

# STATES OF JERSEY



## MINISTERIAL GOVERNMENT: REFERENDUM (P.94/2016) – COMMENTS

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Presented to the States on 28th November 2016  
by the Council of Ministers

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STATES GREFFE

## COMMENTS

In recent months, a number of changes to the workings our democracy and system of government have been proposed, including the election of Assistant Ministers, the role of the Bailiff, our voting system and procedures, and this proposition, which asks that a referendum take place asking the public whether Jersey should continue with Ministerial Government.

The Council of Ministers for its part has focused on an agenda on improving public services, sustainable public finances, the economy and our town, but agrees that improvements to our system of government are necessary.

This needs care, ensuring that changes are considered and planned with the fullest thought.

**Instead, this proposition proposes a referendum on whether we should abolish what we have, without any clear proposal as to what will replace it.**

It also does not provide a mechanism, or the requisite confidence, that we can deliver whatever view the public expresses.

This creates uncertainty and a lack of direction.

It will also bring considerable cost, and require considerable energy and time at all levels of government over a number of years – this was the experience of the move from the Committee system to Ministerial Government.

However, with care and attention, and while difficult, positive, constructive, and considered change is possible. This is what the Council of Ministers would like to see, including promoting engagement and inclusiveness in the development of strategic and financial policies, and in doing so, considering a wide range of opinions.

As to referenda, the Privileges and Procedures Committee are due to bring forward legislation on the establishment of a Referendum Commission in the next few months. This would build on their previous recommendations ([R.80/2014](#), “Referenda: Review of Procedures”) including that referendum questions first be subject to full evaluation, including focus groups. This would also enable any question to be assessed for compliance with the “Venice Commission” and the “Code of Good Practice on Referendums” in a proper framework. It is not ideal that the States Assembly should be asked to agree to a referendum in advance of this legislation, with the question essentially established by a proposition which clearly outlines that the question should be a yes/no on whether Ministerial Government should continue.

Finally, measures to improve our system of government need to develop alongside making it easier to vote and a more representative system. This is arguably the largest challenge.

Accordingly, while the Council of Ministers understands the desire for more inclusive policy-making processes, it does not support this, proposition believing it does not provide clear or positive direction, and that it will come at considerable cost.

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

These comments were submitted to the States Greffe later than the noon deadline on Friday 25th November 2016 specified in Standing Order 37A, as final internal review processes had not been completed.