

## **2.2 Deputy R.G. Le Hérissier of the Chairman of the Privileges and Procedures Committee regarding the reports of the Electoral Commission and Sub-Committee on the Machinery of Government:**

Could the Chairman state when the Electoral Commission and the Privileges and Procedures Committee Sub Panel on the Machinery of Government are scheduled to present their reports and what steps, if any, have been taken by P.P.C. (Privileges and Procedures Committee) to ensure that the proposals relate to each other?

### **Connétable A.S. Crowcroft of St. Helier (Chairman, Privileges and Procedures Committee):**

I should begin by clarifying that the Electoral Commission is not answerable to the Privileges and Procedures Committee. It was established by the States as an independent body. The Committee has every confidence that the Commission will fulfil its terms of reference and report by the December deadline set by the States. The Machinery of Government Review Sub-Committee was established by P.P.C. on 8th February of this year. Since that time, P.P.C. has received 5 formal updates from the Sub-Committee, each of which is recorded in the Committee's part a minutes. The Sub-Committee's recent public consultation has now concluded and I understand that the responses received will inform a draft Green Paper which the Sub-Committee expects to submit to P.P.C. during November. Regarding the degree of interaction between the 2 bodies, a delegation from the Machinery of Government Review Sub-Committee met with the Electoral Commission on 31st August to discuss common emerging themes and issues arising from each other's work. The Machinery of Government Review Sub-Committee has also been forwarding copies of its minutes to the Electoral Commission. In turn, the members of the Sub-Committee have been able to read the numerous submissions published on the Commission's website at [www.electoralcommission.je](http://www.electoralcommission.je).

### **2.2.1 Deputy R.G. Le Hérissier:**

Despite that wonderful litany of co-operation and exchange of minutes, could the Chairman confirm that there have been talks on the substantive issues and was he not, like me, appalled by the unilateral action of the Electoral Commission going forth in a week or 2 with a whole series of meetings with no apparent relationship to what is being undertaken by the other body?

### **The Connétable of St. Helier:**

To answer the Deputy's first question, I believe that the key areas they discussed when they met were the number of States Members needed for Ministerial government to function effectively and the effectiveness of legislative scrutiny under the existing system. As regards to the recent press release and the interim report that we have been promised by the Commission and, indeed, the long list of Parish meetings that have been planned for the autumn, I cannot say that I was appalled by that. I think it is going to be extremely interesting and useful for the public to have that chance to comment on the developing proposals and I have not been told that the Sub-Committee has its nose out of joint as a result.

### **2.2.2 Deputy J.H. Young of St. Brelade:**

As a member of that Sub-Committee, would the Chairman of P.P.C. please confirm whether he considers it right that the decisions or recommendations of the Electoral Commission on the number of States Members... is it right that they have to be informed by the role of States Members that they carry out within the machinery of government? Is that a principle that the Chairman of the Committee shares?

### **The Connétable of St. Helier:**

Clearly, there is an obvious link because if the Commission and, indeed, the public and the States endorse an Assembly with too few Members to carry out the recommendations that the Machinery of Government Review Sub-Committee puts forward, then there will be a problem. But the procedure that we have adopted is that as far as P.P.C. is concerned, the Sub-Committee will present its findings in due course to the main committee. It is at that point that the main Committee will be able to take advice from the Sub-Committee members, not all of whom, of course, are on P.P.C., to decide what the best way forward is. I do not see any problem here. I think that the 2 bodies have different jobs of work to do. They have been set up differently and I think it is entirely within the gift of the Electoral Commission and, indeed, I think it is commendable that they are, as I said before, having this extensive process enabling more and more Islanders to get involved in the future of the States.

### **2.2.3 Deputy T.M. Pitman:**

I hope the Chairman can answer this for me. Given the clear and complete incompatibility of moving towards a fair and equally weighted system of voting with keeping the Constables - and that is not a personal thing - if this is one of the things that comes out of recommendations, will P.P.C. nevertheless be putting forward official comments saying whether they support that or are against it as they normally do?

#### **The Connétable of St. Helier:**

I am sure P.P.C. would be very anxious to make comments when the Electoral Commission's proposals come forward. So far we do not know what those are. We have a fairly good idea from the submissions on the website and, indeed, many profoundly interesting and helpful letters published in the media and comments in the media, so I think it is all a good process. I think the work of the sub-panel, as indeed the work of the other 2 sub-panels set up by P.P.C., are all informing the process and I think it is going to be extremely interesting and useful as these various reports begin to see the light of day.

### **2.2.4 Deputy J.H. Young:**

Absolutely accepting the Chairman's endorsement of the need for public consultation, but also addressing the need for joined up government, would he be prepared to communicate to the Chairman of the Electoral Commission to ensure that when those recommendations come forward, it is made clear these are interim and that they have yet to take account of the views of the working group? This has had a tremendous amount of work put in by Members of this House and is due to reach a conclusion very shortly.

#### **The Connétable of St. Helier:**

The Chairman of the Electoral Commission is in the Assembly this morning. I am sure he has taken note of those comments and does not need me to speak to him. What I would just like to say is that I really do want to praise the work of Deputy Tadier, the Vice-Chairman's Sub-Committee. They have conducted a comprehensive process of interviews with States Members. I think they have spoken to more than half of the Assembly about their views of how Ministerial government is working or not working and I think they have done a tremendous amount of work, as has the sub-panel chaired by Deputy Martin and the sub-panel chaired by Senator Ferguson. All 3 panels are doing a great deal of work on behalf of the main committee and I thank them for it.

### **2.2.5 Deputy R.G. Le Hérisier:**

Notwithstanding the excellent attempt of the Electoral Commission to engage in participation, could the Constable be more precise other than giving congratulations all round to everybody? Could he be more precise about how he intends to integrate this work, given there is the possibility of highly incompatible recommendations coming forward? Could he tell us the process he will use?

#### **The Connétable of St. Helier:**

I think the process has been laid down. I think the Commission's work will be brought forward to P.P.C. for onward presentation to the States, a referendum and so on. I do not like to anticipate problems tomorrow. I have got quite enough problems to deal with today and I am not going to start worrying about the possible problems that may arise from a clash of views from the sub-panel and the Commission until that clash - if it ever happens - happens.