

# STATES OF JERSEY

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## ESTABLISHMENT OF A CITIZENS' PANEL: APPROVAL BY STATES ASSEMBLY

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Lodged au Greffe on 21st February 2006  
by Deputy G.C.L. Baudains of St. Clement

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STATES GREFFE

## **PROPOSITION**

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

to agree that no steps should be taken by the Chief Minister or the Council of Ministers to establish a 'Citizens' Panel' to gauge public opinion on policy matters, as recently proposed by the Chief Minister, until the terms of reference and operating methods of the proposed Panel have been debated and approved by the Assembly.

DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT

## REPORT

Although one might expect politicians to be aware of public opinion and therefore not needing such a body, never the less the proposal appears at first sight to have merit. A closer examination, however, suggests the process would not be without its problems.

We are told the Panel 'will number between 500 and 600', 'will review new policies coming from the Council of Ministers before they are debated' will 'sit as a standing committee' and 'will be consulted in a variety of ways on key States policy'.

We are also assured it will come from 'a wide cross-section of Islanders representing people from different ages, interests and backgrounds'. All sounds very assuring, and hopefully the statement that 'there can be no question that it is representative of the Jersey community' doesn't read the way it first appears.

So what problems could possibly arise? First, this consultation process is not run by an organisation completely at arms length from government, such as Mori. There will therefore always be accusation that the consultees have, in some way, been picked for their views on a particular subject.

Secondly, one only has to take issues such as abortion or euthanasia to realise there is rarely a yes or no answer to the sort of problems addressed by politicians. Either the subject is so simple that the answer is obvious, or quantities (perhaps hundreds of pages) of information are required to arrive at an informed decision.

Thirdly, this can be considered as a mini referendum and we are aware from previous debate of the problems they pose. Who would decide the question? Would the question tend to lead to a particular answer? Would the answer be based on fact or emotion? Would the Council of Ministers be bound by the decision? Would they pick and choose, using those returns that endorse their views as public support but discounting those that disagreed as being unimportant for as many reasons as their communications officer can think of?

Would the States Assembly be expected to take note of this mini referendum and, if so, will the question, information supplied and voting statistics be made available every time?

Avoiding all of the problems above is a process already set up to do the same job. It collects all the information needed to come to a conclusion (including public submissions) and its reports are evidence based. It is called Scrutiny. There are currently four panels covering the entire spectrum of government. Quite why the Council of Ministers seeks to duplicate this system can only be imagined.

It seems very odd to introduce this new measure in isolation and not to place it within the context of government reform. We have yet to hear the Council's ideas for improving the electoral turnout. Surely, all this should be laid out for consideration rather than adopting ad hoc initiatives.

Manpower/financial implications are nil until the establishment of the Panel is approved by the Assembly. If the moves to establish this Panel that have already been announced are halted a small saving should be possible.