

ELECTORAL LAW REFORM

**Lodged au Greffe on 6th October 1998
by the Legislation Committee**



STATES OF JERSEY

STATES GREFFE

175

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PROPOSITION

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

to receive the report of the Franchise Working Party appointed by the Legislation Committee on 14th February 1997, and to approve, in principle, the recommendations in relation to -

- (a) franchise and residence qualifications (Recommendations 2 and 3);
- (b) provisions as to disqualification (Recommendations 4, 5 and 6);
- (c) electoral return forms; (Recommendations 9, 10 and 11);
- (d) the compilation and content of the electoral register (Recommendations 12 to 14, 16 to 18 and 20);
- (e) public elections procedure (Recommendations 21, 22, 24 and 25);
- (f) postal voting (Recommendations 28, 30 and 31).

LEGISLATION COMMITTEE

REPORT

Following the elections for Senators and Deputies held in 1996, certain problems were identified whereby the names of a small number of residents wishing to vote had been excluded from the electoral register, thereby denying them the opportunity to vote through no fault of their own, but because of existing legislative requirements.

The Legislation Committee acted promptly, not only by proposing legislation to ensure that electors would not be disenfranchised as a result of administrative error, but also by setting up a working party under the chairmanship of Deputy H.G. Coutanche to review the workings of legislation relating to elections.

The terms of reference of the Working Party were -

to consider whether any changes should be made to the Franchise (Jersey) Law 1968 and the Loi (1897) sur les élections publiques, or to the practice and procedure of public elections with a view to encouraging the maximum participation of the electorate in such elections and to make recommendations to the Legislation Committee.

The report of the Working Party was submitted to the Legislation Committee towards the end of 1997 and copies were circulated to States members and all those who made comments for consultation. The Committee has now accepted the report of the Franchise Working Party and its recommendations and their report is attached as an Appendix to this report.

It should be noted that some of the Working Party's recommendations support the status quo and require no action to amend legislation. The Committee is therefore not recommending changes in respect of any of the following matters -

Franchise (Jersey) Law 1968

Voting age (Recommendation 1)

Right of appeal against disqualification as an elector (Recommendation 7)

Interval between nomination meeting and polling day (Recommendation 23)

Serial numbers on ballot papers and counterfoils (Recommendation 26)

Public Elections (Postal Voting) (Jersey) Law 1978

Entitlement to vote by post (Recommendation 27)

Register of postal voters (Recommendation 29)

Some other of the recommendations are purely administrative and these will be implemented by the relevant authorities.

There remain certain key recommendations which will require the amendment of legislation. The Committee wishes the States to decide in principle whether to accept these recommendations so that the necessary legislative drafting may be undertaken.

The recommendations which require amendments of legislation are as follows -

Franchise (Jersey) Law 1968

Qualifying date and residence qualifications (Recommendations 2 and 3)

Provisions relating to disqualification (Recommendations 4, 5 and 6)

Electoral returns (Recommendations 9 to 11)

Electoral registers (Recommendations 12 to 14, 16 to 18 and 20)

Loi (1897) sur les Elections Publiques

Public elections procedure (Recommendations 21 and 22)

Polling Day (Recommendation 24) and fixing of poll opening hours (Recommendation 25)

Public Elections (Postal Voting) (Jersey) Law 1978

(a) Procedural changes (Recommendations 28 and 30)

(b) Provisions for house (Recommendation 31)

The States are asked to approve the above recommendations, which are set out in the proposition attached to this report. The preparation of necessary draft legislation already appears in the States Legislation Programme for 1999 (item 30) so that, following States approval, the Law Draftsman would be able to provide for the legislation to be drafted and, subject to States approval, to be in effect for the general elections for Senators and Deputies to be held in 2002.

LEGISLATION COMMITTEE
FRANCHISE WORKING PARTY
CONSTITUTION AND TERMS OF REFERENCE

1. Constitution

Deputy H.G.Coutanche (Chairman)	Legislation Committee member
Deputy H.H. Baudains	Legislation Committee member
Jurat J.J.M. Orchard	Retired Jurat
K.P. Vibert, Esq.,	Connétable of St. Ouen
M.R.P. Mallet	Secretary, Parish of St Saviour
Mrs. S.Hart	Member of the public
Mr. N. Le Cornu	Member of the public
P.J. Bryans	Law Review Officer (Administrator)

2. Terms of reference

To consider whether any changes should be made to the Franchise (Jersey) Law 1968 and the Loi (1897) sur les élections publiques or to the practice and procedure of public elections with a view to encouraging the maximum participation of the electorate in such elections and to make recommendations to the Legislation Committee.

