

Joint Committee on the Constitutional Principles Raised by the Electoral Reform Bill 2011
Report received and recommendation approved

1. The Chairman of the Legislative Council delegation to the Joint Committee (Mr Downie) to move:

*That the Report of the Joint Committee on the Constitutional Principles Raised by the Electoral Reform Bill 2011 [PP 0139/12] be received and that the following recommendation be approved –
That the Electoral Reform Bill 2011 should be returned to the Legislative Council for the continuation of the legislative process.*

The President: I want to thank you for starting early this morning and our first business is consideration of the Joint Committee on the Constitutional Principles Raised by the Electoral Reform Bill. I call on Mr Downie to move.

Mr Downie: Thank you, Madam President.

In moving this Item, I wish to report that the Joint Committee received written evidence from 10 individuals who responded to expression of interest in the newspaper and from 14 local authorities who responded and were all contacted for their views, as part of the consultation process. Oral evidence was taken in public on two occasions: Noel Cringle OBE and Robert Quayle on 19th March 2011 and Eddie Lowey MLC and Roger Tomlinson from PAG on 20th April 2011. Copies of their evidence are recorded in the Report, along with all the correspondence that the Committee received.

Annex 4 provides Members with a timeline from 1982 to date of the legislative proposals relating to electoral reforms and of Tynwald proceedings relating to boundary reviews, the latest of which was on 16th October 2012, when the House of Keys decided that the Boundary Committee can complete its review by defining and delineating the constituency boundaries to reflect 12 two-seat constituencies.

I would like to draw Hon. Members' attention to section VI, page 13, paragraph 48, which for the benefit of *Hansard*, I will read out:

'48. We have given careful consideration to the issues raised by the Bill and to the evidence we have received from Members and former Members, observers and the public. We have discussed at length the information we have collected and the views we have heard. We have not reached a consensus on the desirability or otherwise on any element of the Bill's proposals.

49. In these circumstances, we have concluded that the only thing we can do is to make our report to the Branches'

– in this case the Legislative Council –

'and allow the legislative process to take its course.'

Hon. Members will be aware that the Bill is currently before us, where the Second Reading has been moved, but not voted upon. Therefore I would fully endorse the Joint Committee's decision that the Electoral Reform Bill 2011 should be returned to the Legislative Council for continuance of the legislative process.

Finally, I would like to put on record my appreciation to my colleagues in Council, Mr Braidwood and Mr Callister, who have served with myself on the Joint Committee and to our Clerk, Mr Jonathan King for his most valuable assistance.

Madam President, I beg to move that the Report from the Joint Committee on the Constitutional Principles Raised by the Electoral Reform Bill 2011 be received and its recommendations be approved.

Mr Callister: I beg to second, Madam President, and reserve my remarks.

The President: Does no Member wish to speak?
Mr Lowey.

Mr Lowey: As someone who was invited to give some evidence – and I did and I would like to thank the Committee for that opportunity – I have no difficulty in accepting the recommendations of the Committee. I do not think we have advanced very far, over a year, which is a shame really. That was not the purpose of the amendment – what do we say? Kick it into the long grass? Far from it, I wanted it to be used as a speedy thing. The Committee have chosen that that was impossible and they have done their job as they see fit.

The problems are exactly the same as when they started and I think we will have to argue it out around this table when we continue our debate on the Bill, but as to the recommendations of the Committee, I would endorse them and thank the Hon. Members for their time and patience and the way in which they treated me when I sat there giving evidence. They were extremely good.

The President: The Hon. Member, Mr Callister.

Mr Callister: Just to the Hon. Mr Downie, on moving, referred to this paragraph 48, which refers, in fact, to having not reached a consensus on the desirability or otherwise of any element of the Bill's proposals. I would point out that that was not what we were required to do under the motion: it was to examine the constitutional principles and not the Bill itself. So it may not be particularly relevant, that paragraph in that respect.

Nevertheless, it seemed to me that there was little in the way of an option to move forward, except to let this process continue. It has been very unfortunate that it has taken so long. It has taken over a year to get to this situation and very little, in fact, achieved with this Report and there are various views on alternative systems and that sort of thing. That was not asked for either, so it has amounted to, I think, a waste of time and an exercise that we could have done without, but nevertheless, the Hon. Mr Lowey thought it was a good idea. Well, we are back to square one, as it were.

Thank you, Madam President.

The President: Mr Downie.

Mr Downie: Thank you, Madam President.
Do you want me to sum up now or just contributing?

The President: I think sum up. I do not think any other Member wishes to contribute.

Mr Downie: Right. I would just like to thank both Mr Lowey and Mr Callister. I think, what was apparent in the deliberations of the Committee and what was disappointing, really, was that what had been hyped up by the media as being a big issue, when we actually got down to the nitty-gritty, a very poor public response, 10 private individuals, six of those were probably content to have the Legislative Council elected by the House of Keys, the local authorities indicated they were content – that was eight of them – that the election of the Legislative Council should continue being elected by the Keys and they thought that was appropriate.

But what has come out of this is that the local authorities are very confused about boundaries. Even more so now that, recently, in the other place, they have decided to give the Boundary Committee a remit to go out and look at 12 two-seat constituencies. That is completely at odds with this Bill, as I see it at the moment, and alright, an argument can be given that the Bill can be amended in some other way, but we are starting off, really, diametrically opposed to what is going on in the other place.

I do think that if this Bill is successful and makes its way through the three Readings of the Legislative Council, there are other forces at work in another place which might not find it too acceptable in its present form. I think we did go into this matter very thoroughly and the evidence speaks for itself.

I therefore beg to move, Madam President.

The President: The motion is set out at Item 1 on our Order Paper. Those in favour, please say aye; against, no. The ayes have it. The ayes have it.