

STATES OF JERSEY

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REFERENDUM: COMPOSITION OF THE STATES ASSEMBLY

**Lodged au Greffe on 4th January 2005
by Senator L. Norman**

STATES GREFFE

PROPOSITION

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

(a) to agree that a referendum in accordance with the Referendum (Jersey) Law 2002 on the composition of the States Assembly should be held on Saturday 16th April 2005;

(b) to agree that the text of the questions should be –

“Do you agree that the number of States Members should be reduced to between 42 and 44?”

YES NO

Do you agree that the office of Senator with its Island-wide mandate should be abolished?

YES NO

Do you agree that the Connétables should no longer be entitled to sit in the States by virtue of their office but should be free to stand for election to the States if they so wished?

YES NO ”

(c) to charge the Policy and Resources Committee to implement the referendum and make arrangements for announcing the result.

SENATOR L. NORMAN

REPORT

During the recent debate on the Machinery of Government Reform: Composition and Election of the States, many Members cited as a reason for opposing the proposition and the amendments to it the lack of evidence that the public of Jersey wanted change.

This is a fair comment. The evidence that does exist consists of the submissions made to the 3 successive Special Committees on the Composition and Election of the States Assembly, the submissions made to the Review Panel on the Machinery of Government in Jersey, the subsequent MORI poll, the Jersey Evening Post poll and the views expressed at at least 14 Parish Hall meetings and one at Fort Regent.

All of this evidence indicates a lack of consensus and sometimes conflicting and contradictory views, many of which are very strongly held.

The Review Panel on the Machinery of Government in Jersey was formed in March 1999 and the “debate” has been going on since they reported on December 19, 2000 – some 4 years.

This proposition is designed to seek out the evidence that so many bemoaned the lack of, but more importantly to engage the people directly in the decision-making process of how and by whom we are to be governed. The only satisfactory and incontrovertible way of achieving that is through a referendum.

I have worded the proposed questions very carefully to ensure clarity and no bias. Importantly they reflect precisely the recommendation of the Review Panel on the Machinery of Government in Jersey rather than any deviation, which might or might not be favoured by others. I would have preferred to propose a single question as a series of questions might cause a contradictory result, which would not add clarity to the debate. For example, people might vote to reduce the number of States Members, but to keep the role of Senator and Connétable in the States. However, on balance, the questions as proposed will give the electorate the opportunity to vote on the subset of the proposals of the Review Panel on the Machinery of Government in Jersey.

The objective is simple. It is to allow the people, the electorate, to comment directly, and the one recommendation made by the Review Panel on the Machinery of Government that deals with the constitution of the States is the matter of how Members are elected. I make no apologies for repeating that it is about how we are governed and by whom, and that, more than anything else in the recommendations, belongs to the electorate.

It is recognised that the result of the referendum cannot and should not be binding, but if a majority of the electorate indicate a preference one way or the other it is surely inconceivable that the States would ignore the clearly expressed wishes of the people.

During past debates on elections it has often been suggested that more people would vote if polling day were on a weekend and in the spring. This proposition gives us the opportunity to test that theory and gain more evidence on how we might enhance the democratic process.

I would expect that polling would be exactly on the same basis as a Senatorial election with the polling booths being open from 8.00 a.m. until 8.00 p.m. and held at the Parish Halls and usual polling stations. Postal votin should also be allowed in the normal way.

The Policy and Resources Committee has indicated that they are prepared to undertake the role requested in paragraph c) of my proposition, and for that I am grateful.

There are no additional manpower or financial implications other than those normally associated with an Island-wide election.