REPORT OF THE FRANCHISE WORKING PARTY

Part A - Background

1. The problem

- 1.1 In the elections for Senators and Deputies held in 1996, certain difficulties were experienced by a very small number of residents who purported to have returned their electoral forms in compliance with the Franchise (Jersey) Law 1968, but whose names were not inscribed in the Electoral Register.
- 1.2 Some of those complaints by would-be electors were found to be justified insofar as an electoral form was found to have been returned to the Parish Hall but, because of an administrative error, their names had been omitted from the Electoral Register and the persons concerned were effectively disenfranchised through no fault of their own. Unfortunately no legislative procedure provided for any means of correcting such errors and of entering their names on the Electoral Register on the day of the Poll.
- 1.3 In most of the other cases the would-be electors were long-term residents who had appeared on the previous year's Electoral Registers and were still living at the same address. Unfortunately, in these cases, no conclusive evidence could be produced that the forms had actually been returned to the Parish Hall, so there was neither evidence of administrative error nor any evidence that the residents had been careless and omitted to return the Electoral form.
- 1.4 Another substantive problem is perceived to be the significant number of potential electors (perhaps 25 per cent to 30 per cent of all eligible adults) who do not send in their Electoral Return Forms (or are not included in ones which are sent in) and thus fail to appear in the Electoral Register, thereby losing any chance of voting during the next Electoral year.

2. Legislation Committee response

- 2.1 The Legislation Committee expressed concern that a situation had arisen where there were bona fide residents who satisfied the criteria for entitlement and who wished to vote, but who had been prevented from doing so by either a minor act of carelessness on their part or by an administrative failure by inflexible legislative provisions.
- 2.2 As an interim measure to deal with the proven cases of disenfranchisement because of an administrative error, the Legislation Committee (with the active co-operation of the Attorney General) has sought to amend the 1897 Public Elections Law (see Act No. 8 of 14th February 1997) with a new provision to-

“empower the Returning Officer (or in his absence a person designated by him for the purpose) to place the name of an elector on the electoral register (and to assign him a serial number) if he is satisfied, on the declaration of the elector and after having heard the Connétable (or another officer of the parish) that the name of the elector was omitted or deleted from the electoral register of the parish as a result of an error on the part of the Connétable or another officer or employee of the parish”.
- 2.3 As a more comprehensive long-term measure, the Legislation Committee set up the Franchise Working Party (see Act No. 11 of 17th January 1997) to review the workings of the-
 - (a) Franchise (Jersey) Law 1968;
 - (b) Loi (1897) sur les élections publiques;
 - (c) Public Elections (Postal Voting) (Jersey) Law 1978,under the Chairmanship of Deputy Henry Coutanche.
- 2.4 The Terms of Reference of the Franchise Working Party were -

to consider whether any changes should be made to the Franchise (Jersey) Law 1968 and the Loi (1897) sur les élections publiques, or to the practice and procedure of public elections with a view to encouraging the maximum participation of the electorate in such elections, and to make recommendations to the Legislation Committee.

3. Working Party methodology

3.1 Prior to the first meeting of the Working Party, all the members were sent copies of the following pieces of legislation -

- (a) Loi (1897) sur les élections publiques (French text with an English translation);
- (b) Public Elections (Postal Voting) (Jersey) Law 1978;
- (c) Franchise (Jersey) Law 1968;
- (d) Franchise (Jersey) Regulations 1969.

3.2 In addition, the Working Party members also received copies of written submissions from persons involved in the 1996 elections which were sent to the Chief Adviser to the States in response to a letter he sent (dated 27th November 1996) asking for their comments on the elections and associated procedural problems.

3.3 The first meeting of the Working Party was held on 1st May 1997 and it was decided to invite submissions from the General Public by placing a suitable notice in the Jersey Evening Post Gazette (a copy of the notice is included at Appendix A) and copies of the responses were circulated to all the members (a list of persons who gave written submissions is included at Appendix B).

3.4 The Working Party members were also given -

- (a) details of procedures in other jurisdictions from the Commonwealth Parliamentary Association;
- (b) a copy of the United Kingdom “Representation of the People Act 1983”;
- (c) a study on “enhancing local electoral turnout” produced under the auspices of the Joseph Rowntree Foundation;
- (d) a copy of the Judicial Greffier’s “Guide to Public Elections for Autorisés”.

3.5 At a special meeting the Working Party received a presentation from Mr. Adrian Lee (Head of Politics at Plymouth University) entitled “Increasing the levels of Registration and turnout in Jersey Elections”.

