

# STATES OF JERSEY



## E-PETITIONS

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**Lodged au Greffe on 1st March 2017  
by Deputy S.M. Wickenden of St. Helier**

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**STATES GREFFE**

## **PROPOSITION**

**THE STATES are asked to decide whether they are of opinion –**

- (a) that a system for enabling people to petition the Assembly by electronic means should be introduced; and
- (b) to request the Privileges and Procedures Committee to bring forward specific proposals for an e-petitioning scheme, including any necessary Standing Orders changes, before the end of 2017.

DEPUTY S.M. WICKENDEN OF ST. HELIER

## REPORT

Petitions have for centuries been the main means by which the Public approach their legislature to ask for it to take specific action.

We in Jersey have a long history of parliamentary petitioning, with the rules set out in a Schedule to our Standing Orders, reproduced in **Appendix 1** to this report. Unlike in many other jurisdictions, someone petitioning the Assembly must find a States Member willing to present their petition and a proposition arising from it. This can be a strength: anyone organising and signing such a petition can be confident that the petition will be debated. However, the number of petitions we receive is very low. Not everyone knows how to contact a States Member, or knows who to go to with a petition, or feels confident that their issue will be taken up on their behalf. And our paper-based procedures are cumbersome compared to the digital means of signing petitions and contributing to debates and surveys online, which the majority of the population now routinely engage with.

Many other jurisdictions have now successfully introduced e-petitions, to supplement paper-based petitioning procedures. These may involve –

- submission of petitions via electronic forms online
- moderation by parliamentary staff (for example, to make sure petitions request action within the gift of the parliament) before publication
- reference to the government for comment
- the possibility of debate in the parliament.

A quick survey of experience in the British Isles has shown there to be several variants around these themes. For example –

- In March 2016, the Northern Ireland Assembly’s Committee on Procedures recommended that to submit an e-petition, the petitioner must be aged 18 or over and on the electoral register. This will be reviewed after the election there; in the United Kingdom, an e-petitioner has to get the support of 5 other people for an e-petition to become active; in Wales, the rules are changing to require there to be 50 signatures in support of an e-petition; in Scotland, there are no restrictions on who can submit an e-petition.
- Most jurisdictions use software to weed out e-mails from spammers or multiple e-mails sent from the same computer, but Wales manages without any such requirements.
- Some jurisdictions have set up a specific Petitions Committee to examine e-petitions and to recommend action in relation to them, but others haven’t.
- In the UK, a petition with 10,000 signatories must receive a response from the Government; one with 100,000 signatories is considered for debate. In Wales, any petition with 50 signatures receives a Government response, and the trigger for consideration for debate is being set at 5,000. In Scotland there is no specific procedure for debating a petition, but petitions accepted by its petitions committee are routinely sent to the Government for response.

E-petitioning is also now being set up in Australia and Canada.

E-petitioning is proving popular with the Public. The UK Parliament receives around 250 petitions each week (although many are rejected as inadmissible). There have been some high-profile debates (for example, on banning President Trump from the UK). There have also been debates on less politically contentious subject, such as on medical research, which have been well attended and have drawn big audiences on webcasting and in terms of people reading Hansard after the event. In Wales and Scotland, around 150 petitions are received each year. The number of e-petitions in Jersey is likely to be relatively modest. I have consulted the Greffier, and he is confident that the States Greffe can administer e-petitions within existing resources.

There is an obvious, and growing, gulf between the Assembly and the people we serve which we need to bridge. Introducing e-petitioning would be a step in the right direction. It would enable people to put their concerns and their ideas for change directly to the Assembly, using modern methods, which for most people are now completely routine. We can introduce e-petitions without changing the current paper-based system which can run in tandem with it. I would like to see petitions with sufficient support debated in the Assembly. However, as I have suggested above, there are a number of points of detail which need to be considered by PPC before e-petitioning can be introduced. These include whether there should be any restriction on who can petition the Assembly, and how reference to departments for comments and for debate in the Assembly should work in practice.

