

STATES OF JERSEY



PARISH ASSEMBLIES: REVISED ARRANGEMENTS

Lodged au Greffe on 2nd September 2019
by Senator S.Y. Mézec

STATES GREFFE

PROPOSITION

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

to agree that appropriate amendments should be made to the legislation governing Parish Assemblies to provide –

- (a) that proxy voting should be permissible in Parish Assemblies;
- (b) that a minimum of 10 parishioners may (by serving written notice to the Connétable at least one week before the scheduled date of the Parish Assembly) require additional time to be provided for voting on a proposition at a Parish Assembly, with votes cast at the Parish Assembly on that proposition supplemented by votes cast in the Parish Hall on the day after the Parish Assembly, in order to enable an increased number of parishioners to vote on the most significant propositions; and
- (c) to request the Comité des Connétables to bring forward the legislation necessary to give effect to these changes.

SENATOR S.Y. MÉZEC

REPORT

Jersey's Parish Assembly system is a unique and valuable form of direct democracy which gives Islanders a democratic say in local affairs.

Whilst Parishes have elected a Constable, Procureurs and Roads Committee, the sovereign decision-making body of the Parish remains the Parish Assembly, i.e. the ratepayers / electors of the Parish.

The vast majority of the time, propositions which come before the Parish Assembly are non-contentious, and easily accepted by parishioners as good housekeeping. However, from time to time propositions do arise where opinion is more sharply divided and a greater number of parishioners value having their say.

A recent example was the proposal in St. Lawrence to provide toilets attached to the Parish Church, where hundreds of parishioners queued outside in the cold to get inside a Parish Hall which struggled to accommodate everyone.

As a St. Helier parishioner, I have been aware of several items for consideration at a Parish Assembly which have interested parishioners who have not been able to attend because of the timing of the meeting. I am also aware of at least one parishioner who has wanted to vote on propositions at a Parish Assembly, but been unable to find a babysitter, and had to attend with her small child, and worry about having to leave early and miss the vote if the discussion ran on for too long.

It was also the case that the last election for the St. Helier Roads Committee was heavily contested and a re-ballot had to take place for 2 candidates who were tied for the final place. Many parishioners would have wanted to cast a vote, but could not attend the meeting because of its timing.

With advancements in technology and improvements in how information can be accessed and distributed, it must be right that the procedures for voting on Parish Assembly propositions are looked at to modernise them, and to ensure that the system is able to allow the expression of the democratic will of parishioners.

There can be no downside to improving the accessibility of the Parish system to Islanders, enabling more to take part and have their voices heard in local affairs.

Eventually there will likely be an expectation that parishioners should be able to vote online. But in the meantime, efforts can and should be taken to make voting more accessible.

Proposal

The first part of this proposition asks to accept the principle of proxy voting at Parish Assemblies. This would enable parishioners to nominate somebody to vote on their behalf, if they could not attend the Assembly in person. A system of nomination already exists for corporate ratepayers where a 'mandataire' is appointed to act as representative for the business in the Parish Assembly. A similar system could be introduced for proxy voters.

The second part asks to introduce an extended period of time to vote when a proposition before the Parish Assembly is deemed significant by parishioners.

I would envisage that would be done by allowing 10 parishioners (the same number required to issue a *requête* under the [*Loi \(1804\) au sujet des assemblées paroissiales*](#)) to give written notice to the Constable that they would like a full ballot to take place on a proposition before the Parish Assembly.

This would then require the Parish to allow parishioners to attend the Parish Hall the day after the Parish Assembly, to cast a vote into a ballot box, which would then be counted at the end of that day to determine the result of that proposition.

This would enable a much greater number of interested parishioners to take part in a vote, which they may otherwise have not been able to take part in because the timing of the Parish Assembly.

By requiring 10 parishioners to organise themselves to serve formal notice in this way, it would act as a safeguard that only propositions which are genuinely significant or contentious would be subjected to this additional procedure, and that almost all other Parish business would continue as normal under the current procedures.

The further practicalities would be left for the Comité des Connétables to determine, based on what would be easiest to facilitate.

Financial and manpower implications

There are no direct financial or manpower implications for the States, apart from the cost associated with changes to legislation to give effect to these proposals, once the Comité des Connétables has met to decide on some of the practicalities. There could be a further cost if it was decided to extend Parish Hall opening hours to host the ballot, but this would be down to what the Comité thought was most feasible, and need not be substantive above the normal cost of keeping a Parish Hall open.