



**HOUSE OF KEYS
OFFICIAL REPORT**

**RECORTYS OIKOIL
Y CHIARE AS FEED**

**PROCEEDINGS
DAALTYN
(HANSARD)**

Douglas, Wednesday, 1st March 2006

Present:

The Deputy Speaker (Mrs H Hannan) (Peel); Hon. D M Anderson (Glenfaba);
 Hon. A R Bell (Ramsey); Mr W E Teare (Ayre); Hon. S C Rodan (Garff);
 Mr P Karran, Mr R K Corkill and Mr A J Earnshaw (Onchan); Mr G M Quayle (Middle);
 Mr J R Houghton and Mr R W Henderson (Douglas North); Hon. D C Cretney and Mr A C Duggan (Douglas South);
 Hon. R P Braidwood (Douglas East); Hon. J P Shimmin and Mr D F K Delaney (Douglas West);
 Capt. A C Douglas (Malew and Santon); Hon. J Rimington, Mr Q B Gill and Hon. P A Gawne (Rushen);
 with Mr M Cornwell-Kelly, Secretary of the House

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The House adjourned at 5.34 p.m.

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House of Keys

The House met at 2.30 p.m.

PRAYERS

The Chaplain of the House of Keys

LEAVE OF ABSENCE GRANTED

The Deputy Speaker: We have a number of absences this afternoon, and I think Mr Speaker has notified you of them, but I have another. That is Mr Bell, the Member for Ramsey, who will join us shortly.

Orders of the Day

Select Committee on Voluntary Euthanasia Report received

3.1. The Caairliagh of the Committee (Mr Gill) to move:

That the Report of the Select Committee on Voluntary Euthanasia be received.

The Deputy Speaker: The first Item is Item 3 on the Agenda. I call upon the Caairliagh of the Committee, Mr Gill, the Member for Rushen, to move that the Report of the Select Committee on Voluntary Euthanasia be received. Mr Gill.

Mr Gill: Gura mie eu, Lhiass-loayreyder.

Lhiass-loayreyder, in May 2003, this House voted to allow my colleague, Hon. John Rimington, leave to introduce a Bill to enable a competent adult who is suffering as a result of a terminal or a serious and progressive illness to receive medical help to die at his own considered and persistent request, and to make provision that persons suffering from such a condition receive pain relief medication and for connected purposes.

That leave to introduce the Bill was qualified by the requirement that a Select Committee of five Members be appointed with the power to take written and oral evidence pursuant to sections 3 and 4 of the Tynwald Proceedings Act 1876 on the subject matter of the proposed Bill, and to report to the House before its introduction.

At the ballot Mr Anderson, Mr Downie, yourself, Mr Rimington and I were elected. At the first meeting of the Committee, I was elected Caairliagh.

The Hon. Alex Downie ceased to be a member of the Committee when he was elected to the Legislative Council, on 19th April 2005. The Committee decided not to replace him, given the progress achieved by the Committee to that time.

That Report is now before Hon. Members. It is a lengthy, yet concise, Report which reflects the wide range of evidence your Committee has heard over the past 33

months. It illustrates the many shades of opinion around this very sensitive area and, where appropriate, puts them into a Manx context.

The Report does not make any recommendation.

This follows the debate in the Keys in 2003 and the agreed views of the Committee members. The Committee membership mirrors the different views both for and against the principle of voluntary euthanasia, as well as those who are undecided in the matter.

This diversity of opinion was further illustrated by the selection of Clerks. Mr Cornwell-Kelly, the Secretary to the House, and his assistant, Mrs Marilyn Cullen, jointly served the Committee. This was agreed as appropriate to preclude any suggestion of bias or inadvertent opinion influencing the Committee.

Hon. Members will also note that the author of this Report is an independent person employed, specifically, to collate and present this work. Miss Jenny Helps is a local woman who has a most impressive academic record. Her CV can be found at appendix 1.

Miss Helps has written this Report from a dispassionate and neutral stance. The draft report was subjected to only minor alteration by the Committee, who concurred that the changes made made no difference one way or the other to the Report's academic integrity. The Committee is indebted to Miss Helps for her efforts.

Lhiass-loayreyder, Hon. Members, I commend this Report to the House and, indeed, a wider audience as a balanced and accessible source of information, to allow this issue to be debated further in this House and elsewhere.

Lhiass-loayreyder, I move that this Report from your Select Committee on Voluntary Euthanasia be received.

The Deputy Speaker: Thank you. Mr Rimington.

Mr Rimington: Yes, Deputy Speaker, I would like to second that and, also, make my contribution, at the same time.

Again, echoing the words of my hon. colleague, I would like to thank the author of the Report for what I think was absolutely sterling work, because there was a mountain, literally of written evidence that came to us from all quarters on the particular subject. It is, obviously, a matter which has aroused great public interest, from a wide variety of viewpoints – so much so that it was practically impossible for the Committee, in its workings and with its time constraints, to itself distil that information into a sensible and coherent whole. That has been done with the assistance of Miss Helps, who has done that very professionally, and in a very balanced way, not leading to any conclusion in any particular direction.

I think not only should this House be very thankful for her sterling work in this direction, but the general public as well, because I think it has given one of the best reports on the matter, which is both readable, relatively comprehensive, has come out from other quarters which is accessible for the general public, for the general reader.

As has been stated publicly before, in terms of the leave to introduce which was given to myself, subject to this Report of the Select Committee's deliberations, a Bill cannot, and I think Hon. Members will appreciate, realistically go forward in this session, indeed, before the General Election, because any Bill, whatever it might be would require a considerable body of work, consultation, discussion etc, if it was to go

forward. It would be unlikely that any Bill could even be prepared before the end of this session, let alone have a successful passage or any passage whatsoever.

So, it really is a matter for the issue to mature and to be picked up again, in a new House, in due course. It is a most complex subject and a very difficult subject, and one in which there is no wrong or right. There are a vast range of different views on this.

I approached it on the basis of not what is right for me and my personal feelings on the matter – and I do not know what my personal feelings are, on that matter, and whether in certain circumstances I would wish to take the particular options that might be allowed under a possible future Bill. I have not crossed that personal moral bridge myself, on the matter.

It is more of a question of what is right for the law. That is slightly different from one's own personal views on the matter. I think what we should recognise at the outset is that there is a tide – and it is quite a strong and big tide – of public opinion that says something should be allowed.

There are circumstances – which, obviously, would need to be controlled and very well regulated or well defined – where some form of medical assistance or whatever, to allow somebody to pass away ahead of what we might call the natural process – there is not a natural process, often in these cases, because of the intervention of medicine and so forth. So many people have genuinely seen suffering of individuals in particular circumstances and wish for that ability for early release – not at a whim, not that 'I am fed up with life; I want to go', that sort of throw-away side of things; but where there is genuine suffering and there are medical conditions which mean that that suffering cannot properly be alleviated. There is a terminal illness involved and the prediction of the end is most strong.

Whereas, many years ago, this question might have been to some unthinkable, it is now in the public's mind, quite strongly, that something should be allowed, in a controlled and regulated manner. There is, also, besides that strong tide of public opinion, a shifting tide of public opinion slowly – more slowly, I admit – within the medical profession. Whereas, at one stage, it was a categorical 'no, nothing should ever change' in that regard, now that is changing, in that there is a recognition that this is a dilemma for society. The medical bodies would acknowledge that they have to be guided by society's needs in those areas, and cannot express that full and final veto on what should happen in terms of legislation.

Opposition to the concept of medically assisted dying has come predominantly – and I stress, *predominantly*, because it is not exclusively so – from two areas: first, in respect of the medical ethics and medical organisations or nursing organisations. That has been well recorded. It is well recorded within the body of evidence there.

Secondly, and probably most strongly, in respect of those people with strong religious feelings on the matter. They believe that it goes against their theology on the sanctity of life etc. That is not something that I, in any way, would wish to disregard or put down. Those are genuinely held feelings, as indeed with people who hold a particular religion often do.

It is not exclusive there, because there are... I know of people outside of those two bodies I have just mentioned who have their own reservations about the issue and have expressed those to me.

But outside of that, the support cuts across a wide range in the population and includes those who also have faith, and includes those who also have religion. So, it does not mean to say that if you are religious you are against, and if you are not religious, you are for. Those divisions cannot quite so straightforwardly be made.

What I was concerned about, in the evidence that came forward, and in the letters that were written to, certainly myself as an individual, at the centre of the matter, was the type of opposition that was expressed. If people disbelieve in medical assisted dying on theological grounds, to me that is fine and that is understandable. That is a case to be argued and a view to be put forward strongly and openly and honestly. I have no problem with that, whatsoever.

What I was concerned about was that case was not that strongly put forward on those grounds, except by probably a few people, but behind that strong theological view were added on all sorts of other views about vulnerable people who would be, possibly, then subjected to all sorts of procedures, to the arguments about the slippery slope etc, and what might or might not happen, if such legislation was ever in. This would be the first step, and then the next thing we would be doing this and then that and the other.

Indeed, not from within the political Members, but outside of this, there was even the reference and the correlation with those who supported a change in the existing law with Nazism. That I found very disturbing and an extremist point of view.

I have been subjected to arguments on this: there is, again – and I mentioned this yesterday, in another matter – in seeking the strength of that argument, what I would call, a reliance on 'the book', which could be the reliance on the Bible or whatever book that might be. Unfortunately, that gives a narrow focus to that opposition and does not encompass the wider views of humanity that need to be taken on board.

I was concerned, obviously, that in those who express their faith very strongly, but then identified with all these other things that might happen, in terms of what we were going to do to disabled people or the slippery slope arguments, there was actually little faith in democracy – little faith in the maturity of our society to encompass a change in the law, to define how new procedures should be allowed, in a careful and controlled manner, and to put in those democratic safeguards, to make sure that the slippery slope would never ever happen.

I have faith in democracy. I have faith in democracy. Sometimes it is weakened, but, generally, I have faith in democracy on the Island, and in our parliamentary systems, that no such thing would ever be allowed to happen. We are in a small society: if laws were being abused, we would very quickly take that abuse to task and ensure that that never took place.

I do have a concern, again, and this is a wider philosophical point, with the extreme view – and it is a theological view – of the sanctity of life, which I recognise is a strong view. But it is elevated to an all-pervasive principle in relation to this matter, which in my mind denies a compassionate approach for people in certain circumstances.

Yet, in the name of religion, in history, we have undertaken wars, we have slaughtered many. Many are still being slaughtered today, in the name of religion. You only have to look in the news, this last week or so, and look in Iraq, and you can see that there is one particular group or one

faction of one group, i.e. the al-Qaeda group of the Sunnis, who think it is quite legitimate, in the name of their faith and its absolute truth, to slaughter the Shias.

This is not unique. This happens throughout the world in different circumstances, and it has happened within the confines of the British Isles, in our recent history in Northern Ireland, as well.

So, we have to be careful about the use of that expression, 'sanctity of life', because if we are going to use it as that all-pervasive principle, in respect of such legislation we might wish to bring in, in respect of medically assisted dying, then surely we should take that same approach right throughout our actions and in our views to the outside world in what is taking place, often in the name of religion. Often in the name, certainly in the past, of our own religions, we have been quite willing to disregard human life.

Indeed, in our economic and social system, we have a system based on greed. It is not based on religious values; it is based on the notion that man is innately greedy, i.e. it is based on the philosophy of capitalism, not on the basis of the theology and belief in God and faith in God.

In the name of that system, based on greed, without actually, effectively, going to war, we allow people to die in their thousands every day across the world. So, when we look at sanctity of life we must relate it to the wider whole, and not just to this one particular issue.

I think with that, Deputy Speaker, I will conclude. It is a wide moral issue, but we do need to look at it in balance, and say, what is right in law? Should the law reflect one narrowly focused viewpoint, or should the law, under careful control, allow compassion to be exercised for certain people in those circumstances, and to accept that no one side in this argument has a monopoly of compassion?

Thank you.

The Deputy Speaker: Thank you. Mr Delaney, Member for Douglas West.

Mr Delaney: Speaker, I waited with interest to see what would come out of this nearly three years debate by our colleagues, and I was not surprised when no recommendations came, because of the nature of the subject.

I was interested, particularly, and I am interested today: I read through the sections I, personally, had an interest in, and the one section was in relation to pain, the control of pain and the evidence given there, personal experiences etc, and people saying about the new drugs.

Each one has to face his own devils, I suppose, but the last speaker, really... I was not sure at the end, where he was coming from, whether he was in support of it or not. You have to judge society on the circumstances in which they find themselves, at any one time.

Since men lived in caves and went to war, euthanasia has been about. There is a new word for it – 'euthanasia' – but it has been there, since the first people fought each other. Where it has been is that you try, when you know there is no hope for people and they know there is no hope for them, to reduce that amount of suffering that your friends, your loved ones will go through.

You can talk to anyone with any practical experience of having to make war on behalf of the community they serve: you will find that, before most soldiers go into action, if they mean it, they will talk to their friends about the situation that they may find themselves in when they cannot make it, when

they are either gut shot or they are suffering from wounds which cannot be addressed on the battlefield.

The situation is they know, rather than lie out there and suffer the pain and degradation that goes with that death, they would rather their best friends send them to their maker, in the hope that their maker will forgive them for the action that is taken. He is all forgiving, whichever religion you go to, you will face that. There has to be a line at which people... you are doing it out of love, not out of hate. You are not doing it out of convenience and you are not doing it for gain.

These are the human factors. If you are doing it, because you would like the same person, had the roles been reversed, to do the same for you. That is where the war situation comes in and euthanasia to any soldier, since the days they were fighting with clubs, is nothing new.

Of course, Speaker, the situation is that, when you look at the pain reliefs available in the hospital and in hospice, all these other places, and at home, they are often not available for people who have suffered these dreadful traumas and are facing up to death or can be left where they will suffer more pain and suffering at the hands of, unfortunately, an enemy which actually will take part in all sorts of activities that will cause further pain to that particular person.

I think it was Alfred Lord Tennyson had it right, when he wrote the words:

'When you're wounded and left on Afghanistan's plains,
And the women come out to cut up what remains,
Jest roll to your rifle and blow out your brains
An' go to your Gawd like a soldier.'

