experience, and of details affecting these areas? Two out of 4 Members on the Scrutiny Panel currently are members of the same political party. Other jurisdictions would require membership more proportionate to the jurisdiction of party membership among the States Assembly. While the chair of that panel may not be seeking to reach to the Island’s community to help redress that balance, why might he not just support the changing Standing Orders? I hope that the fear of challenge is not an issue, because that is what Scrutiny is supposed to be about. Conversely, as with the Political Accounts Committee, should non-elected members step beyond the line, they can be brought into account themselves. You do not have to be, how can I say, elected to do the role of Scrutiny. But yes, we are elected to do that. There is a difference.

[13:00]

Whenever we vote, we are making a decision about the future of the Island and the place we want it to be. Will it be a place that maximises its productivity in all areas, in the most cost-effective, inclusive way, or could it be seen as a place run by non-inclusive and a reactionary group of Members with continually decreasing support of the Island’s voters because of an avoidance of States Members to engage with them in a mutually productive way. If we have Islanders, which we do, with those skills and experience, we should not be pushing them away or confining their contributions to offering responses in the context of occasional and frequent reviews initiated by panels. Positive change often is hard when fought, and meets with resistance. That is how the vote was denied to women. That is how apartheid policies existed. Did States Members receive an avalanche of females asking them not to support this proposition, and how many States Members sought to engage with their community to seek views on its principle of inclusion? Perhaps there is an irony there. Let us

think again to the purpose of this to deliver more joined-up policy and more effective scrutiny without succumbing to an irrational fear of the loss of power each one of us as an elected Member has. Let us show appreciation and respect to a skilled and informed community outside this States Assembly and use our power to be more inclusive, and use the resources we have within that community and in this States Chamber more productively to deliver the positive change that voters want from us and that we want for them. Surely we should start changing how we do things. So, food for thought, whether or not Members support this proposition, I urge them to support them and think about the messaging to the community outside there. I call for the appel, taking the proposition in separate parts.

The Deputy Bailiff:

So, you seek a vote on (a) and (b). If (a) and (b) are not adopted, then (c) falls away. I invite Members to return to their seats. The appel has been called for. The first vote will be on part (a) of the proposition in relation to the appointment to Scrutiny Panels of persons who are not States Members. I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. The count for part (a) has been rejected:

Pour: 3		Contre: 42		Abstained: 0
Deputy C.F. Labey		Connétable of St. Helier		
Deputy K.L. Moore		Connétable of St. Lawrence		
Deputy M.R. Scott		Connétable of St. Brelade		
		Connétable of Trinity		
		Connétable of St. Peter		
		Connétable of St. Martin		
		Connétable of St. John		
		Connétable of Grouville		
		Connétable of St. Ouen		
		Connétable of St. Mary		
		Connétable of St. Saviour		
		Deputy G.P. Southern		
		Deputy M. Tadier		
		Deputy S.G. Luce		
		Deputy L.M.C. Doublet		
		Deputy M.R. Le Hegarat		
		Deputy S.M. Ahier		
		Deputy R.J. Ward		
		Deputy C.S. Alves		
		Deputy I. Gardiner		
		Deputy I.J. Gorst		
		Deputy L.J. Farnham		
		Deputy S.Y. Mézec		
		Deputy Sir P.M. Bailhache		

	Deputy T.A. Coles		
	Deputy D.J. Warr		
	Deputy H.M. Miles		
	Deputy J. Renouf		
	Deputy C.D. Curtis		
	Deputy L.V. Feltham		
	Deputy R.E. Binet		
	Deputy H.L. Jeune		
	Deputy M.E. Millar		
	Deputy A. Howell		
	Deputy T.J.A. Binet		
	Deputy M.R. Ferey		
	Deputy R.S. Kovacs		
	Deputy A.F. Curtis		
	Deputy B. Ward		
	Deputy K.M. Wilson		
	Deputy L.K.F. Stephenson		
	Deputy M.B. Andrews		

The Deputy Bailiff:

I will move on to part (b), that the limit on the number of Ministers and Assistant Ministers prescribed by Standing Order 112A should be increased from 21 to 25. I invite the Greffier to open the voting. If all Members have had the opportunity of casting their votes, I ask the Greffier to close the voting. Part (b) has been rejected:

Pour: 1		Contre: 44		Abstained: 0
Deputy M.R. Scott		Connétable of St. Helier		
		Connétable of St. Lawrence		
		Connétable of St. Brelade		
		Connétable of Trinity		
		Connétable of St. Peter		
		Connétable of St. Martin		
		Connétable of St. John		
		Connétable of Grouville		
		Connétable of St. Ouen		
		Connétable of St. Mary		
		Connétable of St. Saviour		
		Deputy G.P. Southern		

	Deputy C.F. Labey		
	Deputy M. Tadier		
	Deputy S.G. Luce		
	Deputy L.M.C. Doublet		
	Deputy M.R. Le Hegarat		
	Deputy S.M. Ahier		
	Deputy R.J. Ward		
	Deputy C.S. Alves		
	Deputy I. Gardiner		
	Deputy I.J. Gorst		
	Deputy L.J. Farnham		
	Deputy K.L. Moore		
	Deputy S.Y. Mézec		
	Deputy Sir P.M. Bailhache		
	Deputy T.A. Coles		
	Deputy D.J. Warr		
	Deputy H.M. Miles		
	Deputy J. Renouf		
	Deputy C.D. Curtis		
	Deputy L.V. Feltham		
	Deputy R.E. Binet		
	Deputy H.L. Jeune		
	Deputy M.E. Millar		
	Deputy A. Howell		
	Deputy T.J.A. Binet		
	Deputy M.R. Ferey		
	Deputy R.S. Kovacs		
	Deputy A.F. Curtis		
	Deputy B. Ward		
	Deputy K.M. Wilson		
	Deputy L.K.F. Stephenson		
	Deputy M.B. Andrews		

Part (c) accordingly falls away.

PERSONAL STATEMENT

6. The Chair of the Privileges and Procedures Committee will make a personal statement

The Deputy Bailiff:

The Chair of P.P.C. will make a personal statement.

6.1 Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee):

I know that everybody has had a very long morning, so please bear with me. It is quite a short statement. I have been a member of P.P.C. since the beginning of 2021 and have served as chair since I was elected at the start of this Assembly in 2022. Across this term, we have delivered a number of important initiatives. We are all aware that the electoral turnout Jersey is shockingly low, and for an Island that speaks fondly of its democratic institutions and consensus-driven Government, it is imperative that our words are met by delivering a more engaged and democratically active electorate. This has been the central focus of the Privileges and Procedures Committee throughout my time as chair, to make sure that this issue is addressed in a proactive, constructive and welcoming manner. Our work has been headlined by 2 key policies to make voting as easy as possible. Our election day has been moved to a Sunday, and we are making registration to vote more straightforward for Islanders through the introduction of the automatic voter registration. As chair, I was passed the appointment process for our Commissioner for Standards after we joined with Guernsey to create a Pan Island role for this for the first time. P.P.C. has also undertaken consultation with Members on revisions to the Code of Conduct, and those changes will be coming back to the Assembly for debate in the autumn. My committee has been charged and challenged with bringing forward in short time the legislation for the return of Senators to the Assembly, and I am pleased to report that this newly drafted legislation will be lodged before the summer recess for it to be debated in September. Alongside our aims were greater turnout and democratic engagement and supporting the Assembly's decisions on the composition of the Assembly. We have provided significant improvements in the support available for Members by establishing offices in Hill Street. This has been complemented by increased pastoral support through access to coaching and continued professional development, and the launch of our highly valued constituency team whose impact has been felt Island-wide. I have been extremely privileged to have served as chair of P.P.C. through these last 3 years, and I am extremely proud of the way my committee has met with turbulence and challenges. As chair, I have always strived to be an independent for the sake of the Assembly, and for the good of the Assembly, making sure that this role becomes the focus of my duties in this Chamber. It has been challenging, but it has also been deeply rewarding. The chair of P.P.C. is a leader of this Assembly, this Parliament of the States, and I have worked hard on a daily basis to be available to all to provide both support and a listening ear. After 3 years, I feel this is now the right time to stand down. I am extremely grateful to both my committees, those who are Members of P.P.C. pre the vote of no competence, and those who are current Members. I am proud of all that we have achieved and our ongoing work programme. The role is demanding in ways that are hard to define or explain, not only because of their scope and complexity, but the fact that this role deals with matters that cut to the heart of Members' lives. It is, on occasion, exceptionally demanding. It requires a daily level of care and discretion that must be coupled with a genuine love of this Assembly as a democratic institution and a drive to offer the support Members need. It is essential that the chair knows when they have offered what they can, and that is the time to let somebody else take over. A core tenet of representative democracy is to be replaced, and I hope that my successor will benefit from the experience they will receive over the coming months, and the insights they will gain. I must thank all members of both P.P.C. and the chairs and members of P.P.C. subcommittees who have allowed our successes to take root. I would also like to record my ever grateful thanks to the Greffier, the Deputy Greffier, and all those who support us in the Greffe. My thanks are also extended to the Bailiff and Deputy Bailiff, the Attorney General, the Solicitor General, and I would also like to thank this Assembly. As you would be aware, the procedure is that as soon as I resign, I am no longer the chair. The P.P.C. committee still stands until a new chair is elected, which will hopefully be at the next States sitting. Nothing will fall. This is, in part, because P.P.C. is neither Government nor

