

STATES OF JERSEY



ELECTORAL COMMISSION: COMPOSITION AND TERMS OF REFERENCE (P.5/2012) – SECOND AMENDMENT (P.5/2012 Amd.(2)) – COMMENTS

**Presented to the States on 29th February 2012
by the Privileges and Procedures Committee**

STATES GREFFE

COMMENTS

The amendment of Deputy J.H. Young of St. Brelade proposes that an external group of experts should be established to advise the Commission and to validate its work as necessary. This would formalise the arrangement being proposed by the Committee in P.5/2012, whereby the Electoral Commission would seek advice from experts as and when required, while imposing the additional requirement that the work of the Commission be 'validated' where necessary by the appointed experts. It is not clear what 'validation' means in this context.

The Committee remains of the majority view that any recommendations made by the Commission should be completed in close liaison with members of the States in order to increase the likelihood of their being accepted. A Panel with particular expertise in electoral reform or electoral systems might have a lack of detailed knowledge of Jersey's history and culture, and this may limit their understanding of what recommendations might be acceptable to the electorate and to the Assembly. When undertaking validation of the work of the Commission, the Panel would need to take account of the particular circumstances in Jersey.

There is a risk that establishing a Panel of experts could delay the start of the Commission's work. It could also result in the work of the Commission taking a protracted length of time, as the Commission may find it appropriate to have members of the Panel present during certain hearings and meetings, for example. The additional risk is that the tight timescale laid down in P.5/2012 for the Commission's work will not be met.

The appointment of a Panel of experts would increase the costs of the Commission; however, as Deputy Young states, it would remain feasible for the costs to be contained within the Commission's £200,000 allocated budget.

Having taken into account all the above points, the majority of the Committee would oppose the formal appointment of an external group to form an Advisory Panel of Experts to the Electoral Commission, and would invite members to reject the second amendment.