That is as true today, unfortunately, as it was then. I am sure that all our service personnel, all over the world, if they have made agreements – maybe quietly, but a lot of them openly – with their colleagues, and they face up to that, that they would hope they would do the thing for them out of affection and send them to their maker, rather than face dying in dreadful circumstances. Whether it be... If you have ever seen a phosphorous burn, you will understand what that is all about. These sorts of things happen.

I would like to think that when we are in a controlled society, where pain can be treated and where the lack of suffering can be geared and gauged by the people who are the professionals, the doctors, I think that situation should be looked at. That is where, in religious terms, all of us, whatever religion we are, have to face up to then what they believe.

Some people, like myself... I believe that life is sacred, but I am also realistic to know that a time comes when that life, virtually, has to be extinguished, because of the amount of suffering that is being put on that person. So, I will face my own devils, when that happens, I suppose.

I would like to think, at some time, when this comes back – and this has been nearly three years in the coming – that all the information here, which will probably be out of date by then, because things will have changed... that the more honest way will be to put down whether or not we, as a law-making organisation, here in the House of Keys and in the other place, will put down laws that will face that time, but we will put them down with the knowledge of the society in which we live.

I, like most Members of this Hon. House, have been inundated, to some extent, with communications on both sides of the argument – but not all sides. It is such a vast subject, life and death, that you could not face all the variations and

the circumstances that face humanity in different ways in different places under different circumstances.

I feel, Speaker, that the situation is that the Report, which has been well put together by the Members and is there for information, has not addressed the question that was asked. Should we, as a law making organisation, have brought forward a Bill that will actually be voted on by the people's representatives, in some shape or form?

As a pure exercise in theory, this is of assistance, but it is not very much good to the public who are facing up to these problems, unfortunately, week in and week out. To some people, it will seem we ran away from it. Maybe I am wrong, I trust in doctors – wrongly probably, but I trust them! I hope I know that the people who treat me, and have treated others in my family of past generations, knew when the situation would be that life was no longer of any value or could not be saved. They had to make that decision, possibly – I would hate to have made it, but they made it.

I am sure everyone is the same. We all know of people within our family, past generations, where the doctor may very well have taken a decision not to allow further medical treatment. That is a decision for that professional person. Not a nice decision to have to take, but I am sure if we really wanted to go in, we could find the situation.

So, I think, human beings as we are, we run away from trying to get that information, but we all know of cases where we, possibly, have a fair idea that is what happened. I would like to think that, while we do have the ongoing improvements in medicine, the amount of suffering will be reduced. But I am prepared to face up to the fact that, sometimes, it may be necessary for certain people to have to make that decision, when the value of life is extinct and the circumstances are that the person is only going to go through more trauma, pain, and, in that very pain, to the people that we care for, sometimes, they say, 'Let us switch off the light.'

Speaker, I am only sorry that we have not faced it in this term. I think that, sometime, the House of Keys of the future will have to face up to the issue, because the world is changing and we have to decide what is best for our community.

Thank you, Speaker.

The Deputy Speaker: Mr Anderson, Member for Glenfaba.

Mr Anderson: Thank you, Deputy Speaker.

As Hon. Members have already said, this Select Committee has been going for quite some considerable time, but for us sitting on it, it has been a most interesting one to have sat on.

The Report before the House, of course, carries no recommendations, and I would think that your Committee would have had great trouble in coming to any agreement on legislation. What did quickly become apparent was that any such Bill would pose many challenges in its construction and, as far as the many professional caring organisations involved with the delivery of care of the terminally ill, there would be a direct conflict with their aims.

Indeed, some of the professional organisations' guidelines come from a jurisdiction that, at present, does not have legislation. This would, certainly, create problems with their parent body, acting within such legislation. The Committee, as you will see from the appendices, benefited

from many contributions from many professionals, at the delivery of care to those in such situations as the mover of the Bill has sought to cover.

What became more apparent to me as of increasing importance was the role of St Bridget's Hospice in our community, in helping people and their families come to cope with such end of life issues. Their input into the debate, although they were somewhat reluctant to make that commitment publicly, was, to me, the most significant contribution to the evidence presented to your Committee. It is clear that palliative care has developed significantly over the past years, and it is possible to minimise pain in a very high percentage of patients.

Palliative care nursing is certainly something that not only needs recognising, but, also, supporting in its development, so that more people can benefit to a higher degree. We are extremely fortunate to have our own hospice for a population of our size, and it deserves our fullest support. I think people would have a greater argument for such legislation, although I could not support it, if such help and support was not in place.

The Report presents the evidence presented to the Committee, both orally and written, and its delivery has been quite an academic exercise. I, too, congratulate the compiler of the report. It was a very complicated exercise, and there were several drafts, just to get it precisely right in its presentation.

However, sometimes decisions cannot be made on a purely academic basis, because we are all human beings and not machines. Issues such as the value of life need taking into consideration. Not only do an individual's rights have to be considered, but also an individual's responsibilities.

For me, it seemed almost impossible to form any legislation that would adequately protect the vulnerable. It would be extremely difficult to know, for sure, that a particular individual was seeking to terminate his or her life only because they believed that was right for them, and they were not doing it because they thought they were going to be a burden on their family or carers.

The mental status of patients was, also, an area that would have to be carefully considered, and the concern over the ability of a patient to communicate a change of mind, after an earlier directive, when they might not be in a position to do so.

It was clear to me that what might seem quite a straightforward subject was, indeed, quite complex and any legislation would be very difficult to frame to cover all aspects of concern. Add to this the arguments of sanctity and value of life, and there is a compelling argument for the status quo.

If any other neighbouring jurisdictions want to go down the route of legalising euthanasia, they will have significant problems in safeguarding all these concerns. It is clear to me that we need to support the hospice movement in their endeavours and the training of our own health service nurses in palliative care.

I will resist responding to some of the issues raised by the Hon. Member for Rushen, Mr Rimington, in his contribution. Suffice to say that, throughout history, religion has had a lot to answer for, but there have been a lot of positives created by religion, such as Christianity, which have changed society for good over a long number of years. We only have to look at the abolition of slavery, for an example.

In conclusion, Mrs Deputy Speaker, I would like to thank

my colleagues for the mature way in which they have handled this sensitive issue.

The Deputy Speaker: Mr Braidwood, Member for Douglas East.

Mr Braidwood: Thank you, Deputy Speaker.

Deputy Speaker, I would like to congratulate the Committee on their Report. I believe I was the first person on my feet when the Hon. Member for Rushen, Mr Rimington, asked for leave to introduce and, at that time, I explained the death of my own father from lung cancer, which was very traumatic.

Of course, at that time, there was no hospice care at all, and you had to rely on the doctors, who were coming to see him, basically every day, and you saw a person deteriorate. It was very emotional for myself – I am getting upset again, Deputy Speaker – because when you see somebody you do love, and you see them disappear in front of your eyes, when they go from a person who has been very strong, and you see them go to skin and bone. The quality of life was not there.

I do not believe that, even with all the palliative care that could have been arranged... my father did not want to suffer any more. I do, in my own belief, believe that, if I am fortunate enough to be elected in November, and other Members... and other Members, I think, will try to bring through a Bill such as the Assisted Dying for the Terminally Ill (ADTI) Bill in the UK.

I know that it will cause great problems in the Isle of Man because, as the Hon. Member for Glenfaba has already said, you have people who are poles apart in what they want to do – their Christian belief that life is sacred. Again, I think you have to balance that against the person's rights, themselves.

So, on that point, I would just like to congratulate, again, the Committee.

The Deputy Speaker: Mr Corkill, Member for Onchan.

Mr Corkill: Deputy Speaker, I would just like to add my thanks to the Committee for a very thorough compilation of... Well, it is an encyclopaedia, really, of input from many, many people. It is, obviously, true to say that, however you feel about the debate in relation to euthanasia, it is a real test of individuals' faith in relation to that subject. Whatever your views are on it, to some extent, there are never going to be the answers.

So, I would like to thank the Committee for putting this Report together, because I have read it very, very thoroughly. These days I have got more time to read reports, so this is one I actually have read more than once. I think it is a testament, as the seconder of the motion said, to our democracy on the Island, that we have been able to produce this piece of work. I think it compares favourably, if not better, than other jurisdictions, where I have also read some of their reports.

So, I think congratulations are in order to all those who contributed and congratulations, I think, are in order to those who raised the subject within the context of democracy in the Isle of Man and have brought the debate so far.

I, also, am grateful to the Committee that, after reading the Report, for me, it actually reaffirmed my views – they are personal views – and it reinforced my view, from the

evidence that was given. I have to say that I was one of the seven who voted against this proposal at the beginning.

We were talking, at the time, about Mr Rimington's being given leave, and I will quote from the beginning, from the introduction:

'to enable a competent adult who is suffering as a result of a terminal or a serious and progressive physical illness to receive medical help to die at his own considered and persistent request and to make provision for a person suffering from such a condition to receive pain relief, medication and for connected purposes'.

I was very concerned at the time, Deputy Speaker, that this was, in fact, a very vaguely worded motion. I voted against, and I have to say that, having read the Report... It is always easy, when you want to pick things out of reports, to pick holes in things, but if you go back to that original motion, there are reams of information within this Report which, to me, show that there are faults within that wording.

'Connected purposes': what does that mean? 'To receive pain relief': well, we have a situation where that is already available to everyone, hopefully, and in a far more palliative way today than ever before – but never enough. 'Enable a competent adult': who says an adult is competent? And there are so many questions that, to me, still remain unanswered, after I have read the Report.

But I want to go back to thanking the Committee, because they have made me think again about those questions. But I have not changed my mind. So, for me, the exercise has been very, very worthwhile, because I have to say that, having voted the way I did, at that time, and then having heard other people debating the subject, I wondered whether I had been premature in the way I had voted. But I do not believe I was now, having seen this.

As the Report is, we have no Bill to consider but, if we do in this Hon. House, or a future House, get to a position where there is a Green Bill to debate, I do hope that, whoever the Hon. Members in this House are at that time, they actually read this Report twice, before they actually debate that Bill. I think, as individuals, as representatives of the Island, whoever they are, they will find, maybe not answers, but they will find resolution to their thoughts, by reading this Report.

Certainly, I have, and that is what I wanted to put on record.

The Deputy Speaker: Mr Gill to reply.

Mr Gill: Thank you, Lhiass-loayreyder.

If I could thank all Members who have taken part in the debate, beginning with my colleague in Rushen, Mr Rimington. I thank him for seconding this motion to receive.

I think if I could just reflect on one of his opening comments was that this Report is problematic, in that it, largely, reflects a moral issue, a moral dilemma. There is no right, there are no wrongs, in morality. There are extremes which we find acceptable, on one hand, and totally unacceptable on the other. In the ways of morality generally, there are no rights, extreme rights and extreme wrongs, and this has been the theme that we have had to deal with, in our deliberations.

As Mr Rimington said, time does preclude progression of legislation, but as an Agenda Item, I think that the process

that your Committee has been through has actually reflected an incremental move to put this important matter further and further onto the political agenda, not only in the Isle of Man, but also in other jurisdictions. Where an item is before a political forum, and is debated calmly and in a measured and balanced way, within a functioning democracy, that can only be a good thing.

Certainly, when I think back to some of the stories that were related yesterday, and which I remember vividly, from the early 1990s, when we had a social issues debate regarding homosexuality, which, again, will be fresh in our minds from yesterday's debates, the tenor of yesterday's debate and the tenor of the debate today, not only within this House, but within the wider public, is a credit to the Isle of Man. It is a credit to its legislators, I would contend, and in reputational terms, it goes some way to undoing the harm that we still suffer – and I would say, deservedly suffer, from all those years ago, when, frankly, the behaviour of some people on both sides seemed to be extreme and totally unacceptable.

Mr Rimington did mention that the debate had been interesting, and I know my colleague on the Committee, the Member for Glenfaba, used that phrase also, because it was around such a wide range of issues.

I will not reiterate all the views that my colleague made, other than to say that I know his sincere views – views which will be held as sincerely by every Member, I hope, in this House – in the value and trust that we have to place in democracy as a principal practice, and democratic institutions to underpin them. I, certainly, support him in that and I acknowledge that he identifies a real challenge that the final speaker touched upon, both not only for us but also for future Members of this House and another place.

So, I will reflect no more on my colleague's observations, other than to say that he does raise the central issue here. This is a matter of personal and social morality and practice, and that is an important point to remain focused on.

I thank Mr Delaney, who used the very accessible example of a soldier preferring a swift end at the hands of his friends and colleagues and comrades to a lingering and painful death.

It was an example that we used a version of. It was a version of somebody trapped in a blazing vehicle, with no hope of escape. The example we put to various people giving evidence was: 'What would your response be, if you were a policeman and you had a gun?' So, it is quite a narrow scenario.

Some people chose to answer it with a very clear: 'I would walk away' or 'I would shoot the person for their own good because it's the right thing to do'; and others did not give a clear answer, which is entirely their right.

That response, I hope, that Mr Delaney will have read in the oral evidence, reiterates the importance of the message that he makes. He did say however that we have failed, almost, in our duty, because we did not make a recommendation. We were never, in the debate, tasked with making a recommendation.

We could have done. We could have had one page, and the Committee will, perhaps, recall that we debated this. The Report could have been four lines. Yes, this is a legitimate political issue; yes, this is a moral issue; yes, there are rights and wrongs; yes, do what you think is right. That could have been the four lines that would have summed it up.

It would have been far less valuable than the Report we have before us, but we were not tasked with coming back with

any recommendation. So, I do hope that nobody will take the view that the Committee, or this Report, was somehow deficient because it does not contain a recommendation.

I thank Mr Anderson, Member for Glenfaba, who I know, in this and other areas, holds a very sincere and deep position and I commend him for that. I do not always agree with him; but that is not the point. The point is that he is true to his values and true to his beliefs, and he has been throughout the work of this Committee.

He did cite that the Hospice movement, particularly, and various advances in palliative care meet the needs of 'most', was the term used – 'most patients in most circumstances'. Certainly, we heard advice from a member of the palliative care team who was confident that pain management meets the needs of pretty much everybody, all the time.

My indirect experience of cases leads me to question that. My awareness of the issues that are reported in this Report, and have, subsequently, been reported widely in the United Kingdom press, leads me even further to question that. If it were only as simple as that, we would have a great deal of comfort; but, unfortunately, I am not sure that that is the case. Certainly, the people who are in a position to determine that, the patients, in a *small* number of cases, do not feel that their needs are being met.

