

20.10.20

**3 Senator S.Y. Mézec of the Chair of the Privileges and Procedures Committee regarding the recommendations from the Commonwealth Parliamentary Association's Election Observers' Report of 2018 (OQ.266/2020):**

Will the Chair publish a formal written update detailing the progress made in implementing the recommendations from the Commonwealth Parliamentary Association's Election Observers Report of 2018, and the timetable for implementing any outstanding recommendations?

**Deputy R. Labey of St. Helier (Chair, Privileges and Procedures Committee):**

I am happy to do that for the Senator if he can give me until the end of the week.

**4.3.1 Senator S.Y. Mézec:**

I am more than happy to do that but just a supplementary question. Is he able to perhaps hint at the sort of things we might be looking at, in particular what might be the next pieces of work associated with those recommendations that might come to the Assembly for our consideration?

**Deputy R. Labey:**

Yes, of course. Briefly, recommendations 2 and 4 to 18 deal with what we might call housekeeping or some new initiatives for the States of Jersey and they are all in train apart from, I think, recommendation 14, which is the one about media regulations. But I have got a meeting with the editors of the local media next week, so we will start that one. Articles 1 and 3 are to do with the composition and election of the States and trying to address the demographic deficit that operates here. Of course, P.126 earlier this year was an attempt to deal with all the points made in those recommendations and failed by 6 votes. P.P.C., I think, have just got approval now to lodge a revised version of Senator Gorst's P.7 which never got debated, which we hope will kickstart back the debate on trying to get some electoral reform. All the other recommendations, we looked at bringing them up singly but we are going to bring them all probably together in 2 or 3 propositions.

**4.3.2 Deputy M. Tadier:**

Are there any plans for the chair and P.P.C. to bring forward for debate the Clothier propositions which have never been properly debated in this Assembly?

**Deputy R. Labey:**

Well interestingly enough, I had a conversation with somebody just about that yesterday and the phrase used was "the Clothier ship has sailed" in that Clothier still does not comply with, it is better than what we have now, but it still does not comply with the E.O.M. (Election Observation Mission) recommendations, which is what we are trying to implement. However, it is certainly one of the options I looked at when P.126 fell, and I have drawn something up which is along the lines of Clothier. I thought the best approach was probably to take Senator Gorst's proposition, he has asked P.P.C. to do so. I thought that probably stood the best chance of getting some approval because some of the Constables intimated when P.126 was debated that they might support P.7, so I think that is the best route. Of course, the other prospect is the Guernsey election, and the reason why I have not brought anything until now is because I could tell in a debate it will be all about: "Well let us wait and see what happens in Guernsey" and that was interesting.

**4.3.3 Senator J.A.N. Le Fondré:**

Just in asking this question, I will just make the point I was not aware of the comments that the Chair of P.P.C. has just made about bringing further propositions. Would the Chair just note obviously that we were in the process of reconvening the group ...

**The Bailiff:**

Well, I am sorry, Senator, this does have to be a question. This is a question to the Chair rather than a point of explanation.

**Senator J.A.N. Le Fondré:**

Would the Chair agree that we were just in the process of reconvening the group that was meant to have been created after the debate of earlier this year but obviously has stopped because of COVID?

**Deputy R. Labey:**

Yes, I feel that if P.P.C. puts something down, lodges something soon and it is there, that is when the membership normally take these issues seriously, when it is down in black and white and up to be debated.

[10:00]

I hoped it might provide the spur for the Chief Minister's group to get a bend on with producing some recommendations or amending the proposition that I am going to bring. I would like to see the membership of the Assembly taking a look at this in their various groups and not continually tell me what they do not want and what they will not put up with and what they cannot vote for. But tell us what, by form of an amendment or a proposition of their own, you will vote for, tell us what Members will compromise on because that is the only way we are going to make progress.

**4.3.4 Senator L.J. Farnham:**

Would the Chair agree that one of the reasons the States Assembly has failed to agree to electoral reform is because we have not perhaps communicated enough and we have been too far apart on our ideas for electoral reform? If so, would the Chair not commit to engaging with this group because if agreement can be reached over sensible ideas collectively, we have a far greater chance of reaching agreement and making some progress?

**Deputy R. Labey:**

Yes, I did undertake a lot of consultation throughout 2018 and 2019, which resulted in P.126. But Members, and this is entirely their prerogative, when it comes close to the debate and on the day of the debate, what Members might have said they are inclined to go for and perhaps would take a punt on and this time would do it, that, I have noticed by experience, changes drastically. Now, that is the nature of debates and the game that we are in. It is not a criticism of Members, I am just saying it is very difficult to build propositions on foundations of what Members commit to at that time. As the Constable of St. Clement said to me, the only thing that I can take as gospel from Members is when they say: "We are definitely not voting for this proposition." That is the only thing you can rely on, in my experience.

**4.3.5 Deputy J.H. Young of St. Brelade:**

Would the Chair agree that the success of our sister Island in showing just how reform and democratic reform can be tackled despite all the predictions, and they have demonstrated that, should act as a stimulus to all Members now to really get behind this subject and include your work

so that we can do our very, very best to achieve the progress at an early date? Would he agree that that experience of our sister Island has shown us the need for that initiative?

**Deputy R. Labey:**

Well, yes. I have written in the press about how the Guernsey election has defined expectations in 2 key areas. People were not random voting, they obviously had done their homework and were voting sensibly and the figures show that. Of course, the system did result in new faces arriving and, unfortunately for them, some sitting Members going. The Guernsey system came out of course from that referendum. Very few of the 5 options of that referendum would comply with the C.P.A.E.O.M. (Commonwealth Parliamentary Association's Electoral Observation Mission) recommendations to us. Nevertheless, if the Senator is asking me if I would take the Guernsey system now over what we have in Jersey now, I think my answer is probably yes. There is so much broken with our system, it is unfair, votes count for more depending on your postcode, that is wrong and we have to sort it out.

**4.3.6 Senator S.Y. Mézec:**

Could I ask the Chair if the proposals he is working on to bring to the Assembly include proposals for automatic voter registration rather than the proactive registration system we have now and if he has confidence that such a system could be implemented and in place ready to be used at the next election?

**Deputy R. Labey:**

Well, yes, that is being worked on; the Greffier is heading that up. There is a project manager now appointed and looking at how this will work. It is one issue which seems to be coming up against jams or blocks again and again and again. It has taken a long time to get where we are. I know that the Minister with digital responsibility is working hard to get this done. We were going to have a meeting of senior staff to knock heads together and say: "Look, we need to push on with that." Then there was a bit more movement but we reserve the right to do that. I think it is absolutely vitally important.