

PRIVILEGES AND PROCEDURES COMMITTEE

(51st Meeting)

2nd July 2007

(Business conducted by telephone)

PART A

All members were present, with the exception of Connétable K.A. Le Brun of St. Mary.

Connétable D.F. Gray of St. Clement - Chairman
 Senator M.E. Vibert
 Deputy G.C.L. Baudains
 Deputy S.C. Ferguson
 Deputy J. Gallichan
 Deputy I.J. Gorst

In attendance -

Miss P. Horton, Clerk to the Privileges and Procedures Committee

Note: The Minutes of this meeting comprise Part A only.

Composition of
 the States:
 Referendum
 (P.86/2007) -
 Comments.
 1287(13)

A1. The Committee, with reference to its Minute No. A2 of 27th June 2007, considered its response to P.86/2007 entitled 'Composition of the States: Referendum' which had been lodged 'au Greffe' by Senator J.L. Perchard on 22nd June 2007 and was due to be debated on 17th July 2007.

The Committee decided to comment as follows -

'The Privileges and Procedures Committee does not support this proposition. Although PPC has always made it clear that it believes that the views of the public on the issue of the composition of the States should be sought through a referendum the Committee does not believe that Senator Perchard's proposition is the appropriate way to achieve this objective.

If this proposition is adopted the public would be able to choose between the 4 options set out with the 'status quo' being effectively a fifth option. If a referendum with so many options is put forward it is almost inevitable that the electorate will be disillusioned that yet further options have not been offered, for example on matters such as a more significant reduction in membership. The Committee itself faced substantial criticism of this type when it circulated its consultation leaflet to all households with only 5 options. In addition PPC believes that an uncertain outcome could result from the referendum as it is quite possible that votes would be spread almost evenly over the various options. The third option, namely an Assembly of 12 Senators and 36 Deputies, all elected on one single day and for a common four year period, is one that PPC does not even believe is a realistic option for worthwhile reform.

PPC has worked on the issue of composition of the States for many months and has undertaken two opinion surveys and a range of other research and consultation. If this proposition is adopted the States will, effectively, be going right back to square one. PPC believes that the time has come for the States to show leadership and take a decision on a preferred way forward by adopting P.75/2007 (Composition of the States: revised structure and referendum) with

or without the amendment of Deputy Baudains. The Committee is convinced that these two options are the only workable and worthwhile options that are likely to be acceptable to the present States Assembly. Once a preferred way forward has been agreed in principle by members PPC believes that a referendum on that single proposal should be held. This would enable the electorate to express its view on the way forward that has already been agreed by the States.

PPC might have felt able to support a proposal for a referendum on the 2 options set out in PPC's proposition P.75/2007 and the amendment of Deputy Baudains but believes that nothing would be achieved by Senator Perchard's proposal. It is unlikely to give any clear steer on the way forward, will delay the possibility of introducing transitional arrangements for 2008 and, in practice, might even preclude any reform for the foreseeable future if there is no clear outcome.'

The Greffier of the States was directed to arrange for the Committee's comments to be presented for consideration by the States on 17th July 2007.

Draft
Registration of
Political Parties
(P.73/2007):
Second
Amendments.
465/4(3)

A2. The Committee, with reference to its Minute No. A6 of 27th June 2007, considered its response to an amendment lodged 'au Greffe' by Deputy G.P. Southern of St. Helier to its proposition on the registration of political parties (P.73/2007).

The Committee recalled that it had agreed to support Deputy Southern's amendment to remove the requirement that a list of party members should be submitted to the Court and made available for public inspection. The Committee further agreed that it would lodge an amendment to Deputy Southern's amendment to require political parties to submit its annual accounts within six months of the end of their financial year. These would be made available for public inspection and would provide an indication of the number of members a party had.

In this regard the Committee considered the draft Registration of Political Parties (P.73/2007): Second Amendments. Having noted that the amendment accurately reflected its decision, the Committee accordingly approved the same and requested that it be lodged 'au Greffe' for consideration by the States on 16th July 2007.

The Greffier of the States was directed to take the necessary action.

Draft
Registration of
Political Parties
(P.73/2007) -
Comments.
465/4(3)

A3. The Committee, with reference to its Minute No. A6 of 27th June 2007, considered its response to an amendment lodged 'au Greffe' by Deputy G.P. Southern of St. Helier to its proposition on the registration of political parties (P.73/2007).

The Committee decided to comment as follows -

'Amendment (1) to (3)

The Privileges and Procedures Committee supports amendments (1) to (3) relating to the provision of lists of party members and urges all members to do likewise. Having considered its original proposals again, and having taken appropriate advice, PPC accepts that its suggestion that party membership lists should be published was inappropriate. PPC's original intention was that the public should be able to access information about the overall 'size' of registered parties and the Committee is now proposing that this objective should be achieved through access to a party's accounts instead (see P.73/2007 Amd.(2)).

Amendment (4)

PPC does not support amendment (4) relating to the entry of party emblems on ballot papers. The Committee does not believe this proposal is appropriate in a jurisdiction where the majority of candidates have no party affiliation as it could give an unfair advantage to some candidates. The Committee accepts that there may be concerns relating to electors who have literacy problems (who may only be able to recognise a party emblem) but would point out that for the foreseeable future it is likely that most candidates will have no emblem on a ballot paper. This amendment does not therefore address literacy concerns in a way that is equitable to all candidates and PPC urges members to reject it.'

The Greffier of the States was directed to arrange for the Committee's comments to be presented for consideration by the States on 16th July 2007.