Also, the Member for Glenfaba reintroduced the 'rights versus responsibility' aspect of this debate, and it is entirely proper to do so. The challenge that goes with that, for the protection of the vulnerable, or people who might be acting in one way today and then have a change of heart, a change of mind shortly after: he cites that, in his view, that is a compelling argument for the status quo.

Let me say, I do not believe it is, and I do not believe he actually means that, because I am sure that he would not mean the status quo – i.e. we do not do any more research into palliative care techniques and medication – of course, we should develop those. Of course we should cherish and value Hospice. We should continue to promote those actions.

So, the status quo will not remain the same, and the status quo is not acceptable to a wide range, an increasing number, of people both on the Isle of Man and elsewhere.

The final point that Mr Anderson made was that the Hospice and palliative care movements are complementary to one another, which they are, but they are exclusive to any value of patient assisted suicide or voluntary euthanasia practice – which I know is a view he sincerely holds, but it is one which I cannot accept. The two are not exclusive; they can be complementary, and we heard powerful evidence to that effect from a number of speakers, which the House will have had the opportunity to read.

We also heard it courageously and eloquently made by the Member for Douglas East, Mr Braidwood. Again, I thank him and commend him for his courage in relating a story which I know is still very close to him. I am sure the reality of this issue was made all the clearer for his input.

If I turn to the final speaker, Mr Corkill, who described the Report in very glowing terms, and I thank him for that, especially given his previous opposition to the formation of the Committee.

I would thank him for taking the time to read it so carefully and to reflect on it. I am sure he is quite right: there are more questions than answers, and this Report raises some of those important questions. But they are, at least, questions that we are now considering, calmly and that can only be a good thing.

I would also commend his very sensible advice to any future legislators to read this Report more than once. Even if it is in a decade's time, this report I would commend, Lhiass-loayreyder, will have great value in advising about the social climate and the political climate of the House at this juncture, and the development of the Island, generally.

So, if I could thank the Committee, including, Lhiass-loayreyder, for their work and efforts and also the positive and human attitude that every member brought to the Committee and to its valuable works. The debate has been balanced, and in the main, calm, certainly within this House, and I think that is all to the benefit of the Island.

Again, before I formally move that the Report be received, I would take the opportunity to refer to Miss Helps, the author, who is joining us in the public gallery, and to thank her for her excellent professional work, which is of benefit not only to this House, but to many Houses to come, and to the people of the Isle of Man. **(Two Members: Hear, hear.)**

So with that, Lhiass-loayreyder, I would simply move that this Report be received.

The Deputy Speaker: Thank you. We have that motion before us, that the Report of the Select Committee on Voluntary Euthanasia be received. All in favour, say aye; all against, say no. The ayes have it. The ayes have it.

BILL FOR CONSIDERATION OF CLAUSES

Representation of the People (Amendment) Bill Clauses considered

7.3. Mr Cretney to move.

The Deputy Speaker: We move on now to Item 7.3, and I call upon Mr Cretney to move the Representation of the People (Amendment) Bill 2006. Mr Cretney.

Mr Cretney: Deputy Speaker, as I explained to Hon. Members at the Second Reading, the purpose of the Representation of the People (Amendment) Bill 2006 is to give effect to proposals to improve procedures in respect of elections to the House of Keys.

Some of the proposals come from the Report of the Tynwald Select Committee on Elections to the House of Keys which was received by Tynwald in April 2003. Other proposals come from suggestions made by the returning officers.

The Bill will make three substantive amendments to the Representation of the People Act 1995.

Clause 1 makes two amendments to section 2 of the 1995 Act, which deals with the term of office of the House of Keys, and has the effect of changing the date of the dissolution of the House of Keys. The clause is subject to a tabled amendment, which will change its new dissolution date to 18th August 2011, and on each fifth anniversary of that date.

As I explained at the Second Reading, traditionally, Manx general elections have been held in November, as this was considered the most appropriate date, following the summer tourist season and the traditional period for holidays for

Manx residents in October.

The Council of Ministers considered that the date for dissolution, and hence the date of the election, should be brought forward to August and September, respectively. It was regarded that it would be impractical due to the short lead-in time to implement this in time for the 2006 General Election, but the proposed new date will take effect for the 2011 General Election – obviously, subject to the approval of this House.

Deputy Speaker, I beg to move that clause 1 stand part of this Bill.

The Deputy Speaker: Mr Rodan, Member for Garff.

Mr Rodan: I beg to second and reserve my remarks.

The Deputy Speaker: Thank you. Mr Delaney, Member for Douglas West.

Mr Delaney: Deputy Speaker, the Bill itself has no great difficulties, as far as my political thinking, in being supported, but as a Bill such as the Bill that Members have in front of them now comes forward very rarely, and the changes recommended in it are thought out and need careful scrutiny, but it needs support, I have looked at the situation of the Isle of Man's form – and I use the word 'form' – of democratic representation. It is generally called, and will be called, from candidates for the forthcoming election, that we do not run a party system. The Isle of Man people know this and they can live with it.

But the difficulty of not having a party system, or a people system, where they can identify with the policies of a group of people who make up the Government, is that, after the election and during the five-year term – and I will shortly demonstrate I think, the situation – the policies on which any Member was elected, in the length of time of five years, have either been dismissed by the parliament, have been dropped by the individual candidates at the election or are not proceeded with.

Members will know that the majority... I use the example of the Budget by the Minister for Treasury, only last week: the major items that were carried in that Budget, as an example, of the capping of tax. In our time, now, we have done away with the companies' tax. Other forms of major political decisions have, at no time during the five year term, been put to the people to whom the form of democracy we serve is permitted, which we leave them with.

In most parliamentary systems, where parties or policies are the issue of the day on election day, even though they might have, on paper, a five-year term, the election is called within that five years.

I am moving my amendment to bring forward the date of the next election, after the people have spoken, to give the Manx people the opportunity to be taking part in the democracy in which they will serve by going to the voting booth.

The example I have used of the Treasury policy for the forthcoming years is a classic example of where the people have taken no part. There are many, *many* other decisions, Speaker. I am looking at the legislation that Members have in front of me, even today, yesterday and months gone by. We never put to the people any of the legislation on which we either now are committed, have rejected or have carried through.

All we have done, when it has been raised, is taken it, in our small way, as individual Members of the parliament, that this is what is good for the people. But the people were never asked to elect us into the position of their representatives on the policies that we have been following.

I believe that the five-year term, which, at the time, when we were brought in, in the late 1980s, to have democracy in the Isle of Man, might well have served the policies of that age, but it does not serve the political policies of this age.

While we have a situation which was described by one of our journalists – the radio journalist – as ‘the turkeys voting for Christmas’ – a thing that you very often hear – I believe in the interests of people. At least give them a turkey to put in the oven! The actual meal that you are going serve up to them, they have had no decision on. They might not like turkey, but we have never really asked them, have we?

I think, bringing it back to a more reasonable term of four years, Speaker, will give that very piece of democracy that we often shout from the rafters of Tynwald Court and the House of Keys and the Legislative Council, some real, genuine purpose, that we do know, that we have an idea and that, if we get it wrong – and this is more important in a democracy of any description – the people will have an opportunity to change the people who are speaking, if they think wrongly on their behalf, quicker than five years.

That is the turkey that is important – the one the people have, not the one we have. Turning round and saying, ‘It has always been this way’, as some Members will – and I am sure may very well do – ‘We have always done it’, for five years, is not the answer. It is not the answer for the people.

If you ask the public, take the trouble and go round and ask the public, what was even in the manifesto, which is relevant today, that has been spoken about in this hon. place and in Tynwald, they will not be able to name you more than one or two items that have any relevance to what drew them to the polls, at the last election.

None of the things that Members... I can ask the Members themselves to stand up here today, and say whether the Items we have discussed and have budgeted for, in the last two years, were put to the people they represent. I think you will find they were not.

The only part, really, that anyone could argue is good governance, that much vaunted expression – ‘We know what is best for the people.’ Well in some cases, Speaker, I do not believe, after five years, we do know what is best for them.

If the object of the exercise is just to turn over the public representatives, every five years, and put them back here and say, ‘Let them get on with it’, I think democracy is missing a spoke. I think there is something missing from the system.

We know, already, the situation where the part-democracy that exists in the Isle of Man, that we in this House, as a majority, see, possibly, the need to change, do we actually know of the real democracy that is in operation on the Island? The five-year term is one of the biggest blocks against the public say in how this Island is governed.

They put you in here; you go through the process of going out with a manifesto; you knock on the doors; you speak through the papers, through the radio and you tell them what you intend to do. After 12 months, 18 months, two years, three years – not at all. We then put down what we think is best, without any reference to them.

Nothing unique in democracy, generally, but it is unique here, because it is a fixed five-year term. We know, after the

next election, when the next term of office finishes. It does not matter how badly we perform. It does not matter what mistakes we make; what errors; what policies that are not supported by the public we follow. We know they cannot have any say in that, until five years or, in some places, a by-election that might happen. We know that is not available to the public, as a populace, for five years.

I believe that is one of the biggest blocks against the public really having any sort of democracy – that five-year term. This Bill, the Hon. Member has moved here, gives me the opportunity to try and fix that fault in our limited democracy of the Isle of Man.

As I have said, we already have a 25 per cent non-elected representatives for the people, who will make the decision for ever, without any manifesto ever going to the public. On the other hand, we have the rest of us, with a five-year term where we give them the manifesto, and then we know that within this very short time, the things that we have been elected on will, probably, be irrelevant.

Speaker, I am moving this amendment in the hope that the House will face up to what is a world changing so fast. No longer is five years a realistic term of office for the elected Members, as they are not on a party manifesto. We are not in groups. The only group that exists here is once the election is over, formed behind closed doors, in most cases. I believe that is a smack against democracy.

I beg to move the amendment standing in my name:

Clause 1

Page 1, lines 3 and 4:

Delete ‘22 September 2011 and thereafter on’ and substitute – ‘22 September 2010 and thereafter on Thursday during the fourth’

I beg to move.

The Deputy Speaker: Mr Shimmin, Member for Douglas West.

Mr Shimmin: Thank you, Deputy Speaker.

I am surprising myself by actually standing up to second this –

Mr Henderson and Mr Corkill: You’re surprising everyone else, John! (*Interjections and laughter*)

Mr Shimmin: – because I had not really given it due consideration. I think the Hon. Member for West Douglas is having a good afternoon. I thought his first speech was extremely worthwhile, (**Mr Corkill and another Member:** Hear, hear.) and he has explained a number of issues here today which do cause me to have some sympathy with his comments.

When elected for a five-year term, the argument often goes that you have two or three years before people start focusing towards the next election. I certainly feel more remote from my constituents, at this stage of the House, and am now looking towards going back out to seek their support.

I do agree with many of the comments of the Hon. Member, who talks about what is in my and anybody else’s manifesto bearing very little relevance to what the current position is, and the way in which my vote is asked for.

I, also, think the fact that we are rushing now to get through so much legislation is indicative, both within Civil Service and politics of the lack of urgency that we have applied over the previous four years. There is a need to deliver benefits and legislation and progress for the Island, and I think the five-year term is, certainly, worth a consideration as to whether that is actually too long for the same people to actually run the Island and remain close to their people.

I will be interested to hear if anybody else has any comments on this. I think it is, potentially, going to be kicked by some of the comments I am hearing at the moment. I do think that it would focus all of our political attentions, if we had a four-year term and would actually give the people an ability to realise they could change us in a sooner timescale.

At the moment, I think the disengagement is because we are struggling to maintain a coherent plan for the people of the Island. Maybe that is just my interpretation of my own failings, but I do think that we are becoming more remote, because what we say at the election does not actually bear out what is ultimately delivered.

Part of that is because of the nature of independence and, as much as individuals may argue that they work hard for their constituents, I would ask them to lift their eyes and actually see you are meant to be delivering it for all of the people of the Island, and not merely on the localised issues that people may feel they are having an achievement.

So, although I had no intention of supporting this, when I came into the Chamber this afternoon, I do think it is worthy of consideration, because the comments the Hon. Member has made are worthy of, at least, debate.

I, therefore, second.

The Deputy Speaker: Member for Rushen, Mr Rimington.

Mr Rimington: Thank you, Deputy Speaker.

I will not enter into the debate that has already possibly started, at this point. I just move the amendments which stand in my name, which are purely to correct what should have been in the legislation to begin with and, unfortunately, that was not the case.

To achieve the desired purpose of the legislation, i.e. bringing the date of the election forward, then the amendment standing in my name, gives that the practical effect:

Clause 1

Page 1 line 3: for '22 September' substitute '18 August'.

line 5: for 'September' substitute 'August'

That is purely to tidy up the legislation and bring into effect what was originally intended.

The Deputy Speaker: Mr Braidwood, Member for Douglas East.

Mr Braidwood: I beg to second, Deputy Speaker.

The Deputy Speaker: Thank you. Mr Henderson, Member for Douglas North.

Mr Henderson: Gura mie eu, Lhiass-loayreyder.

Lhiass-loayreyder, I wish to respond to the amendment moved by the Hon. Member for West Douglas, Mr Delaney, and the comments by the seconder, the Hon. Member for West Douglas, Mr Shimmin.

I certainly wish to completely dissociate myself from the comments made by Mr Shimmin. I find them particularly distressing. It is no wonder that, perhaps, voting turn-out is as low as it is, in some quarters. (*Interjection*)

If the Hon. Member for West Douglas feels disengaged from the electorate, then it is his duty, within the five-year term, to make sure that he is engaged on every day, of every week, of every month of every year of the five-year term, to ensure that he has picked up the will and the wishes of his electorate – not to wait until the end of five years, and suddenly discover that, due to the stress of a forthcoming election, he should get himself out and pick up a few views.

I have spent my entire elected time in here, Lhiass-loayreyder, listening to people, visiting people and taking up their views. (**Mr Houghton:** Hear, hear.) That is one of my manifesto promises that I have stuck to and will continue to keep to, as long as I am elected, and if I should be lucky enough in November to be returned, will continue to do so.

I find the comments bordering almost on the offensive, really.

I have to say, to the comments and observations from the Hon. Member for West Douglas, Mr Delaney, and his reasoning for moving his amendment to change the elected period from five to four years, I can see the points that he is saying, with regard to party politics and policies, and I would fully agree with that. That is fair comment.