PPC has already agreed that e-petitioning should be considered, in its recent report on [engaging people with Jersey's democracy](#). I am seeking 'in principle' approval for the introduction of e-petitioning so that PPC can consider the detailed questions and come back to us in due course with appropriate recommendations and, if necessary, changes to Standing Orders.

### **Jersey Petitions**

There have been a number of petitions lodged for debate by the States Assembly over the years, a list of which can be found in **Appendix 2** to this report.

### **Financial and manpower implications**

There would be some modest cost (perhaps £10,000–£20,000) involved in setting up an e-petition website, depending on the complexity of any authentication requirements. This could be met from within existing States budgets. The States Greffe can absorb the costs of administering an e-petition system. There are no manpower implications.

**STANDING ORDERS OF THE STATES OF JERSEY**

Currently, the rules for petitions are governed by Standing Orders 62 and 163 and Schedule 1 to Standing Orders. These are reproduced below.

**“62 Submitting petition to the States**

The procedure for submitting a petition to the States is set out in Schedule 1.”

**“163 Petitions by members of the public**

The procedures for presentation of a petition are set out in Schedule 1.”

**“SCHEDULE 1**

(Standing Orders 62 and 163)

**PETITIONS BY MEMBERS OF THE PUBLIC**

**1 Contents of petition**

- (1) A petition must state the action or remedy which the petitioners seek from the States.
- (2) The action or remedy sought must be one for which the States are responsible.
- (3) A petition must contain a statement of the reasons for, or the background to, the petition.
- (4) A petition must be respectful and temperate in its language.
- (5) A petition must be legible.
- (6) A petition may be in any language.
- (7) A petition cannot have any other document attached to it.

**2 The petitioners**

- (1) There must be at least one petitioner.
- (2) Each petitioner must sign the petition.
- (3) A petitioner who is a body corporate must affix the body’s common seal to the petition, instead of signing it.
- (4) The full name and address of a petitioner must be set out in the petition opposite the petitioner’s signature or seal.
- (5) If a petitioner cannot write, another person may sign on his or her behalf, certifying, in the petition, that he or she is authorized by the petitioner to do so.

- (6) A signature or seal must not be pasted or transferred in any other way to a petition.
- (7) If there is more than one page of signatures, the action or remedy sought must be repeated at the top of each page.
- (8) A petition may name a person or body who is responsible for the petition.

### 3 Example of form of petition

The following form is an example of a petition –

<b>PETITION</b>		
<b>TO THE PRESIDENT AND MEMBERS OF THE STATES OF JERSEY</b>		
Name of person(s) or body responsible for this petition –		
These are the reasons for this petition – ( <i>or</i> The background to this petition is as follows –)		
We, the undersigned, petition the States of Jersey as follows –  <i>(Set out the action or remedy that the petitioners are seeking from the States)</i>		
Full name (please print)	Full postal address	Signature

### 4 Depositing petition with Greffier

- (1) An elected member cannot deposit and submit a petition on his or her own behalf or on behalf of another member of the States.
- (2) The elected member who will submit the petition to the States must deposit it with the Greffier at least 4 clear days before the meeting day on which he or she is to submit it.
- (3) A petition which is not in English or French must be accompanied, when deposited, by a translation into English which the elected member has certified as accurate.
- (4) The Greffier must count the number of petitioners.
- (5) In doing so, he or she will disregard any signatures or seals which do not conform to the requirements of standing orders.

- (6) The Greffier must then enter the number of petitioners on the face of the petition.
- (7) The elected member who will submit the petition must countersign the number.

