

STATES OF JERSEY



REFERENDUM ON STATES REFORM: MINIMUM TURNOUT THRESHOLD (P.39/2013) – COMMENTS

**Presented to the States on 15th April 2013
by the Privileges and Procedures Committee**

STATES GREFFE

COMMENTS

In considering this proposition and the amendment lodged '*au Greffe*' by the Connétable of St. John, PPC invites Members to consider what would be achieved by having a referendum turnout threshold and the justification for applying either a 40% or a 50% threshold.

When, in 2011, the United Kingdom held a referendum on replacing the first-past-the-post system for Westminster elections with the Alternative Vote system, the application of a 40% threshold was discussed in both the House of Lords and the House of Commons. The question asked was whether the referendum should become consultative, rather than binding, if the turnout failed to reach 40%. Advocates for a threshold argued that those wishing to change the constitution should be expected to put a strong case, win the argument and demonstrate the will of the people. Those against the threshold argued that those who would stay away from the polling station were effectively being granted a veto.

Our own referendum is already consultative. It purports to do nothing more and nothing less than to gauge the views, and strength of feeling, of the electorate. The States will debate and, ultimately, retain the right to accept or reject any legislative changes proposed with a view to implementing the referendum result. In doing so, the States will act in accordance with Standing Order 89A, which requires that a proposition to alter, in any way, the membership of the States of Jersey must be adopted by an absolute majority of Members (rather than a majority of those present for the debate) in order to succeed.

On the question of whether 40% or 50% is an appropriate figure, the Committee has no comment to make other than to acknowledge the accuracy of the turnout percentages quoted by Deputy J.M. Maçon of St. Saviour in respect of Senatorial elections; and to add that elections for Deputies have tended to be lower than those for Senators. Relevant data on turnout percentages for 2011 (when the turnout for the Deputies' elections was comparatively high) can be found in the table below.

Electoral Turnout in 2011 Public Elections (%)

	Senators	Deputies
Grouville	55.9	56.2
St. Brelade	48.5	48.1*
St. Clement	42.0	42.2
St. Helier	37.9	38.4*
St. John	57.0	57.7
St. Lawrence	48.1	n/a
St. Martin	61.0	63.1
St. Mary	57.1	56.7
St. Ouen	56.5	56.1
St. Peter	49.3	50.0
St. Saviour	39.9	39.9*
Trinity	52.7	n/a
AVERAGE	45.6	44.5

*Turnout figure shown is an average across the districts within the parish.