The trouble is, Lhiass-loayreyder, we are on a different political playing field over here. We do not have party politics. It is usually independent candidates that go for election and they have their own sets of policies, beliefs and so on that they set forth in their manifesto.

Every member of the public out there knows full well that, on election day, when you present your manifesto and your ideas and your hopes and aspirations, yes, in four or five years' time, there will be different Government policies, and nobody can foretell the future that far. Nobody can predict in a manifesto what policies Government may bring forward, as Mr Delaney argued.

All you can do is to present a true and honest picture of yourself and what you hope to achieve, and if you have done your homework, you may well be able to predict some Government policy, as far as you are able – what you hope to change or contribute to, or indeed, if you are brave enough, to advance your own policies.

Now, whether you are able to achieve this in three years, four years, five years, six years or seven years, the argument that Mr Delaney and Mr Shimmin have advanced falls flat on its face, because, as I say, whether you manage to do it in four years, five or six, it makes absolutely no odds. The same sets of arguments are applied to the same periods of time – or even 10 years, for that matter, Lhiass-loayreyder. The same arguments could be applied to that.

What is concerning me here, though, for the Manx political scene is four years could well be too short a period of tenure, for a set of reasons that I will go on to outline. It is easy to say, 'Oh, the electorate are fed up with somebody, they'll have a sooner chance to kick them out', but the trouble with that is, Lhiass-loayreyder, if you have to give

a job up, to get elected, and you know there is a five years' period of tenure, that is slightly more tempting to give up a good job, than saying, 'Oh, you've only got four years, and then you have the chance to be voted out and become unemployed again.'

How on earth are we going to attract political interest and candidates of calibre, during general elections in the Isle of Man, if we are going to be advancing the West Douglas argument. I believe it could well do damage to the calibre of candidates that come forward. Certainly, a lot of people would think twice, if they were going to stand, if they knew that the tenure was four years or shorter.

The other point that concerns me is you do need some aspect of stability in your appointments. Certainly, we are all offered a chance to work on a Government Department, some of us go on to become Ministers. So, if we are going to be swapping and changing every four years, what continuity, what stability to a Department or a ministry does that bring? What confidence does that bring to the public in the Isle of Man, when they know that somebody is only in for a couple of years?

You cannot possibly settle and get genned up on a Department, and then try and bring changes or influence, assist, help or change or whatever, in such a short time. Do not get me wrong, Lhiass-loayreyder, I certainly believe that we should be accountable to the public, but making it a shorter time span than five years, I think we could be running ourselves into some problems.

Notwithstanding, I respect the views Mr Delaney has advanced, but I seriously think, for a Manx political scene, five years is a minimum, to that extent, as I say, for the purposes of stability, continuity and so on. I do accept that we have to be accountable to the people of this Island.

The Deputy Speaker: Member for Ramsey, Mr Bell.

Mr Bell: Thank you, Deputy Speaker.

Very much in the vein of the previous speaker, I am completely opposed to this idea coming from West Douglas. (*Laughter*) If, indeed, the Isle of Man had party politics, then the arguments put forward by the hon. mover of this amendment, Member for West Douglas, Mr Delaney, I think would have some validity, because the likelihood is that any party standing for election will have a full properly thought out manifesto of what its projected programme of works would be at the election time. The voters would fully understand what they were voting for and there would be an assumption that a good proportion, at least, of those proposals in a manifesto would have a good chance of being implemented within the time span of that particular Government.

So, as I say, if we had party politics, I think that, probably, would work quite well.

The fact is, though, Deputy Speaker, we do not have party politics; we are all independents. I, in fact could stand in Ramsey and get 100 per cent support for what is in my manifesto, but if all the rest of the Island is of a different view altogether, then I am not going to be able to deliver any of that for my constituents at all.

We all know that the way policy is developed in this Hon. Chamber is through consensus, through working together, to try and achieve a deliverable end product out of what, in effect, are 24 party political groupings that we have in this Chamber. This is the way Government works. This is the

way it always has worked, and while we have independents, it is the only way it can work.

My real concern, though, Deputy Speaker, is in the drift, in fact, which has already occurred in Government over these last few years: the drift towards populism, and the short-term palliative that we are expected sometimes to follow – to follow what is perceived momentarily to be public opinion.

The danger with a shorter term of office, whether it is three years, four years, whatever, will engender a culture, I think, in the development of Government policy, of short-termism. I do not believe that is in the long-term benefit to the Island, if we are simply reacting to short-term palliatives, rather than long-term strategic thinking.

I think, and we have all been in Government long enough now to know, Deputy Speaker, that it takes at least 12 to 18 months for a new Member to settle in, to learn the ropes, whichever new Department they might be in. Equally, at the other end of the spectrum the last 12 months tends to be a tidying up of loose ends and a winding down to the election. It should not, logically, happen that way, but it does, and we know what has happened.

So, that leaves us with the best part of two years of actual constructive work, in the middle of that five-year period, to actually achieve real change and real improvement to our society.

Mr Earnshaw: Quite an admission that, isn't it?

Mr Bell: If that period is reduced still further to four years, the actual constructive period of real progress will be limited to 12 to 18 months. I do not believe that is sufficient to enable real strategic long-term planning to take place, for policies to have any chance to take root and start to bear fruit, and to give us time to plan for the future.

The idea, frankly, with the greatest respect, of shortening the term of office is almost a populist move in itself. It is simply to say, 'Look at us, we're listening to the electorate, we're going to come back to you more frequently.'

The Hon. Member for North Douglas is absolutely right: all of us, I am sure, listen very carefully to our electorate during the five-year period. We know what public opinion is. We know what the views of our various groups within our constituents are, and we do our best to respond to that. So, I do not believe for a moment, Deputy Speaker, that Members have lost touch with the wider community.

We may not always agree with what the current flavour of the month might be, but, overall, I believe we follow the needs of our society very closely, and we do our best to respond to the issues as they arise.

My real concern, as I say, Deputy Speaker, is that a reduction in terms of the lifespan of any parliament will lead to almost a formalisation of a short-term approach to policy development. I do not believe, especially in the present climate, that that is healthy.

I take the point that the Hon. Member for West Douglas has raised about the Budget and the fact that there has been no vote from the wider public on the tax cap, on the zero rate of corporate tax, and that is absolutely true. The problem is, though, that the issues which have brought about the necessity to introduce those new moves were not really current at the time of the last election. So, we could not have put forward that solution, at that point.

These are all issues which have developed externally to

the Isle of Man, since the last election, and they are issues of major import for the Island – in fact, in many cases a matter of life and death for the economy, some of the issues we have had to deal with. It is not practical in that situation, Deputy Speaker, to go back to the public every time there is an issue like this cropping up, to have a further vote as to what our way forward should be.

I believe, Deputy Speaker, at election time, especially in the structure such as we enjoy in the Isle of Man, our electorate, the wider public, certainly look at manifestos when they are delivered. They do look at the individual policies and many people will vote on that.

Equally, I do believe that the electorate vote for the individual, and his or her ability to respond to the needs of the community. They place trust in us, to respond effectively when issues arise. They vote for us to act in their best interest. They trust us to do that. I think that is an essential part of the Manx democracy that we must not forget or lose sight of.

So, Deputy Speaker, I can understand part of the arguments put forward by the Member for West Douglas, Mr Delaney. I do believe in the current structure that we have on the Island of independence, as opposed to party politics. It does not work, it will not work, and I really would urge Members to vote against this, because if there is any time in our history where the Isle of Man needs long-term strategic thinking, now is the time that we should be addressing it.

I do believe a shortening of the term of office would actually preclude that and work very much to the disadvantage of good government in the Isle of Man, and indeed, certainly, the best interests of the electorate who put us here in the first place.

The Deputy Speaker: Member for Rushen, Mr Gawne.

Mr Gawne: Gura mie eu, Lhiass-loayreyder.

I think, if I begin by addressing Mr Rimmington, Hon. Member for Rushen's clause, and then I will move onto the more interesting area, which is Mr Delaney's clause.

As far as the idea of moving everything forward by this extra month, I have to say, having been elected at a May by-election, I, personally, believe that May would be a far better time. I am unconvinced at the needs to move the date in the way that we are talking about at the moment, moving it either to September or August, or whatever it is we are trying to do. I do not think that is the right time to be having a general election.

I think November is a good time. I think, probably, May would be a better time. I am going to be voting against that particular move.

So, moving on to the amendment moved by Mr Delaney; he is talking about a four-year term of office. Of course, by the time we get to the General Election, I will have had, I suppose, a three-and-a-half-year term of office. I was elected after a year and a half of this House at the by-election, as I said.

I would share some of the concerns that have been expressed by some of the speakers. Certainly, for new Members, whether a four-year term would actually be long enough for them, first of all, to get to understand and know how the system works, and then, to actually be effective in that period, I do wonder whether a four-year term would be long enough or not. Obviously, that is something that the wiser and older heads in this House would be able to –

A Member: Older but not wiser.

Mr Corkill: Who are they?

Mr Gawne: Well, older *or* wiser heads then, okay – may be able to comment on that better than I.

I was a little bit concerned about some of the things that Mr Delaney, Hon. Member for Douglas West, was saying about manifestos. Certainly, I tried to construct my manifesto in such a way that it dealt with my broad philosophical beliefs and views, and the reasons why I got involved in politics.

I was not, perhaps, as specific as the detail we have had in the last Budget, on exactly how I wished to achieve my broad political philosophies. But I think I was reasonably clear as to what sort of a political animal I actually am. I think people voted for me, knowing and understanding the sort of political philosophies that I have. I would say – and perhaps this is a challenge that I ought not to put down to the Hon. Member for Douglas West – have a look at my manifesto, and we could talk through it. I believe that I am attempting to deliver the things that I set out in my manifesto, although I do accept the point that, perhaps, the detail in the policy that we are frequently voting on is not there.

That said, I feel a little bit like the seafarer hearing the song of the mermaid. I suspect this amendment will lead us onto the rocks, but, even so, I am attracted by the haunting melody from Douglas West. (*Laughter*)

Mr Delaney: He likes the tune, he doesn't like the consequences!

The Deputy Speaker: Mr Karran, Member for Onchan.

Mr Karran: Lhiass-loayreyder, I have to say that I was going to second the proposal of the Member for West Douglas, because I thought it did need to be debated. I have to say that I was somewhat surprised by the seconder, and his comments made me quite smile, as I say, as far as his input, in the way that he has been here for more than one term, and, if anything, it highlighted to me the importance of elections, to bring people down to earth, as far as these issues are concerned.

The fact is that we hear great play that there are no parties in this parliament here. It is, basically, a one party state by patronage, and unless you decide to say that you are prepared to kick the way things are, and not prepared to leave – from what I see, and many people outside this Hon. House see – your principles and your brains at the door of the Council of Ministers, I am afraid that you get away with this.

It is alright Ministers saying about things, as far as this situation. I agree with the sentiments of the mover of this, Lhiass-loayreyder. What concerns me is that I believe that the full horror of the bad management, that has come about by the economic boom that we have been so fortunate to have, in the last 15 years, unfortunately, will not come to fruition until after the next general election anyway. The billions of pounds that have been wasted, spent stupidly, because there is no audit, there is no accountability in this system...

So, when I hear people talk about there being no party structure here, there is a party structure here. At the end of the day, you have a party structure, because there is very little free balanced press in this country.

I had people on the phone, this morning, about the fact

that there were issues... the issue of clause 38: there were three options put down, but in the press there were only two options broadcast. But then, that has been the way this system of what you call... and that is why, when the Member shouted over about why I would have voted against, if there had been a division on the Euthanasia Bill, but it is nothing to do with being Catholic or anything like that. It was to do with the problem of not having audit.

As I have said before, as a Manxman about the issue –

A Member: Yes, you mentioned it.

Mr Karran: – I would rather have a bunch of ‘froggy’ judges, and not have an understanding of French, looking after my human rights, because the system of government in this Island is stale because it has not got that basic audit.

I understand people getting a bit touchy about it, but the reason why I would support the Hon. Member for West Douglas’s proposal is because of that issue. The problem I have is I believe the next House of Keys is going to have one of the most difficult times for the next two or three generations. We have already lumbered the next generation with the MEA and, as usual, we still have a system of government where it is ‘shoot the messenger’, and the despicable ways that some will do it, because of the machinery of the one-party state here –

The Deputy Speaker: Mr Karran, could you come back to the issues surrounding this legislation, please, (**Several Members:** Hear, hear.) and while I am mentioning this, could we have less disparaging comments, even if we are talking about people in France. Thank you.

Mr Karran: Oh, do not worry there, Lhiass-loayreyder, I am used to being heckled from the Chair, as well.

But the point is, Lhiass-loayreyder, I am giving the reasons why I am supporting Mr Delaney, because I believe that the fundamental weaknesses that we have in the present system are there, that we need that audit and we need that audit every four years.

The only thing that really worries me about this situation is the problem of whether... When we get in, after November, and the true picture of the economy, the true picture of the issues of the madness of IRIS, the ‘oops’ of the incinerator, the MEA fiasco – and we can go on – they need a longer term, if the truth is known to address those issues. That is the only thing that worries me about Mr Delaney’s proposal: the fact of whether I am being unfair on the next administration, because too many of us in this Hon. House have allowed it to be a party system and there has not been the audit.

I want to make it quite clear, Lhiass-loayreyder, I feel that the issue is that Mr Delaney’s proposal – whether he is putting it up because the end of his political career is coming up, or not, is immaterial – the point is I actually think there was a lot of good merit in that proposal. If we are not going to have an auditable system where we have an opposition that holds people to account, instead of a 20-year system of one party patronage, which has carried on till we have had the absurdities we have had, the danger is, Lhiass-loayreyder, I feel that I am obliged to vote for the Hon. Member for West Douglas, on the grounds that that must be the way forward, if we are not going to have real party politics, and we are to get away and get some sort of audit into the process. Even allowing for the fact that I feel that the next House having a

four-year term will put even added pressures on them having to address the revenue implications of other things.

Lhiass-loayreyder, I have to say, as far Mr Bell is concerned, the Hon. Member for Ramsey, it is not about people being populist. I take exception when they say that people who will support four years are being populist. I think, if they look at people’s track records, when they have had responsibility, they have done it on the basis of what they thought was right.

