

**WRITTEN QUESTION TO THE PRESIDENT OF THE PRIVILEGES AND PROCEDURES
COMMITTEE BY DEPUTY G.P. SOUTHERN OF ST. HELIER**

ANSWER TO BE TABLED ON TUESDAY, 21st JUNE 2005

Question

Would the President inform members –

- (a) whether the Committee intends to give wider access to the electoral register when Article 11 of the Public Elections (Jersey) Law 2002, specifically states that there are to be only three places for inspection of the register, namely the Parish Hall, Jersey Library and the Judicial Greffe, and , if so, how?
- (b) whether the Committee intends to address the existing difficulty in accurately updating the register by targeting those not on the register in view of the fact that nobody other than a properly nominated candidate in an election can receive a copy of the register and, then, only after the date of that nomination meeting?
- (c) whether the Committee intends to put forward changes to the election law as a matter of priority, and whether this will be in time for the 2005 elections? and,
- (d) whether the proposals for improving registration and turnout will be superseded by more fundamental changes to the law?

Answer

- (a) Article 11 of the Public Elections (Jersey) Law 2002, serves to set a minimum level of access to the electoral register. It does not automatically preclude wider accessibility. The Committee has sought advice from the Data Protection Registrar on this issue. It understands that it would be possible for the Committee, working with the Connétables, to locate temporary centres in and around the town area during August and in early September, for the purposes of raising awareness and to enable people to apply for registration. Possible locations for the foregoing include: King Street; the Waterfront entertainment site; the Royal Square; and, the Jersey Live concert, which is scheduled to take place in the grounds of the Royal Jersey Agricultural and Horticultural Society.
- (b) Opening up the register to other parties, for example to members of a political party who might wish to gain access in the months leading up to an election, would require an amendment to Article 11 of the Public Elections (Jersey) Law 2002. It is not possible to make substantive amendments to the Law in time for the 2005 elections. With regard to the issue of wider access to the electoral register in force for an election, members may wish to note that Article 12(2)(b) of the Law has not yet been brought into force, primarily because of human rights issues arising from the onward sale of personal data. Indeed, the Committee understands that the Comité des Connétables favours the removal of the said Article from the Law.
- (c) The Committee is not in a position to bring forward proposals for amendments to the Public Elections (Jersey) Law 2002, prior to the 2005 elections. It had intended to bring forward a number of proposals, as outlined in its consultation paper R.C.7/2005, earlier in the year. However, the Committee was advised that the vast majority of its proposals were, in law drafting terms, comparatively complex. Moreover, it was unable to proceed with its remaining proposals without adversely affecting the integrity of the electoral process. For example, it was clear to the Committee that measures to increase accessibility to the postal vote could not be brought forward without corresponding proposals to guard against the risk of abuse of the postal voting system.
- (d) A recent bid to secure law drafting time in the 2006 programme was unsuccessful. However, the Committee remains hopeful that a future Privileges and Procedures Committee will see fit to push for the electoral reforms proposed in R.C. 7/2005. Members may also wish to note that on 9th June 2005, the Committee elected to form a Working Party, chaired by Deputy Peter Troy of St. Brelade, to promote registration of

voters for the forthcoming elections. The group will be assisted by Mrs. K. Le Quesne, head of the States Communications Unit. Although its primary task is to promote electoral registration, the Working Party will be empowered to make recommendations concerning reform of the Public Elections (Jersey) Law, should it feel the need to do so.