

STATES OF JERSEY



ELECTORAL REFORM (P.10/2017): AMENDMENT

Lodged au Greffe on 27th February 2017
by Deputy J.M. Maçon of St. Saviour

STATES GREFFE

ELECTORAL REFORM (P.10/2017): AMENDMENT

1 PAGE 2, PARAGRAPH (a) –

After the words “YES/NO Referendum,” for the words “to be held before the end of 2017” substitute the words “to be held on the same day as the General Election in May 2018”.

2 PAGE 2, PARAGRAPH (a) –

After paragraph (a) insert the following new paragraphs –

“(b) that the referendum should be subject to a minimum participation threshold of 40% of those on the electoral register at the time of the referendum;

(c) that, subject to compliance with the aforementioned measures, should the proposal be supported by the Public, it should come into effect in 2022;”;

and re-designate the remaining paragraph accordingly.

DEPUTY J.M. MAÇON OF ST. SAVIOUR

REPORT

This is not about whether we agree with the change in the composition of the States Assembly; this is about holding a proper referendum.

When I was Chairman of the Privileges and Procedures Committee, we were tasked with undertaking a review of the process of referenda:

<http://www.statesassembly.gov.je/AssemblyReports/2014/R.080-2014.pdf>

This indicates that the best time to undertake a referendum is during a General Election. I would point out that the results of the referendum taken during the 2014 elections have not been questioned; compared with the referendum of 2013 which, with a 26% turnout, was heavily criticised and ultimately deemed invalid.

I do not want to repeat bad history.

I feel that we need a minimum participation threshold, as to change our constitution by way of referendum we need enough people to turn and want the change, and not for it to be left to a vociferous minority to decide. It needs to have a vote behind it that is representative of the community. If the Public want to see the unwinding of the Parish system in Jersey, then enough of them need to come out and support this change.

I have chosen 40%, but left it for other Members to amend if they feel they can justify another figure. Ideally it would be 50% to conform to various international standards – many may deem that too high for Jersey. 40% is, however, the amount that is usually hit during a General Election in Jersey. In October 2014 there were 62,565 registered electors entitled to vote. There were 24,130 valid ballot papers and 148 invalid ballot papers (spoilt papers) – this equated to a 38.8% turnout.

The timeframe as proposed (unamended) would also be rushed, which does not comply with the Venice Commission guidelines; never mind all the work that needs to be done in amending the Public Elections (Jersey) Law 2002, which will take some time, in order to make super-constituencies work. This would therefore give time, if the referendum is successful with the Public, for the next Assembly to put in place the proper processes.

In addition, the time taken for the new referendum commission to be put in place would be too long to enable a referendum to be held in October. An October referendum is unworkable, and if we have another referendum we need to restore the Public's respect for the process and do it properly.

Financial and manpower implications

There are no financial or manpower implications for the States arising from this amendment.