I believe, if we are to keep the present system of government, then we should support the Hon. Member for West Douglas, with four years, because at least the public can put the audit in that there is not in the present system within this House, with the ministerial system. Even allowing, there are legitimate concerns from North Douglas and from Rushen about young Members. As a person who, when I first came into this House, Lhiass-loayreyder, was the only one who had no interests... under retirement age, and there was one in the Upper House, who was solely dependent on the income. I understand the pressures that are on, (*Interjection*) and that is something that we do need to address in order that we can have people who have family commitments being able to get into this House, roll up their sleeves and do their job, without fear or favour.

I hope Hon. Members will support the Member for West Douglas, because I think that is what is needed. I think if we are not going to change the system in this House so we have credible opposition, then we should at least then have the public doing it on a four-year basis to do that.

I am so glad that the seconder of this proposal is waking up to the reality of what he has been an architect of. (*Interjection by Mr Anderson and laughter*)

Mr Shimmin: Can I change my vote?! (*Laughter*)

The Deputy Speaker: Mr Corkill, Member for Onchan.

Mr Corkill: Thank you, Deputy Speaker.

I just am raised to speak, really, because of the comments from the previous speaker. I will only say one or two things, in relation to those comments, because most of them were completely irrelevant to the issue of what we are discussing hear today. (**Mr Henderson:** Hear, hear.)

But listening to those comments, it just beggars belief that the Island has a AAA credit rating, because listening to the Hon. Member for Onchan, Mr Karran, you would think we were in the sewer – and we just are not.

So, I think it is very unfortunate that those comments are made publicly, when the outside world actually has a completely different view, backed up by that AAA credit rating and many other things.

The point I want to make in relation to Mr Delaney, the Member for West Douglas’s contribution to this, on the four-year matter, is that no mention has been made of the potential impact on Legislative Council elections. I would ask him to, in his winding up remarks –

Mr Delaney: Oh, I will certainly do that! (*Laughter*)

Mr Corkill: I know he has views about the Legislative Council, and he has been there and got the T-shirt and all of that. But as we all know in this Hon. House, over the five-year life of this House, there are two elections within this House

for membership of the Legislative Council. I know there are Members who want to change that – some Members – but the issue is we have that. So, has the Member considered the impact on this House – not just on Legislative Council but the impact on this House – of the timing of a four-year general election, in relation to the two elections that we have spaced out through the five years as it is now, because I think that is a practical matter that should not be ignored as part of this overall debate.

Thank you, Deputy Speaker.

The Deputy Speaker: Mr Delaney, Member for West Douglas, to reply.

Mr Delaney: Very kind of you, Speaker.

The first thing it has done, of course, is it has directed peoples towards the public and the election, which is coming in November. That is what the amendment has done. It started off and kicked off because one of my beliefs has been, whether you like me or do not like me – and there may be a minority out there who do like me – the fact of it is that I recently came back from the public. I made it clear in the manifesto, I made it clear to the public who put me back here, that there was a problem. That is what I am doing: addressing the problem I perceived on their behalf, and I put to them and on which they returned me to this Hon. House.

The problem is that, as seen by the public that I serve – and I am sure you may find this, some will find it more than others – when you are knocking on doors and they ask you the question, ‘What has gone wrong?’... Contrary to some of the remarks made here today, it is perceived – maybe they are wrong – by the public that there is something going wrong, and they asked me, before I gave them my manifesto on most of the doors in West Douglas, ‘What’s gone wrong, Mr Delaney? You want to go back there, tell us what’s gone wrong with this.’

And I said, ‘I can only perceive by looking back at my years, trying to represent the public and being their servant, that the system is not working.’ Now, it may be very blind to us inside here – and I am sure every dictator that ever owned the earth has made some of the arguments out here that need to be made here.

‘We are misunderstood; we need longer to do things; we are acting in their interests’ – I am sure Genghis Khan used to say that, ‘I’m acting in the interests of people’, while he was slaughtering them, while they built the Great Wall of China. I am sure he could have put back the same argument.

But I found it on the door; they asked me the question, ‘What’s gone wrong?’ and I answered, ‘It must be the system; it’s not you’. The public have not changed. They still rely on the politicians to run their administration for them, and when I put it to them – maybe in their stupidity but I hope not – they put me back here and I said I would do something about it, while I drafted my manifesto. I promised them that and that is exactly what the Member for South Douglas has given me the opportunity to do.

So, when my colleague and friend across the floor, the Member for Onchan, Mr Karran, said, ‘is it because I have come to the end of my political career?’, I have waited 30 years to say something which has only struck me, after knocking on the doors of West Douglas, that this may be one way of sorting the problem that the public perceive.

I have taken the opportunity, so do not put the flags up, do not ask the Hon. Member for Ramsey, Mr Bell, to blow

the Last Post for me. The situation has not occurred yet – I might disappoint him!

I am going through some of the individual contributions made, Speaker, on the amendment I have moved. First of all, Mr Corkill – the Legislative Council problem – what problem? I have said when I was there, and I have said when I was here and I have said everywhere, in my 30 years here: you are the masters, you are the public representatives.

They did not put Legislative Council there. They were established by an administration at the end of the 1800s, who had to bring in some form of democracy, and it was the way... I have said this before, and think about it: the Legislative Council was established to make sure nothing changed on this Island, with the incoming part-democracy. That is what happened.

The government of the day – the Governor – he appointed the majority of the Legislative Council. They were his men and women – well, men mainly. That is what happened.

Will you get it into your heads, Hon. Members? There is nothing sacrosanct about the Legislative Council. They are not sent from the Maker down here to look after the interests of the Manx people. They were sent there by the Governor to make sure that they were still the bosses.

Mr Corkill: There is nothing in this Bill to say –

Mr Delaney: That is exactly. When you say, ‘What about their term of office?’ – their term of office, as far as I am concerned, is finished. They have spent this last century still acting in the way – and I was one of them, only the minority, by the way, who wanted to change it. Probably that is why you gentlemen are so kind as to have the pleasure of my company here this afternoon. The situation was and is that they are not there directly on behalf of the people.

When you ask me that question, you do, with a smile on my face, upset me somewhat, because you are still perpetrating a political lie that has been deemed upon the Manx people, by people who are only serving their own interests. The Legislative Council is there, because it slowly evolved round to be brought back into the fringes and tampered with democracy. But there is no democracy there. You elect them, not the people.

How many generations of politicians from this hon. place had to come about, before that happened? I sat in that public gallery 35 years ago, and watched the arguments going on, to get rid of people who were not elected by anybody, even from the Chamber of Legislative Council. So, it has happened within my lifetime, and I hope, within your lifetime, the situation will be where you get them out to the public. That is a matter for the people who eventually get round to doing the job.

But do not mention to me, Hon. Member for Onchan, Mr Corkill, ex-Chief Minister, about worrying about them! I can tell you, the public outside are not worried about them. They are worried about what they are up to and who they serve. That is what the Manx voters are concerned about.

The people I address, Speaker, certainly recently, nobody has said to me, ‘Oh, well, you must keep the Legislative Council there. Oh, you must look after them. You must ensure they are not disturbed.’ Not one person, and I canvas most-

The Deputy Speaker: Mr Delaney. Can I ask you to come back to your amendment?

Mr Delaney: I am addressing the remarks made, Speaker, by a Member about what I am going to do about the Legislative Council. I am answering it, Speaker, with due respect. (*Interjections*) The answer to that is I am going to do nothing, except wave them goodbye – I hope in my lifetime, whether I be here or outside.

Mr Corkill: Deputy Speaker, can I make a point of clarification, please?

The Deputy Speaker: Mr Corkill, Hon. Member for Onchan.

Mr Corkill: The clarification is, and the point I was trying to make in my contribution was, that you could have a period of time with empty seats in this Hon. House because, with a four-year term, you would have a period of time where someone from this House could be elected to the Legislative Council, and it would be too close to a general election to call a by-election. Therefore, you would have a period of time of an empty seat in this Hon. House.

The point I was making in my contribution, Deputy Speaker, was the practicalities of how the Hon. Member would deal with that – not the benefits of having Legislative Council or not.

The Deputy Speaker: Thank you. Mr Delaney, Member for Douglas West.

Mr Delaney: Speaker, you will obviously give me the courtesy of addressing that clarity question. The answer is very simple: you can change anything you want. The House of Keys, as far as this Member is concerned – and I can assure you, as far as the public are concerned – you can change any particular sections or length of time of the Members of the Legislative Council. You can do that. They might not like it, but you can do it, because you are the people's representatives. You are the chosen ones. You are the ones sent here.

If you do not believe in that principle, Speaker, I believe that we should cancel the next election altogether –

Mr Karran: That is a good idea!

Mr Delaney: – and import a dictator. Mr Marcos is doing nothing, at the moment, he is unfortunately that far down.

So, as far as the ex-Chief Minister is concerned, I have no difficulty with any of those small problems, perceived or otherwise.

The Member, Mr Gawne, mentioned about, 'lead us onto the rock.' Well nobody owns the Tower of Refuge or is claiming ownership at the moment, if that is the rock you are talking about! The situation is that this has no effect on leading us onto the rock. What it has is bringing the people back to know who owns the rock. That is more important and to have some say in how the rock is organised. That is the rock that is important to me.

Mr Karran: I have mentioned about the situation and the patronage; he mentioned about patronage – one state by patronage. I know we all have a little laugh at what he says, from time to time. I know we all goad him. I know I have done it in the past, but the fact of it is he is right. He is closer to what the people think than any of us. That is what the people think.

A lot of the public outside, Speaker, honestly believe that is how this place is run –

Mr Corkill: Because people tell them that.

Mr Delaney: – by patronage. When they see it perpetrated, and every so often during a political year, it is reconfirmed to them – that situation. They do not believe this is done in the open. Maybe it is, but they do not believe it. They believe it is done by patronage. If you are a goody-goody and you are one of the boys, then you get into the snooker team. It does not matter how well you play, or if you can play the game; but you get onto the team because they like you and the way you dress.

That is what the public are thinking. Mr Karran is not that far away from what the public think, and that is the way they put it to me. I have mentioned the fact of his wish about the end of my political career, and I hope he has just been reading something somewhere.

I do thank the seconder, my colleague from West Douglas, Mr Shimmin, for his own reasons. I do appreciate that. Whether he votes for it or not, of course, is a matter for him.

My main target was to achieve a more settled political system for the people, where they thought they were in control, because, after four years, they feel they are not in control. They feel it is going to be going for ever.

Actually, the best argument put forward for voting for my amendment was Mr Bell. Actually, Mr Bell put forward the best case. He knows it. He has been here – not as long as me, but nearly as long as I have. He knows: as much as Members may reinvent themselves, as much as Ministers might reinvent themselves, the fact of it is, he and I came in on different tickets, but, in your manifesto, the object is to sell yourself to the public, with your beliefs. There is nothing wrong with that. That is the way the game is played.

He came in, if I remember – unless I am wrong – as a nationalist. The first time he tried, and he would not deny that. (*Interjections by Mr Karran*) Now, he is in as a capitalist – a successful capitalist, he would have us all believe. (*Interjections*) That is fine, if he wants to see himself that way. I am sure, at election time, he will go back to his nationalist roots, because that achieved a few extra votes to get him back here to become a capitalist. I understand that is marketing. It is called political marketing. That is the way it works.

He actually pointed out one or two little things which I find strange, being what he is and being successful. I have nothing against what he has done in his particular job. I will kick his backside a little, when I have to. The situation is he knows the first object of any candidate, whether it be you or the new candidates of the next election, will be to sell themselves to the public. Hopefully, they will sell themselves with what the public want.

The reason for the four years is, it is those people who put out a manifesto – and this hurts me and should hurt anybody, right thinking – who then, Speaker, do not carry out what they promise the people, and the people cannot get back to them until five years have elapsed. That is the nub of this particular amendment. Four years, I can live with, but not five years.

An argument that has been put by the Member for North Douglas, who I have the greatest respect for, as a public representative, of whether or not somebody comes in – and

Mr Bell will like this one, as well – and says, ‘Oh, but I might not get re-elected next time round and I have not got a job to go to.’

Well, I am afraid there is an awful lot of people, including me, out there, who would say, ‘I am sorry. If you have not done your job to our satisfaction, you are not getting your job back.’ That is all about job description, job ability and your curriculum vitae as a politician.

If you do not do enough to get the public to support you the second time round, you do not deserve to be elected – or is there some change in the rules that I have not heard about, that you can be as far away from your manifesto promises as possible and still expect the people to put you back because you have not got a job to go to? I find that a non-saleable commodity, completely.

Having gone through it 30 years ago – and I was a young man at one time, Mr Karran, I was 33 years of age – the situation for a lot of people and I look around... Mr Lowey, we broke the mould, I believe, at that time, because everyone here, when I sat there, was either retired or was a business man who could afford to be here. That is why I left there to come here. I thought this is wrong. Somebody has to represent the majority of people out there who cannot afford to be in the House of Keys or are not retired.

There was no pay, at that time. You had the job that needed doing. I was fortunate enough to have enough finance to be able to do it, and a lot of other people with me. That is why the faces in this Chamber have changed, because people put a commitment in. I know that some could afford now to do the job, which I find good. That was what happened, Speaker. It really happened that way. This happened over the 30 years.

I am now saying to my friend from West Douglas, having seconded it, and I have already spoken and said to him, for his own reasons, I believe our constituents would support this. That is why it was worth seconding. I am glad to see he did, because the people I spoke to, such a short time ago, thought that the term of time for the House of Keys was too long for them to have a re-say in how they were represented.

I am sure they will have reflected all the other constituencies, as well. If they did not, of course, they will vote you back into office. I believe, at some time at the forthcoming election, that should be tested, by saying to the people, ‘I will support a four-year term of office, with your good grace’, and see if they actually send it back.

I beg to move, Speaker, and I thank each and every Member for talking about the subject. I am sorry I have started the election off so early and so sharply.

Mr Bell: It is already underway.

The Deputy Speaker: Hon. Member for Rushen, Mr Rimington to reply to his amendment.

Mr Rimington: Thank you Deputy Speaker.

In the order of things, I thought I might have been first and, therefore, if I commented upon the Hon. Member, Mr Delaney’s amendment, then he would have had the chance to reply to what I had said.

I will moderate my comments on that, because I did not want to speak three times in the debate – introducing the amendment, speaking to his amendment and then winding up. I will not have such a lengthy –

Mr Henderson: Thank goodness, John!