Scrutiny. It is a separate part of this Assembly, and it is vital that it stays this way so that it may represent the whole Assembly. It is an essential part of the continuity of representation, where public service for the public good should be pursued and championed. P.P.C. is not the place for egos, it is a place to help determine how we can maximise the effectiveness of this Assembly. It is where we manage our Island community. The chair is just one part of a community that develops through consensus, and the committee must be able to live beyond the chair. Change may occasionally be slow, but this is because of this committee's commitment to get it right. A chair must be open to new ideas and to building support across this Chamber, and I would not stand down without knowing how many Members embody these traits. I wish my successor and committee the best of wishes. Chairing P.P.C. is both challenging and fascinating in equal measure, and this is a unique honour and a privilege that should never be taken lightly. I hope my successor and committee will provide it with the energy, the commitment and success it deserves. I look forward to supporting them.

The Deputy Bailiff:

Thank you, Chair. That concludes Public Business of this meeting. I invite vice-chair of P.P.C. to propose the arrangements of public business and future meetings.

ARRANGEMENT OF PUBLIC BUSINESS FOR FUTURE MEETINGS

7. Deputy C.S. Alves of St. Helier Central (Vice-Chair, Privileges and Procedures Committee):

Before proposing the arrangement of public business, I would like to just take a moment to sincerely thank Connétable Shenton-Stone for her dedication and leadership as chair of P.P.C. this term. Speaking from experience, I know first-hand that it is a challenging role, one that often involves considerable effort behind the scenes with little recognition. Her commitment has not gone unnoticed, so thank you, and I wish her all the best in whatever she decides to do going forwards. There have been a couple of changes since the publication of the Consolidated Order Paper. The Health and Care Jersey Advisory Board and Partnership Board, P.52/2025, has been lodged and listed for debate at the September meeting. In addition, 2 amendments have also been lodged for the draft Residential Tenancy Jersey Amendment Law, although the E.H.I. (Environment, Housing and Infrastructure) Scrutiny Panel has already indicated to Members that it will ask for the draft law to be referred to it if the principles are adopted when the debate takes place. It is also worth noting and highlighting to Members that the debate on the amended Code of Conduct is also listed for the September sitting. There are quite a number of propositions listed for the next sitting. This is the last sitting of the Assembly before the summer recess, and we may well have to sit on Tuesday, Wednesday and Thursday to complete the business list. With that, I propose the arrangement of public business for future meetings.

7.1.1 Deputy M. Tadier of St. Brelade:

I had a question about when we can expect the Senator's legislation to come back. I know the outgoing chair said that it was September. Is that the first sitting in September, or is anticipated that it be the 30th, at the end of the month, or do we know yet?

7.1.2 Deputy C.S. Alves:

I do not have the details of that yet, but given that we have only got one sitting before the summer recess, I would suspect that it may be the last one, but we will aim for the first one as much as we can.

The Deputy Bailiff:

Any other questions for the vice-chair? Are Members to contend to proceed in accordance with the suggestion made by the vice-chair? In that case, the Assembly stands adjourned until 9.30 a.m. on 8th July.

ADJOURNMENT

[13:13]