

**ELECTORAL LAW REFORM (P.207/98):  
THIRD AMENDMENT**

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**Presented to the States by  
Deputy A.S. Crowcroft of St. Helier  
and lodged au Greffe on 3rd November 1998 by  
Senator S. Syvret**

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**STATES OF JERSEY**

**STATES GREFFE**

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ELECTORAL LAW REFORM (P.207/98):  
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*At the end of sub-paragraph (f) of the proposition, substitute a semi-colon for the full stop and insert the following additional paragraph -*

and to approve in principle that -

a poll card should be sent to every person whose name has been entered on the Electoral Register, immediately following the declaration by the Royal Court of an election for a member of the Assembly of the States of Jersey.

DEPUTY A.S. CROWCROFT OF ST. HELIER.

## Report

The additional recommendation proposed in this Amendment formed a part of the Report drawn up by the Franchise Working Party, and reference to Poll Cards is made in Section 8.3 of P.207/98. According to the publication 'Enhancing Local Electoral Turnout' (1996), produced under the auspices of the Joseph Rowntree Foundation, and supplied to the members of the Franchise Working Party -

“(Poll cards) play a very important part in electoral administration, with every eligible elector receiving a personal card at their registered address. In the absence of political canvassing and leafleting the poll card may be the only direct indication that an election is taking place.”

It may be argued that a person's motivation to vote will not be affected by the receipt of a Poll Card. While this is probably true of committed and regular voters, who make the time to inspect the Electoral Register, it does not apply to people who are eligible to vote for the first time or who have changed Parish.

The use of Poll Cards was not included in the Recommendations of the Franchise Working Party “because it was felt that the changes in sending out Electoral Return Forms would remove the concern which had generated this comment” (8.3.3). The ‘comment’ referred to here is presumably the request for some form of Poll Card in “Many submissions (to the Working Party) expressing the views of ‘ordinary voters’” (8.3.1). To what extent will the effective disenfranchisement of many Islanders under the current system of electoral registration be satisfactorily prevented by the Working Party's Recommendations.

The answer to this question is implicit in sections 7.2.5 and 7.2.6 of the Working Party's Report. The Parish authorities are currently failing to deliver an Electoral Return Form to “the

occupier (i.e. the person having the use of the accommodation) of every individual unit of dwelling accommodation'', which they are required to do under the Franchise (Jersey) Law, 1968. Therefore, the proposed requirement of Parishes to maintain a suitable list (Recommendation 8), and to send an Electoral Return Form annually to 'the occupier (or head of household) of every known individual unit of dwelling accommodation in the Parish' (Recommendation 9), merely restate the requirements of the existing law.

Admittedly, the proposals in Recommendations 10 and 12 go some way towards providing the confirmation of a person's right to vote that is achieved elsewhere through the use of Poll Cards, in particular, the suggestion that 'encouraging words could be added for persons not already on the register to seek to be included' (10b).

However, the proposals fall short in two important aspects: firstly, the Electoral Return Form with its list of those persons already registered to vote at that address is sent out annually, regardless of whether an election is approaching - whereas the function of Poll Cards as proposed in this Amendment is advise the electorate of their right (or not, as the case may be) to participate in a forthcoming election of a Member of the States Assembly.

Secondly, it is proposed that the 'rolling' Electoral Register (Recommendation 12) will be compiled again from scratch every three years, which may lead to similar problems of disenfranchisement as are experienced under the present system. In the case of a Senatorial By-Election, for example, held eleven months after the Island-wide elections (and eleven months after the new Electoral Register was compiled), the Island's electorate will have had no confirmation from the Parish of their entitlement to vote.

Paragraph 7.3.6 of the Report states the the ‘‘period between the Royal Court declaring an election - together with the appropriate media-generated publicity associated with that event ..... would give a significant opportunity for interested parties to add their names to the Electoral Register if they found that they were disenfranchised after learning of the pending election’’. This is wholly inadequate: it is not the responsibility of the media to encourage the maximum participation of the electorate, nor is fuller electoral participation likely to be encouraged by it being left up to the individual to visit the Parish Hall, Library or Judicial Greffe to inspect the register. With the advent of labour-saving I.T. systems in the Parish Halls, it is surely preferable to require Parishes to adopt the practice of informing the electorate of their right to vote in important elections, through Poll Cards.

The sending of Poll Cards is statutory in the United Kingdom in all except Parish Council elections (The Representation of the People Act, 1983).

#### Note on the format of Poll Cards

1. Poll Cards should be designed with typeface of sufficient size so that they are easier to read by the partially sighted;
2. they should include such information about the polling station(s) as will help electors locate their polling station (particularly useful in the urban parishes where multiple polling stations are set up);
3. they may include important information relating to forthcoming elections, such as the closing date for postal applications and the procedure for house-bound persons to receive a visit from a Returning Officer on voting day;
4. they should make it clear that the card is not a ‘‘ticket to vote’’.