Mr Rimington: – introduction on that matter.

Firstly, the actual subject matter of the amendment is purely to correct an error in the drafting, as the intention was to bring forward the election to September. That was the agreed date through the consultation process, to bring it forward but, unfortunately, the Bill did not reflect that intention and, hence, the amendment is there to make sure that that intention is reflected.

I suppose, on the outcome of that particular clause, if the amendment was defeated, but the clause was accepted, then the election would be in October, and, if the clause was defeated altogether, then the election would then revert back to November. I believe that is the right interpretation on that. This is simply to bring it forward to November.

I was, obviously, like some Hon. Members, disturbed by some of the comments that have been made by some of the contributors to this debate on why we should, or should not, have a four or five-year term.

If I might refer to the Hon. Member for Onchan, Mr Karran’s contribution – and he has often said this, and it goes without challenge too often – when he says that anybody joining the Council of Ministers leaves their brains and their principles outside of the door when they join. This is a very strange set of affairs, where you have the leadership of the Government of the Isle of Man having no brains and no principles, and all the brains and all the principles are outside of the Government. (*Laughter*) How on earth do we manage to construct a Budget which got the unanimous vote, and continue with the AAA rating and continue the relatively successful economy, (*Interjection by Mr Karran*) when no-one inside the Council of Ministers has got any brains or any principles whatsoever?

These extreme comments that the Hon. Member comes out with do need to be challenged, from time to time.

A Member: Hear, hear.

Mr Corkill: Far too logical, that, John – far too logical!

Mr Rimington: And he even arrived – and this is what the Hon. Member has put forward, consistently, over the years, about the clubby-clubby and the patronage, etc – at the particular state of play, now, where certainly one potential candidate in my own area has declared that he would not ever join the Government; he would remain close to the people.

But what on earth are elections for but to provide a government for the people? (**Several Members:** Hear, hear.) That is the whole point of democracy! Democracy is not an end in itself; democracy is a means to provide a government for the people, and democracy is the means by which we do it, by representatives. The poor old Member for Onchan is losing the plot, in terms of why we are here –

Mr Karran: Because you’re still here, and I worry.

Mr Delaney: Even a rocking horse has got more brains than –

Mr Rimington: And he came out with the expression, ‘Oh, if we are not going to have a credible opposition...’. Well, it is not because we have decided by democracy of vote in this particular Chamber that, ‘No, we won’t have a credible opposition, let’s just keep it to Mr Karran’ – (*Laughter*)

The Deputy Speaker: Mr Rimington, can I just –

Mr Rimington: Remind me.

The Deputy Speaker: – remind you that you are speaking to your amendment. (*Laughter and interjections*) I have been very lax with you, but the time to debate is during the debate. (*Laughter and interjections*)

Mr Rimington: I was trying... I did not want to enter the debate generally – (*Interjections*)

The Deputy Speaker: I am sorry, Mr Rimington, the time for debate is during the debate. You are winding up now, for your amendment. (*Laughter and interjections*)

Mr Rimington: Right. I accept your comments –

Mr Corkill and Mr Rodan: We are enjoying it.

Mr Henderson: Vote!

Mr Rimington: Just if I may briefly just say that the reason why there is no credible opposition is because no opposition has come forward with credibility. That is the issue there.

If I may just very briefly comment, Deputy Speaker, upon my hon. colleague, Mr Delaney's... I have not quite understood what the problem is he is trying to solve, by moving from five years to four years. I suggest that five years is the best way.

But simply in terms of the... and the Hon. Member did make one comment that they got in there to the Council of Ministers, by the way that they were dressed. I never thought that I got anywhere by the way that I was dressed! (*Laughter*)

Mr Delaney: No, I agree with you!

Mr Rimington: And I think that is fair comment. With that, Deputy Speaker, I conclude.

The Deputy Speaker: Thank you, Mr Rimington, in winding up your reply.

Mr Cretney, Member for South Douglas to respond to the debate of the whole.

Several Members: Hear, hear.

Mr Corkill: When is the election?

Mr Cretney: We do enjoy discussing ourselves, Deputy Speaker, don't we?

Mr Earnshaw: Hear, hear.

Mr Henderson: What was your amendment?

Mr Cretney: I apologise if my Bill has invited such discussion. The good thing is my confidence lies in the electorate, who can make a judgement for themselves, on either our record or that of new candidates at election, rather than some of the stuff that is talked round here sometimes.

After the General Election 2001, I moved that a Select Committee should consider the situation in terms of encouraging more participation in the very important democratic process. We embarked on an extensive consultative process, and against independent advice, as to what the people thought.

Now, unfortunately the subject of Mr Delaney's amendment was not raised at that time, and there are, clearly, two diverse views on that matter: either that a four-year term would focus the minds of those elected or that there would be even more short-termism than presently exists. I say it is for the Members of this Hon. House to make a decision on that.

I, obviously, accept the amendment from the Hon. Member for Rushen, Mr Rimington, seconded by Mr Braidwood, because that simply corrects an error in the printed Bill.

I am going to indulge a little now, if you do not mind, Deputy Speaker –

Mr Delaney: Go ahead.

Mr Cretney: Whilst there may not be party politics, which I concede that the public do not appear to have a taste for, at this particular time, it is disappointing that some like to rewrite history, because, since the early years of the last century, there has been one political party, with a manifesto regularly updated, and which the electorate can consider, when going to the polling stations to cast their vote, in the ballot box. (**Mr Delaney:** Hear, hear.)

With Members consistently elected to this House, I well remember the late Percy Radcliffe, Deputy Speaker, stating that Tynwald consisted of 32 unguided missiles, because of the lack of a joint manifesto option. But we are where we are, and I hope that the consensus form of politics, with all shades of opinion at the table, has contributed, in part, to some of the successes enjoyed over the past 20 years and, with goodwill, could do so for the future.

Now, I am not saying that because I left my brains or principles at the door of the Council of Ministers –

Mr Karran: You keep saying you've got brains! (**Several Members:** Ooh!) I take that back – I'm being...

Mr Cretney: I did not just get my Dolphin Award, anyway.

Mr Karran: What did you get?

Mr Cretney: I have to say, Deputy Speaker, that I do find those comments offensive. I do find them offensive. (**Several Members:** Hear, hear.) The Hon. Member is a friend of mine, has been a friend of mine for a long time. We have shared smoky rooms together – hopefully, that is going to be something of the past (**Capt. Douglas:** Hear, hear.) – but I do regret that suggestion.

I am very much in favour of a more robust form of scrutiny of the executive, in parliament, and it is for all of us to sort that out. It is not just the executive to sort that out. We all need to sort that out. Audit and accountability is in the hands of all Members of Tynwald presently, and I, obviously, welcome moves towards more democratic accountability.

I hope the Hon. Members will vote for the clause as it stands. Obviously, if they wish to go for four years, that

is a matter for them, but with the amendment moved by the Hon. Member for Rushen, Mr Rimington, in terms of time, I do believe that a September election is preferable to November.

It is unfortunate that there is not a May proposal here to test the House, because the original intention was that May would be the preferred time, but I judged, when this matter was last before the House, that the House was more in favour of September, in terms of a move towards a better time for the election.

I beg to move.

The Deputy Speaker: Thank you. Now we have two amendments and the clause itself. So, first of all, I will put Mr Delaney's amendment to the House. All in favour, say aye; all against, say no. The noes have it.

A division was called for and voting resulted as follows:

FOR

Mr Gawne
Mr Duggan
Mr Shimmin
Mr Delaney
Mr Karran

AGAINST

Mr Anderson
Mr Teare
Mr Rodan
Mr Quayle
Mr Rimington
Mr Gill
Mr Henderson
Mr Cretney
Mr Braidwood
Mr Bell
Mr Corkill
Mr Earnshaw
Capt. Douglas
The Deputy Speaker

The Deputy Speaker: The votes are 5 for and 14 against. That amendment fails.

Now we have Mr Rimington's amendment, the second amendment on the Order Paper. All in favour, please say aye; all against, say no. The ayes have it.

A division was called for and voting resulted as follows:

FOR

Mr Anderson
Mr Teare
Mr Rodan
Mr Rimington
Mr Gill
Mr Cretney
Mr Duggan
Mr Braidwood
Mr Shimmin
Mr Delaney
Mr Bell
Mr Karran
Mr Corkill

AGAINST

Mr Quayle
Mr Gawne
Mr Henderson
Mr Earnshaw
Capt. Douglas
The Deputy Speaker

The Deputy Speaker: That clause is carried, with 13 votes in favour and 6 votes against.

Now, I put the clause, as amended. All in favour, please say aye; all against, say no. The ayes have it.

A division was called for and voting resulted as follows:

FOR

Mr Anderson
Mr Teare
Mr Rodan
Mr Rimington
Mr Gill
Mr Cretney
Mr Duggan
Mr Braidwood
Mr Shimmin
Mr Bell
Mr Karran
Mr Corkill
Mr Earnshaw

AGAINST

Mr Quayle
Mr Gawne
Mr Henderson
Mr Delaney
Capt. Douglas
The Deputy Speaker

The Deputy Speaker: Thank you. That vote is carried, with 13 votes for and 6 votes against. Clause 1 is carried, as amended.

Now, I call on Mr Cretney to move clause 2.

Mr Cretney: Thank you, Deputy Speaker.

Clause 2 substitutes a new section 26 in the 1995 Act, and will extend the application of that section to provide for the introduction of absent voting on demand.

The Select Committee recommended that the extension of the availability for an absent voters' ballot would improve voter turnout, as has been the case in the pilot schemes of all postal voting at elections held in England and Wales. The Electoral Commission reported that postal voting has, undoubtedly, proven to be a success in terms of voter turnout.

The extension of the provision of absent voters' ballots will also deal with the question of voting rights for prisoners. The proposal also requires consequential changes to election rules and regulations.

The amendment provides that a voter who wishes to be treated as an absent voter should apply to the returning officer of the constituency in which the voter is registered. The application may be allowed if the returning officer is satisfied that the applicant is entitled to vote, and for security purposes has proven his identity to the returning officer. The detail of the application, including the format of the application form and the evidence as to identity, for example, passport, driving licence etc, or photographic ID, will be prescribed in the Regulations.

I beg to move.

The Deputy Speaker: Mr Braidwood to second.

Mr Braidwood: I beg to second, Deputy Speaker, and reserve my remarks.

The Deputy Speaker: Thank you. Mr Gill, Member for Rushen.

Mr Gill: Yes, thank you, Deputy Speaker.

The only concern I have is – well, two concerns, but on the same theme – the risk, and we have seen this in the United Kingdom, where postal vote systems have been abused, and abused quite widely, in some cases.

We have not heard very much about the security systems which are to be in place.

Further to that point, the very reason that we are promoting this clause, which I do not have any great difficulty with, is to increase voter number, voter turnout. At the same time, we have to temper that with people who

are vulnerable, people who could be misrepresented, in the manner which I have described. I just look for some comfort from the mover in that regard.

The second point, I am not sure why the reasonable expectation that somebody should cast their vote in person at a polling station is one that we should move away from in such a widespread manner. If somebody is absent, or if they are going to be absent, or if there is a genuine reason which requires them to seek a postal vote, I have got no difficulty with that. So, I am really not that fussed about this, other than the concerns about the security. But I wonder if the mover could just tell us a little bit more about that.

The second point is one of practicality. That is to do with the form of identification that is required. We often hear in another context about difficulties individuals face if they do not have a driving licence or a passport. There are quite a few people in that position. There might be with young people. If we do move to the welcome outcome that 16-year-olds can vote, there will be a number of 16-year-olds who do not have a driving licence and do not have...

So, what form of identify would be acceptable? Will that be a prescribed list or will it be at the returning officer's discretion?

I appreciate the second point is very marginal, compared to the central importance of the first point, but I wonder if the mover could address both of those points fully, in his response.

Thank you, ma'am.

The Deputy Speaker: Mr Earnshaw, Member for Onchan.

Mr Earnshaw: Thank you, Deputy Speaker.

Just one or two questions I would like to ask the mover, if I may, and, also, one or two points that I would like to make, as well.

First of all, I would ask for the confirmation of mover – I think I have got this right, but I would like his confirmation – that this is simply an enabling clause, at this stage. I would like that for the record.

I share a concern that has just been expressed by the Hon. Member for Rushen, Mr Gill, about this system possibly being open to abuse. I do not think it has been plain sailing in the United Kingdom – far from it, from a lot of the press reports that I have read. There have been things that have gone awry there, with postal voting.

I think it is a road we ought to be careful about going down, anyway. I think the very act, when you are voting, of actually going along to the polling station is an engagement with the system. An election should be an important public event in the calendar, and I think that the very fact that people make the effort of going out of the house... There may be very good reasons why they cannot and they have to register an absent vote, through sickness or absence from the Isle of Man.

But if they can, I think, you go into the polling booth, you present your card to the returning officer who is at the polling station, you go in and, in private, you think about what you are actually doing. I think we ought to consider that very carefully, before we push too far down the road of postal voting. I would be grateful to learn the views of the mover, regarding the comments that I have just made when he sums up.

The Deputy Speaker: Mr Cretney, Member for Douglas South.

Mr Cretney: Yes, thank you, Deputy Speaker, and I thank the Hon. Members for their contribution.

In terms of Mr Gill, and also referred to by Mr Earnshaw, this thing about the risk and the security element. Yes, there has been abuse in the United Kingdom. Unfortunately, that has been by – what we were talking about with the last clause – some political parties have chosen to use party workers to manipulate a situation, or to collect in votes, or to do things in a manner which is wrong.

I believe that, yes, this is an enabling clause and, as such, the Regulations will provide for adequate identification to be proven for the returning officer. In terms of if we do make that historic step towards 16-year-olds being able to vote, hopefully in this next election, they currently have photographic identification available to them anyway, in terms of going on the buses, going to the cinema those kind of things. That is already something which is available via the education system and the Office of Fair Trading, I think it was at the time.

Mr Gill and Mr Earnshaw both also referred to 'Why move away from casting a vote at a polling station?' or 'It is an event, going out the house to vote at the polling station.' Well, we think that, we are all signed up to the process; but what we are trying to do here is to encourage people who, perhaps, are not as regimented as us, who do not see it as an event, to facilitate their needs by making the democracy more accessible than it is currently.

