

STATES OF JERSEY



DRAFT REFERENDUM (COMPOSITION OF THE STATES ASSEMBLY) (JERSEY) ACT 201- (P.118/2014): SECOND AMENDMENT

Lodged au Greffe on 7th July 2014
by Deputy A.K.F. Green, M.B.E. of St. Helier

STATES GREFFE

DRAFT REFERENDUM (COMPOSITION OF THE STATES ASSEMBLY)
(JERSEY) ACT 201- (P.118/2014): SECOND AMENDMENT

PAGE 22, SCHEDULE –

For the ballot paper set out in the Schedule substitute the following ballot paper –

“BALLOT PAPER

Should the Constables remain as members of the States as an automatic right?

YES

NO ”

DEPUTY A.K.F. GREEN, M.B.E. OF ST. HELIER

REPORT

I have thought long and hard as to whether (quoting Business Connect) I should ‘dip my toe into the toxic mess of States reform’. However on balance, in the best interests of democracy, I have decided to enter the affray again.

When the States debated whether or not to hold a referendum as recommended by the Electoral Commission, I could not support the questions asked and therefore did not support the process from start to finish. There was much good work carried out by the Commission, and I said so in the debate, also stating that, in my opinion, the Commission in their haste had fallen at the last fence. This, of course, has resulted in no advancement and the current PPC being charged with finding a way forward.

On 5th November 2013 the States agreed: *“that a referendum under the Referendum (Jersey) Law 2002 should be held on the day of the 2014 elections with a single Yes/No question to ask voters whether they agreed that the States Assembly should, with effect from the 2018 elections, be comprised of a single category of members elected on a parish basis in accordance with the recommendation of the Report of the Review Panel on the Machinery of Government in Jersey (the ‘Clothier’ Report) published in December 2000, and requested the Privileges and Procedures Committee to bring forward for approval the necessary Referendum Act to enable the referendum to take place.”*

They also agreed: *“that a referendum under the Referendum (Jersey) Law 2002 should be held on the day of the 2014 elections with a single Yes/No question to ask voters whether they agree that the Constables should remain as members of States Assembly as an automatic right and to request the Privileges and Procedures Committee to bring forward for approval the necessary Referendum Act to enable the referendum to take place.”*

It is accepted that to ask both questions at the same time would be confusing and, having given considerable thought to this matter I am convinced that, with the best of intentions, PPC will find themselves in the same position as the Electoral Commission, thus no further advanced in the process of reform.

I constantly hear: “the electorate don’t want Constables in the States” (as automatic right) – equally I hear the opposite, that they should be in the States. The truth is we just don’t know what the electorate want and we have never asked them. Therefore I would respectfully suggest it’s time we did. It’s my opinion that by asking only one clear question, the Assembly and PPC will have a clear steer on the wishes of the electorate and can come forward with reform plans based on this answer.

Financial and manpower implications

There are no additional resource implications arising from this amendment beyond those given by PPC in P.118/2014.