

RECOMMENDATION  
TO  
THE GIBRALTAR PARLIAMENT  
FROM THE  
SELECT COMMITTEE ON PARLIAMENTARY REFORM

The Select Committee on Parliamentary Reform has met on 15 November 2013, 13 December 2013, 4 February 2014 and 27 October 2014.

In those meetings the main issue under consideration has been the expansion of the Gibraltar Parliament from 17 to 25 Elected Members, but maintaining the same number of Ministers as today (ten), and for the additional number of Members to be backbenchers.

A general election, changes to the composition of the Committee and the demands of our proposed departure from the European Union delayed those discussions.

The Select Committee reconvened on 9 May 2019 in order to continue the deliberations from where these had left off.

The Committee, having concluded the discussions on this particular matter, hereby recommends to the Gibraltar Parliament:

- (a) that the number of Elected Members of the Gibraltar Parliament be increased from 17 to 25 and for the additional number of Members to be backbenchers;
- (b) that the maximum number of votes per elector in elections to the Gibraltar Parliament be increased from 10 to 15;
- (c) that the Chief Minister and the Leader of the Opposition put forward a joint Motion to the Gibraltar Parliament to reflect the above in order to commence the process which will give effect to these changes before the next election to the Gibraltar Parliament.

Gibraltar, 9 May 2019

In accordance with rule 41(11) of the standing rules and orders of Gibraltar Parliament I enclose my dissenting views for your report of the Select Committee of Parliamentary Reform

The proposal to enlarge the Gibraltar Parliament from its current slate of 17 MPs to 25 through the addition of back-benchers to have 15 MPs on the Government side (5 of whom would be back-benchers) and 10 on the Opposition side (3 of whom would be back-benchers) will not have a quantitative or qualitative impact on the level of democracy in Gibraltar. Under the proposed model, the Government benches' majority in Parliament remains absolute and the opportunity to provide genuinely democratic Parliamentary reform is being missed. Is there a difference between a 10 to 7 majority or a 15 to 10 majority? The Government side retains the ability to consistently outvote the Opposition in every matter presented to Parliament. It claims that it will now enhance democracy by mimicking the Westminster model. But really, its never going to have any parallels with Westminster, because our community is nothing like the way the UK model works, neither in size or the constituencies model. The only meaningful, yet detrimental, difference will be the increase in the costs of our Parliament, which is estimated at short of £200,000 per annum, and by extension, the extra burden on the taxpayer with no genuine benefits to democracy.

If anyone truly believes that this enlargement of Parliament on both sides is going to really enhance democracy, time will prove that this is a farce. Smoke and mirrors yet again from a Government looking to cling on to power and an overall majority at any cost. It is evidently clear that the only effect of this 'reform' is to rubber stamp the status quo and add one more hollow accolade in the government's list of self-congratulating press statements, manifesto ticks, and photo opportunities. It is unfair and wrong to ask the taxpayer to foot the bill for a model of enlarged Parliament that simply sits a few more government cheerleaders, no doubt more lawyers from the predictable law firms who will enjoy another title by their surname, sitting on a back bench with the pretence of enhanced democracy -while we are supposed to believe that they might just revolt against the incumbent under the banner of such 'enhanced democracy'! Does Gibraltar need more connected individuals riding the gravy train? That is not an enhancement of democracy, it is self-serving and irresponsible governance. The only enhancement it will result in is the enhancement of the Punch and Judy show.

Worryingly, this move goes against the advice of the Commission for Parliamentary Reform and is being steamrolled through, months or even weeks as far as we know, before a general election, in the hope that the electorate doesn't have time to catch its breath. Some have even begun to postulate that the government's haste to bulldoze all meaningful consultation in this manner may stem from the need to appease certain GSLP hopefuls waiting in the wings and who may have been promised a candidature in the next GSLP/Libs slate. The need, therefore, to increase the size of Parliament may serve the purpose of allaying some of the fractures that are rumoured to be developing in the party between the 'old' and the 'new' guards, as well as to placate currently serving ministers that may fear that up and coming starlets may place them in line for

the chopping block. And of course the GSD, who in principle have been 'for' an enlargement of Parliament, is effectively duty bound to go with this proposal.

And, before receiving the predictable rhetoric from Government of "you stood with the GSD ticket which was in favour of parliamentary reform" four years ago, as was the case at the Select Committee, let me add that I, and my party Together Gibraltar do believe that there is scope for a model, which would enhance democracy. We just don't believe that it has to be *this* particular one, weeks or months before an election, and when the Committee has not met *once* in the four years in the life of this Parliament, to discuss this until 9<sup>th</sup> May 2019.

For the record, had there been an opportunity to participate in the reforms, in open and truly engaging manner with people of this community, proposals like substituting some of the existing parliamentary seats for independent candidates to contest allocated slots for independents within the electoral race would have been one way to enhance democracy. More seats does *not* necessarily mean enhanced democracy.

Further, the timing and underlying purpose of this proposal is disturbingly familiar to just before the last general election when the government wanted to lower the voting age to 16. Regardless of the merits of that proposal, because there are merits to the argument for amplifying the vote to 16 year-olds, the impulsive manner in which it was conducted at the time, was similarly suspicious, similarly once again Government wanting to give itself an electoral advantage at the time. We never heard again of this proposal after I strongly opposed it at the time.

At the Select Committee for Parliamentary reform, I reminded the committee that prioritising democracy at this present moment would be best served by starting to properly resource the existing Members of Parliament within Opposition who are given no office space or other means in which to serve their constituents. Meanwhile, we are about to add more members to the House with a recurrent cost of c.£200,000 per annum.

For the record, as an independent member of this House, I am not opposed to Parliamentary Reform, in the same way as my party Together Gibraltar is not against it either, including but not limited to the enlargement of Parliament, but doing it this way, weeks or months before an election, after an entire Parliamentary term without having even met once, is meaningless, an insult to the integrity of this Parliament, the intelligence of the electorate and above all, a wasted opportunity.

Hon M Hassan Nahon

9 May 2019