Some Hon. Members – unfortunately, she is not here today, but the Hon. Member for Ramsey, for example – have spoken in the past, about internet voting, about making electronic voting something. Now, for the future, provided there is adequate security, I see no reason why we should not go down that road, either.

But, at present, I do believe, and it has been proven, despite the instances of abuse that postal voting on demand has encouraged more voter participation. I think that is what this Bill is about, and why I am asking you to support it.

The Deputy Speaker: I put clause 2 to the House. All in favour, say aye; all against, say no. The ayes have it. The ayes have it.

Now we come to clause 3, Mr Cretney.

Mr Cretney: Thank you, Deputy Speaker.

Clause 3 amends section 27(1) of the 1995 Act, to provide that, where a person is appointed to vote as proxy for another, the appointment of the proxy will cease to be valid the day after the date of the election for which the proxy is appointed to vote.

Under the current requirements, a proxy may be appointed for a period not exceeding five years, which could include more than one election. Returning officers have reported that voters, having appointed a proxy, also requested to be treated as an absent voter during the five-year period, which has caused problems for them, when the proxy attended the polling station to vote.

Deputy Speaker, I beg to move that clause 3 stand part of the Bill.

Mr Shimmin: I beg to second, Deputy Speaker

The Deputy Speaker: Thank you, Mr Shimmin, Member for Douglas West. Mr Gawne... Mr Gill, Member for Rushen.

Mr Gill: The other one, Deputy Speaker

The Deputy Speaker: Yes, do pardon.

Mr Anderson: The ugly one! (*Laughter and interjections*)

Mr Houghton: The one with no sense.

Mr Earnshaw: Enough personal comments.

Mr Gill: Deputy Speaker, I wonder if I could just ask confirmation – and I am sure I am asking a question which is an easy one to answer – will the same limit on the number of proxy votes that any one person can represent still obtain under these Regulations that exist, as I understand it currently?

If I have not made that clear – and I think from the expression on the face of the mover I have not – as I understand it, you can cast a proxy vote for a limited number of people – I think it is three or five. (**A Member:** Two) If that is the case, would that remain at that limit under these regulations?

A Member: I think it's two.

The Deputy Speaker: Mr Cretney to reply.

Mr Cretney: Yes, my understanding, from the nods – for *Hansard!* (*Laughter*) – to my left is that that is the case, but I will clarify for Hon. Members at the next stage. I understand that is the case, Deputy Speaker.

I beg to move that clause 3 stand part of the Bill.

The Deputy Speaker: I will put clause 3 to the House. All in favour, say aye; all against, say no. The ayes have it. The ayes have it.

Now we have two new clauses proposed. I would like to call on Mr Karran to move his clause in principle. If that is approved, then we will deal with it in detail, and then we will go on to the next new clause, which is in the name of Mr Rodan.

So, Mr Karran, first, please, to move this new clause in principle.

Mr Karran: Vainstyr Loayreyder, I move this new clause in principle:

New clause

(It is suggested that this clause be inserted after clause 3)

Delivery of nomination papers

[E]. In Schedule 2 to the Representation of the People Act 1995 –

(a) for paragraph 1(3), for the entry in the second column of the table substitute –

'Not earlier than the 7th day and not later than 2 p.m. on the 12th day after the receipt of the writ by the returning officer.'

(b) for paragraph 9 substitute –

'9. Nomination papers shall be delivered to the returning officer for a constituency at such place as is specified in the notice of election under rule 4.'

(c) for paragraph 10(1) substitute –

'(1) The returning officer shall attend at the place for

delivery of nomination papers during the one hour after the end of the time for the delivery of them.'

(d) in paragraph 11(1), omit 'time for';

(e) in paragraph 12(2), for 'period' substitute 'hour';

(f) in paragraph 13(1), for 'rule 10(1)' substitute 'rule 1(5)';

(g) in paragraph 14(2)(b), for 'rule 10(1)' substitute 'rule 1(5)';

(h) in paragraph 15(1), for 'rule 10(1)' substitute 'rule 1(5)'.

I move on the principle that we have been trying to get this right.

Many years ago, we were arguing about the nomination paper having to have £100 deposit. We did away with that, and we increased the numbers of people who had to be put on the nomination paper, the assentors, and we managed to get it changed to four hours.

What concerns me about this proposal is: democracy is about choice, and what I am saying is it would be far better, instead of having a four-hour period, where the returning officer has to be at the place for nomination, have a five-day period where candidates can go in and put their nomination paper, in normal working hours, get a certificate for it, that it has been put in and is in order, in order that, if people are working, they do not have to take a day off work to be there on the day of nomination.

The other issue that always concerns me about nomination day is making sure... Because of the issue of different returning officers having different levels of what they will accept as a signature of individuals – and I have seen that in other areas, I was quite surprised – if there is a problem, there is a four-hour period for that individual to sort that out. Trying to get 20 nominations in four hours is very very difficult, and if it is difficult for the likes of us that are in this Hon. Chamber, it must be even more difficult for new candidates who have to go out there and find individuals, in that four-hour period.

All my amendment does is give the opportunity that, instead of having a four-hour period, as far as nomination, generally, on the Thursday, they will be between 10.00 and 2.00 in the afternoon, it would give the flexibility for the returning officer's office to be there, for the nominations to be checked, a certificate to be given, in order that, then, there is a whole week for individuals. If there is a problem, they can get it sorted out. If it is a problem that people are working three days in the week or whatever – the first three days – they have got the following day. But they do not have to take the day off, because in real terms, Vainstyr Loayreyder, under the present system, really speaking, you would be very foolish to just take an hour off to go and put your nomination paper in.

We talk about democracy and choice, and I believe this is the right way forward. I do hope that this Hon. House will support the principle of this new clause, because it is just about making it much safer, much more democratic, and I believe an improvement on the system we have got at the present time.

I beg to move.

Mr Houghton: I beg to second.

The Deputy Speaker: Mr Cretney, Member for Douglas South.

Mr Cretney: I will, if no-one else... Can I just ask if Mr Karran, when he moves, if he is successful here, in terms of the principle of the amendment, if he could just go into a bit more detail, just to make it clear whether what he is saying is that ... He is not saying that the returning officer would have to sit (**Mr Karran:** No.) in a room for five days, whilst people come in with their nomination papers. I think that would be a concern.

If the proposal is that the returning officer's office will be available for prospective candidates to come in, to lodge their details, (**Mr Karran:** Yes.) and that after the five-day period, things will be tied up...

I think that would be helpful if he could clarify that.

Mr Karran: No problem.

The Deputy Speaker: Mr Anderson, Member for Glenfaba.

Mr Anderson: Could I just ask the hon. mover of this amendment, if he would intend, in this proposal, that the returning officer would make information available to people putting in papers off the people that have already put in papers. Maybe he would reply on that issue, please.

The Deputy Speaker: Mr Karran to reply.

Mr Karran: Vainstyr Loayreyder, to be perfectly honest with you, if that was the case that we were to tie a returning officer for a week, it would be ridiculous. The proposal is that, basically, they can put it in, into the office. An officer of the what-do-you-call-it would give it to the returning officer, when it suited. He would then give a certificate that that person is a candidate. The candidature should be, or would be in the Regulations, that that individual would then place it in the area of that office, so that people could see who the candidates are, in order to do so.

So, hopefully... I was concerned as you, because I know it is a difficulty to get returning officers – they do not want to do the job – but this, hopefully, should make it a lot better for individuals. It is, I suppose, a slightly bigger liability on the returning officer, but, as far as I would be aware, and the principle of this is, basically, it means that that five-day period... anyone can go in that five-day period, and put the thing in. If the returning officer is not there, it can be checked, and the certificate can be given to the candidate when it has been checked, and then handed the certificate that the candidate be in...

At the moment, what happens is it would just be put – in my constituency – on the notice board in the Commissioners' office. What we are doing here is we are actually giving the opportunity for people to know earlier that there is a candidate in the field.

So, hopefully, what we would end up with is a situation where you would not end up where you have got four hours, where, if you make mess of your nomination paper, you do not have the opportunity, if you are a new candidate. It is very difficult to get people to sign anything, and if they do not know you...

I think this is what it is about: it is about choice and about giving people the opportunity. I hope this House will give the principle and will give support to this proposal, because this proposal should make it far more flexible, in order that people who are wanting to become MHKs can do so.

Also, it covers the danger- especially now that you are not talking about eight nominees, when we first started off – we are talking about 20 nominees, with a proposer and seconder, that the four... and I appreciate that we did put it up from two hours to four hours, after I moved the amendment, but I think this would be the most sensible way forward.

I do hope that Hon. Members will support this proposal, as I think it will be of benefit, and I am sure, if there were any problems, we would have had more representation from returning officers on this proposal.

The Deputy Speaker: Thank you, Mr Karran. Now, I put the new clause [E] to the vote, in principle. All in favour, please say aye; all against, say no.

A division was called for and voting resulted as follows:

FOR
Mr Gill
Mr Houghton
Mr Karran
Mr Corkill
Capt. Douglas

AGAINST
Mr Anderson
Mr Teare
Mr Rodan
Mr Quayle
Mr Rimington
Mr Henderson
Mr Cretney
Mr Braidwood
Mr Shimmin
The Deputy Speaker

The Deputy Speaker: That vote fails, with 5 votes for and 10 votes against.

Now if we could turn to Mr Rodan's amendment. This is amendment [F], to move the new clause in principle. Thank you, Mr Rodan, Member for Garff.

Mr Rodan: Thank you, Deputy Speaker.
I rise to move in principle this new clause:

New clause
(It is suggested that the new clause be inserted after clause 3)
'Voting age
[F]. (1) In the Representation of the People Act 1995 [c. 13] –
(a) in section 24(2), for "18 years" substitute "16 years";
(b) in section 27(2)(a), for "18 years" substitute "16 years".
(2) In the Registration of Electors Act 1984 [c. 3] –
(a) in section 1(2)(b), for "18 years" substitute "16 years";
(b) in section 3(2)(c), for "18 years" substitute "16 years".'

This quite simply carries forward into this legislation a principle which we debated at some length, when there was passed a successful amendment to the Registration of the Electors Bill. That principle is the reduction in the voting age from 18 to 16.

That principle was endorsed by this House, by a very substantial margin. I do not propose to enter again into the arguments advanced in that debate, in favour of that principle, but would simply move, Deputy Speaker, that this clause be incorporated, in principle, into the current legislation before us.

The Deputy Speaker: Mr Gill, Member for Rushen.

Mr Gill: Yes, Deputy Speaker, I beg to second and reserve my remarks.

The Deputy Speaker: Mr Karran, Member for Onchan.

Mr Karran: Vainstyr Loayreyder, obviously, we have lost the argument... We have not lost the argument, but we have lost the vote, as far as this situation is concerned. I think it is an absolute travesty that we are doing this at this present time. As far as I am concerned, lowering the voting age to 16, in my opinion, is absolutely irresponsible. I think it reflects a desperate situation, as far as the trying to get percentages up.

The only good thing I hope will happen is that this will not come in before this election, because if there is going to be any chance of this not falling on its face, in my opinion, then it needs to be a well orchestrated education programme – even though I shall be voting against the principle, and the new clause, because I think it is wrong to lower the age to 16. The thought has not gone into it. We are devoid of any real parties on the Island, and I think it would just look like an act of desperation outside.

The Deputy Speaker: Mr Quayle, Member for Middle.

Mr Quayle: Yes, thank you, Deputy Speaker.

I rise to support the clause as advocated by Hon. Member for Garff, Mr Rodan. I think the Isle of Man is, to some extent, leading the way in this. I think it has been very interesting, over the last week or two, to have seen that the predicted new leader of the Labour Party, Gordon Brown MP, in the United Kingdom is flagging up the fact that he believes the United Kingdom will actually be introducing voting at 16.

I think we have been dealing with legislation, yesterday, and the ramifications of bringing that age down to 16, and it is entirely appropriate to allow young adults of 16 now to be voting, when they are able to participate in all the other activities and take their role in society at that sort of age.

The Deputy Speaker: Capt. Douglas, Member for Malew and Santon.

Capt. Douglas: Gura mie eu, Lhiass-loayreyder.

I hear what the Hon. Member for Onchan, Mr Karran, is saying, and it does have some merit, but I wonder if the Hon. Member for Garff can tell us if there is anything that might stop the 16-year-olds voting.

In other words, is there anything in the Data Protection Act or otherwise that might just actually prevent the youngsters from getting the vote in this current election?

I am concerned about the delay in getting the voters list together that such a thing might cause. Thank you.

The Deputy Speaker: Mr Cretney, Member for Douglas South.

Mr Cretney: Yes, thank you, Deputy Speaker.

The travesty as I see it, at the moment, is that it appears that the un-elected branch of Tynwald may be taking this out of our hands, anyway, despite the fact we have the opportunity here to make a bit of history, as we did with in extending the franchise, previously, to all members of society.

It appears to me that, once again, the un-elected branch will be, from what I hear on the radio this morning, anyway... The one Member who spoke on the radio did not even seem to know what he was talking about, because there is, in school, currently an extension of... much more than ever there was when we were living on the Island and when we went to school, in terms of education into civic responsibility, into what goes on in terms of the Isle of Man and its parliament.

I think a number of us in here have tried to play our part, in terms of trying to encourage more young people to participate, (**A Member:** Hear, hear.) and I am certainly in support of this clause, in principle.

The Deputy Speaker: Mr Rodan to respond.

Mr Rodan: Yes, thank you, Deputy Speaker.

The Hon. Member for Onchan, Mr Karran, calls this a travesty at this present time. I do not know whether perhaps he is envisaging when there would be a better time. He says it is irresponsible and an act of desperation, and, from his other remarks, he is clearly implying that the motivation behind this is to drive up voter turnout.

Well, I have never, Deputy Speaker, claimed that that would be the effect of this measure and I –

Mr Gill: It will lower it.

Mr Rodan: – think that most Members of this House would also agree that there is an awful lot of other work that needs to be done to increase voter turnout and interest of young people in the elections. Lowering the age to 16 is not the purpose, and it is not going to have that effect, I can assure him of that.

What will have an effect is, as other Members have referred to, ongoing education. I thank Mr Cretney for his comments regarding that, and the need for encouraging, in our education system, civic responsibility. Mr Karran made reference as well, and he is quite right, I would agree with him on that point, that an education programme is needed.