## **5 Submitting petition to the States**

- (1) A petition must be submitted to the States by the elected member who deposited it.
- (2) An elected member, when submitting a petition, may make a brief statement about the petitioners, the number of petitioners and the action or remedy sought.
- (3) The presiding officer shall not allow any discussion or debate on the statement.
- (4) Before or when submitting the petition, the elected member submitting it must lodge a proposition relating to the action or remedy sought in the petition, unless such a proposition has already been lodged.
- (5) The States shall refer the petition and the proposition relating to the action or remedy sought in it to the Minister or Ministers assigned responsibility for the matter to which the petition relates.
- (6) A Minister to whom a petition and proposition are referred must present a report on them within 8 weeks of the referral.
- (7) If a petition relates to a personal grievance for which there may be an urgent need to take immediate action or provide an immediate remedy the States may decide not to refer the petition and proposition to any Minister for a report.”

## APPENDIX 2

### LIST OF PETITIONS LODGED FOR DEBATE IN THE JERSEY STATES ASSEMBLY BETWEEN 2001 AND 2016

Ref	Debate	Pour	Contre	Abstain	Absent
P.122/2016	<a href="#">Funding for Family Nursing and Home Care services – petition.</a>	Not Yet Debated			
P.78/2015	<a href="#">La Collette Low Rise: protection of open space – petition.</a>	22	19	0	8
P.67/2015	<a href="#">Keppel Tower: petition</a>	22	18	2	7
P.156/2014	<a href="#">Gas Place: petition.</a>	15	24	6	3
P.126/2014	<a href="#">Bedrocan BV: possession for treatment purposes – petition.</a>	10	35	1	3
P.126/2014	<b>Paragraph B</b>	20	26	0	3
P.127/2014	<a href="#">Sativex: possession for treatment purposes – petition.</a>	16	29	0	4
P.128/2014	<a href="#">Cannabis: possession of cannabis for treatment purposes – petition.</a>	11	32	1	5
P.108/2013	<a href="#">Jersey Mutual Insurance Society Incorporated: alteration of fundamental rules – petition.</a>	Standing Vote - Adopted			
P.121/2011	<a href="#">Clos des Sables: further development – petition.</a>	43	0	0	8
P.16/2011	<a href="#">Minister for Treasury and Resources: Request to Chief Minister to Lodge Proposition for Dismissal - Petition</a>	4	37	1	11
P.140/2010	<a href="#">Jersey Post: petition</a>	29	14	1	6
P.140/2010	<b>Paragraph B</b>	22	20	1	7
P.140/2010	<b>Paragraph C</b>	10	33	1	7
P.131/2010	<a href="#">Samarès Nursery site, St. Clement: removal from draft Island Plan – petition.</a>	Withdrawn			
P.102/2010	<a href="#">Le Clos Gosset: upgrade of heating system – petition.</a>	Withdrawn			
P.74/2010	<a href="#">Central Market: Sub Post Office facility – petition.</a>	41	1	0	10
P.49/2010	<a href="#">Samarès Nursery site, St. Clement: removal from draft Island Plan – petition.</a>	Withdrawn			
P.206/2009	<a href="#">Climate Change: Copenhagen Conference – petition.</a>	42	4	0	7
P.202/2009	<a href="#">Ann Court Site: Petition</a>	46	0	0	7
P.71/2009	<a href="#">Jersey Mutual Insurance Society Incorporated: alteration of Fundamental Rules – Petition.</a>	Standing Vote - Adopted			
P.125/2007	<a href="#">Goods and Services Tax - petition</a>	23	28	0	2
P.75/2006	<a href="#">Fields 190 and 192, Rue de la Sergente, St. Brelade: petition</a>	28	3	13	9
P.72/2006	<a href="#">Fur products - petition</a>	38	8	0	7
P.38/2006	<a href="#">Charing Cross - vacant site – petition</a>	11	33	0	9
P.34/2006	<a href="#">Bellozanne Waste Treatment Works - petition</a>	50	1	0	2
P.214/2005	<a href="#">Employment legislation - petition</a>	Withdrawn			
P.147/2005	<a href="#">Field 571, La Rue du Puits Mahaut, Grouville - petition</a>	21	21	6	3
P.54/2005	<a href="#">Haut du Mont Farm Commercial Complex - petition</a>	Withdrawn			
P.25/2001	<a href="#">Fireworks: Restrictions on Sale - Petition</a>	10	28	0	0