

STATES OF JERSEY



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

**Presented to the States on 14th July 2014
by the Privileges and Procedures Committee**

STATES GREFFE

COMMENTS

The Committee asks members to reject the Deputy of St. John's amendment.

The Deputy's question is multi-faceted, and the results of the referendum could be confusing if these 3 questions were put to the public.

Whatever the results, they would not provide a clear picture of the way forward for the composition and election of the States Assembly. If a reduction in the number of members or the loss of the automatic right of the Connétables to sit in the States was favoured by the Public, there would need to be further discussions to establish which type of member should be reduced and how members' seats would then be allocated. Once this had been decided, there could be a requirement to hold a further referendum on the proposed new system. It could also be seen to be an omission not to ask for the views of the Public regarding the position of Deputy at the same juncture, if members wished to take the approach of establishing views on every component part.

The Committee hopes that the single referendum question being brought forward in its draft Act will give a clear and straightforward result on whether the Clothier recommendation should be implemented.

The Committee's question has been subject to testing by a series of focus groups for its level of comprehension and to ensure that it is not considered to be leading or biased. The Committee would be interested to know whether the Deputy's question had been tested for bias and comprehension by prospective voters. A question that proposes a reduction in the number of States members could be considered to be leading.

When the Clothier recommendations were partially implemented with the introduction of Ministerial Government, there were no requisite changes made to the composition and election of the States Assembly. The Committee believes that the public should have the opportunity to vote on the remainder of the Clothier reforms as a whole, and our Referendum Act offers this opportunity. The Deputy of St. John's amendment offers an opportunity for members of the public to express a view on separate elements relating to the composition and election of the States. The outcome could well be confusing and will not provide a complete vision for the future of the States Assembly.

Statement under Standing Order 37A [Presentation of comment relating to a proposition]

The Committee's meeting to discuss the amendment had to be re-scheduled because of the additional States continuation days, and the Committee wishes to apologise for submitting late comments.