What I would say, Deputy Speaker, is that giving 16- and 17-year-olds the vote, knowing that many of them will actually still be at school, presents all sorts of potential opportunities for interesting and worthwhile political platforms before critical audiences of actual voters in the schools. When we do not have – with all due respect to what has been said about the Manx Labour Party – a formal system of party politics that might otherwise inhibit such a thing, I would say that, in fact, is the perfect opportunity to engage young people in the democratic process and encourage them to know what it is all about. Simply lowering the age of voting to 16 alone will not do that.

Mr Quayle also has made reference to the adjacent islands and yes, he is quite right. What we have done is a significant step taken by the House of Keys, and I hope will be repeated in another place in this regard, is being followed very closely in the adjacent isles. I can tell the House that the ‘Votes at 16’ campaign, which is a cross-party, cross-political interest coalition in the United Kingdom, is watching very closely and have been in touch with us.

I would say, for once, the Isle of Man is showing the way. We have often been told by Hon. Members ‘why do we blindly follow what is done elsewhere?’ Here, for once, we are showing the way and others are following us, and I thank Mr Quayle for highlighting this aspect.

The Hon. Member for Malew and Santon, Capt. Douglas, asks what might inhibit this measure coming in, in time for the general election. Well, of course, the granting of Royal Assent, in July, will have to take place, to enable the fresh registration of up to 2,000 new voters to take place. The window for opportunity of that will be quite small.

Also, there will be required to be resolved the potential issue that has been flagged up that, because the register, in fact, would identify the age at which minors become 16, this could be an issue, unless other measures were put in place to exclude such details from what is a public document – and it is acknowledged that this will have to be addressed.

Given that, and the very tight timescale, I would say, in reality, it is problematic. While it is to be hoped for, it will be ‘touch and go’, in my own opinion, that everything would be in place for this general election for 16- and 17-year-olds, but that remains to be seen.

I thank Hon. Members for their comments and beg to move.

The Deputy Speaker: Now this is the new clause [F] in principle. All in favour, say aye; all against, say no. The ayes have it.

A division was called for and voting resulted as follows:

FOR

Mr Anderson
Mr Teare
Mr Rodan
Mr Quayle
Mr Rimington
Mr Gill
Mr Cretney
Mr Duggan
Mr Braidwood
Mr Shimmin
Mr Bell
Mr Corkill
Mr Earnshaw
Capt. Douglas
The Deputy Speaker

AGAINST

Mr Houghton
Mr Henderson
Mr Karan

The Deputy Speaker: That vote is carried, with 15 votes in favour and 3 against.

Now, if I could call on Mr Rodan to move the clause itself. Thank you, Mr Rodan.

Mr Rodan: Thank you, Deputy Speaker.

Moving the clause in detail, Hon. Members will see that there are two current pieces of legislation which require to be amended: the Representation of the People Act 1995, section 24(2) is to do with entitlement to vote and, of course, the age is one of those criteria. The other section, 27(2), is to do with the appointment of proxy votes, in that particular piece of legislation, and states the age at which a person may be entitled to appoint of proxy to vote on his or her behalf.

The other piece of legislation is the Registration of Electors Act, and the first reference is to the entitlement to be registered on an electoral register within the 12 months commencing on 1st September and the year in which they will attain voting age, intended to be 16. The other part of that Act is connected with the particulars contained in lists of electors.

So, they are fairly straightforward amendments to existing legislation, the Registration of Electors Bill having been consequentially amended at a recent sitting. These are the

measures necessary, Deputy Speaker, and I beg to move.

The Deputy Speaker: Do we have a seconder? Mr Gill, Member for Rushen.

Mr Gill: I beg to second and reserve my remarks, ma'am.

The Deputy Speaker: Mr Rimington, Member for Rushen.

Mr Rimington: Thank you, Deputy Speaker.

Obviously, I rise in support of that. I do note that, with some of the concerns that have been raised about young people and their involvement, one of the ways that will be mitigated in the future is by the forthcoming appointment of an education officer, under the auspices of the Tynwald Management Committee – an advert I saw in the press quite recently. One of the roles of the said officer is to get out to the schools and educate them on the affairs of Tynwald, and how the political system conducts itself.

So, that may be a mitigating factor there, and would help. Indeed, I would say in the expression that in every cloud there is a silver lining: well, that is the silver lining; the cloud is the fact that we are making this appointment, without recourse to the normal openness and transparency and accountability, of which we are all so fond of talking about, and that we, the Members, who are party to this appointment, know nothing about this, until we see it in the newspaper!

This is an appointment completely outside the personnel control mechanism, as the legislature is, which is okay, understandable, and I will not necessarily attack that principle. But there is, certainly in some quarters, a little hard feeling when, if you are looking through the personnel increases in the Budget, there is next to nothing – obviously, Education and Health have got their limited number, far less than they wished, and most of the Departments have got absolutely nothing.

So, there is a slight cloud on this matter, but the silver lining is there, it will assist in bringing forward this matter of educating people into voting.

The Deputy Speaker: Mr Quayle, Member for Middle.

Mr Quayle: Thank you, Deputy Speaker.

I rise merely on a point of order, in one way, and to provide a bit of clarification. The clause as we now have before us seeks to amend the Representation of the People Act 1995, which is provided for in the long title of the Bill, but also it seeks to amend the Registration of Electors Act 1984.

My suggestion would be that I think we need to amend the long title of the Bill and, with that in mind, I would move that we would seek to amend the long title of the Bill to now determine that it will be a Bill to change the date of the dissolution of the House of Keys to introduce absent voting on demand and to amend the Representation of the People Act 1995 and to amend the Registration of Electors Act 1984.

I so move:

That the long title be amended by adding the words ‘and the Registration of Electors Act 1984’.

The Deputy Speaker: Thank you for that, Mr Quayle.

Mr Anderson: I will second that, Deputy Speaker.

The Deputy Speaker: Thank you. Mr Anderson, Member for Glenfaba, seconded that.
Mr Gill, Member for Rushen.

Mr Gill: Yes, thank you, Deputy Speaker.

I hope no Member will take this in any way of me telling anybody else what to do, but I simply just reflect that when I would be about eight, I have a vivid memory of my father taking me to London, which in itself is quite an adventure. In those days, you could go up to the door of 10 Downing Street, and have your photograph taken with the policeman. I have a photograph of that, and then we went to meet our local MP, when we lived in England. He showed us around and it was all very exciting and very interesting. Perhaps I can trace my interest in politics back to that time.

I do not think we should underestimate, Deputy Speaker, that we can actually influence children and young people in exactly the same way, through our engagement with them – and I am sure we all do it in our constituencies, I am not suggesting differently. But just tomorrow, coincidentally, for example, Arbory School will be sitting in these very seats, debating the weighty matters of the Abolition of Homework Bill, and whether the school holidays should begin early because they have completed their SATS.

So, it is meant to be a fun day for them. It is meant to be relevant, also, and educational, and I do know that the schools who engage in these do enjoy it. They find it very useful and it de-mystifies a lot of political work that we do, that we, perhaps, take for granted. It makes it relevant and enjoyable for them.

Equally, at the other end of the spectrum – I hope they will not mind me describing them as that – in the evening, the Probus Club are coming to have a look round the new Chambers that they have paid for. Again, they are genuinely interested to see places, and it is amazing the number of people that we all speak with who say, ‘I’ve never been in the Keys.’ (A Member: Hear, hear.) ‘I have never been in the House of Keys ever, and I am interested in politics, but I’ve never been in.’

So, whilst I fully appreciate the value of the education officer that we will see appointed soon, I do think that, in our own ways, we can actually engage with our communities, perhaps that bit more, and encourage them to come into Douglas to see their parliament buildings, to take part, to appreciate a little bit more the relevance of the work that we do. That is the challenge with 16-year-olds, and if we do not break it, they will be 17, 18, 19, they will be adults and we will have lost them. (A Member: Hear, hear.)

Going back to the comments from the Member for Douglas South, who said we value voting, we value the engagement of actually physically, where possible, going in to vote. That is not something we have managed to impress on this young generation, largely, and that is the challenge.

In lowering this age, it will not have the effect of increasing the turn-out; it will decrease the turn-out. I dare say, I think we all understood that, most teenagers, for their own reasons, will choose not to vote, so the actual voter turn-out will lower. But at least we will be widening the age of the majority, widening the age of engagement, hopefully.

So, I just made those points, not to get one over anybody, but just to say that this is the challenge that, perhaps, we will face, and we should all be alive to. We will be more so than

ever this year, no doubt, because we will be more focused on our communities, but it is a challenge that is, year in and year out.

The Deputy Speaker: Can I call on Mr Rodan now to reply to his... I think that is the way to do it. (*Interjections*)
If Mr Rodan responds and if Mr Rodan’s amendment is then carried, then we will vote on the long title. Thank you. Mr Rodan to reply.

Mr Rodan: Thank you, Deputy Speaker.

First of all, I thank the Hon. Member for Rushen, Mr Rimington’s interesting contribution. I think it has expressed his point very well, indeed. I thank him for bringing it to our attention, this new opportunity to increase education amongst young people, and I take very much on board the points made by his colleague in Rushen, Mr Gill – the opportunities open to us, to promote that objective.

I thank Mr Quayle for his observations. My advice from the legislative draftsman is such that I understand that the Registration of Electors Bill that was before us, and has preceded this one, as a consequential repeal, in fact, repeals the whole of the 1984 Registration of Electors Act.

My understanding is, also, that the Representation of the People Act 1995 cross-references to the Registration of Electors Act referred to here, but I would not be able to say with certainty that the Hon. Member is wrong, without taking further legal advice. I do thank him for giving the House the opportunity to, I think, ‘belt and braces’ amend the long title.

I wonder whether the learned Clerk, Secretary to the House, might be able to advise further on this matter. I am happy to formally move, Deputy Speaker, if that is most appropriate, at this stage, and then have the benefit of that advice.

I beg to move.

The Deputy Speaker: Thank you. I will put to the vote the new clause to be included in the Bill, to stand part of the Bill. All in favour of the new clause forming part of the Bill – this is new clause [F] – all in favour, say aye; all against, say no. The ayes have it.

A division was called for and voting resulted as follows:

FOR

Mr Anderson
Mr Teare
Mr Rodan
Mr Quayle
Mr Rimington
Mr Gill
Mr Gawne
Mr Cretney
Mr Duggan
Mr Braidwood
Mr Shimmin
Mr Delaney
Mr Bell
Mr Corkill
Mr Earnshaw
Capt. Douglas
The Deputy Speaker

AGAINST

Mr Houghton
Mr Henderson
Mr Karran

The Deputy Speaker: That vote is carried, with 17 votes in favour and 3 against.

Now, as suggested by the Member for Garff, we have a belt and braces amendment moved by Mr Quayle, seconded by Mr Anderson. I put it to the vote.

Mr Quayle: Just a point of clarification, Deputy Speaker.

I think the Hon. Member for Garff asked the learned Clerk for his advice on that matter, before we proceeded for a vote, but I am quite happy to go along with the vote now.

The Secretary: Deputy Speaker, as I understood the Hon. Member for Garff, what he was actually saying was that the second part of his amendment about the Registration of Electors Act 1984 is now no longer necessary but, therefore, the long title does not need to be extended.

If the Hon. Member was saying that, then I understand the point, but I think that, the House having both parts of Mr Rodan's new clause, it would be wise to extend the long title to cover it. If there is any uncertainty about it – it is a technical matter – it can be resolved in the Council.

A Member: Hear, hear.

The Deputy Speaker: Mr Rodan.

Mr Rodan: Yes, thank you, Deputy Speaker.

I thank the Secretary of the House for his learned advice. I will take my own legal advice. I am certain that he is quite correct to advise us to proceed in the way which he has, and if it turns out that this has been unnecessary, then I will perhaps, at Third Reading stage, advise Hon. Members of that fact.

Thank you, Deputy Speaker.

The Deputy Speaker: Mr Quayle, do you wish to...?

Mr Anderson: Yes, go on!

Mr Quayle: No, I think the point has been covered, Deputy Speaker.

The Deputy Speaker: Thank you. Well, I will put that amendment to the long title to the House. All in favour, please say aye; all against, say no. The ayes have it.

A division was called for and voting resulted as follows:

FOR

Mr Anderson
Mr Teare
Mr Rodan
Mr Quayle
Mr Rimington
Mr Gill
Mr Gawne
Mr Houghton
Mr Cretney
Mr Duggan
Mr Braidwood
Mr Shimmin
Mr Delaney
Mr Bell
Mr Corkill
Mr Earnshaw
Capt. Douglas
The Deputy Speaker

AGAINST

Mr Henderson
Mr Karran

The Deputy Speaker: The amendment to the long title is carried, by 18 votes to 2. Thank you, Hon. Members.

Could I now call on Mr Cretney to move clause 4. Mr Cretney, Member for South Douglas.

Mr Cretney: Yes, thank you, Deputy Speaker.

Clause 4 provides the short title and commencement of the Bill.

The Bill will come into operation on a day or days to be specified in an Appointed Day Order made by the Council of Ministers. The Appointment Day Order may include transitional provisions or savings.

Can I, at this point, Deputy Speaker, thank both you and Hon. Members in the House for progressing the Bill in the manner it has today.

I beg to move that clause 4 stand part of the Bill.

The Deputy Speaker: Mr Shimmin, Douglas West.

Mr Shimmin: I beg to second, Deputy Speaker.

The Deputy Speaker: Thank you. I put the vote to the House that clause 4 stand part of the Bill. All in favour, please say aye; all against say no. The ayes have it.

A division was called for and voting resulted as follows:

FOR

Mr Anderson
Mr Teare
Mr Rodan
Mr Quayle
Mr Rimington
Mr Gill
Mr Gawne
Mr Houghton
Mr Cretney
Mr Duggan
Mr Braidwood
Mr Shimmin
Mr Delaney
Mr Bell
Mr Corkill
Mr Earnshaw
Capt. Douglas
The Deputy Speaker

AGAINST

Mr Henderson
Mr Karran

The Deputy Speaker: Clause 4 is carried, with 18 votes for, 2 votes against.

Thank you very much, Hon. Members. That concludes our business for the day, as the clock has reached 5.34 p.m. Thank you very much. *(Interjections)*

The House will stand adjourned until 7th March in this House.

The House adjourned at 5.34 p.m.