3.6 The Working Party then reviewed each of the pieces of legislation set out in paragraph 3.1, identified various issues which are discussed in Part B, where appropriate made recommendations, and summarized these in Part C.

3.7 A preliminary draft of the report was presented to the Legislation Committee at its meeting of 5th December 1997. In its Act (No. 8 of 5th December 1997) the Legislation Committee decided that it wished to seek comments on the draft report by 30th April 1998 and present the final report and recommendations to the States as a discussion document before the autumn of 1998.

Part B - Issues

4. Franchise and residence qualification

4.1 The age at which the Franchise is granted to an elector is 18 years and no suggestions were received that this should

be altered.

RECOMMENDATION 1

Franchise age will remain at 18 years.

- 4.2 There is, however, a key date associated with age, i.e. the elector must have attained the age of 18 years before 20th September in the relevant year in which the Electoral Register comes into force.

This age provision is structured to fit in with an annually produced Electoral Register and would have to be amended if any recommendation to implement a more flexible Electoral Register were accepted. One alternative to a fixed date is that the elector must have attained the age of 18 before the date of the Nomination Meeting for the relevant election, because this is the date on which we will be proposing that the Electoral Register is closed.

RECOMMENDATION 2

An elector must have attained the age of 18 years before the date of the Nomination Meeting notified as being held for the relevant election.

- 4.3.1 At the present time the residence qualification is that a person must be ordinarily resident -
- (a) in that parish on 1st March in that year; and
 - (b) in the Island for the period of two years immediately preceding 1st March or had been so resident for any period of five years preceding that date.
- 4.3.2 There seems no good reason why a person should not be eligible to be on the Electoral Register and to vote in the parish where he is resident, even if that is as recent as the day before the date of the Nomination Meeting for the relevant election. Thus there is no need for the specific date of 1st March to be retained.

N.B. The previous Parish of Residence would be notified and it would be an offence to vote in other than the most recent Parish of Residence.

RECOMMENDATION 3

The Residence Qualification should be that a person must be ordinarily resident -

- (a) in that parish; and
 - (b) in the Island for the period of two years immediately preceding the date of application or had been so resident for any period of five years preceding that date.
5. Provisions as to disqualification
- 5.1 At the present time a person shall not be entitled to be registered to vote as an elector if -
- (a) and so long as a curator is appointed to his person or to administer property; or
 - (b) he has an attorney without whom he may not act in matters real or personal; or
 - (c) and so long as he is certified to be a person suffering from a mental disorder; or
 - (d) and so long as he is deprived of his political rights by order of a competent court.

- 5.2 The Working Party received several well-argued and powerful submissions from persons and organisations representing persons with learning difficulties (some degrees of which may be described as mental handicap). Because of the importance of these provisions - because to disenfranchise a person from voting is to lose a basic civil right - the working party will deal with each point separately and make its recommendation.
- 5.3 *“So long as a curator is appointed to his person or to administer property”.*
- 5.3.1 This present disqualification of interdicts (persons who have curators) ceased to have any real meaning from 1st January 1972 (when the present Mental Health (Jersey) Law 1969 became effective) because the wording of that provision was repealed and a curator can only be appointed to “manage the property and affairs” of a person.
- 5.3.2 Many persons who have curators are quite capable of completing the necessary Electoral Return Form and properly exercising their vote - in fact many persons with a learning difficulty who have previously been on an Electoral Register and have voted are disenfranchised by being left an inheritance which imposes a curator upon them!
- 5.3.3 As a curator is appointed “to manage the affairs of the interdict” then it could be left to the curator to decide whether or not, in their opinion, the interdict’s name should be forwarded for inclusion on the Electoral Register.
- 5.3.4 There would be a right of appeal to the Inferior Number of the Royal Court against the decision of a curator.

RECOMMENDATION 4

A person shall not be entitled to be registered or to vote as an elector if a curator who has been appointed to manage their property and affairs informs the Connétable of the parish that, in his opinion, that person should be disqualified from being entered onto the Electoral Register, and the Connétable of the parish agrees with that opinion.

- 5.4 *“He has an attorney without whom he may not act in matters real or persona”.*
A similar case exists here with attorneyship as for persons under curatorship. The appointment of an Attorney does not provide evidence of mental disorder, and perhaps only indicates a learning disability or naivety in business matters.

RECOMMENDATION 5

A person shall not be entitled to be registered or to vote as an elector, if the attorney without whom he may not act in matters real or personal informs the Connétable of the parish that in his opinion that person should be disqualified from being entered onto the Electoral Register, and the Connétable of the parish agrees with that opinion.

- 5.5 *“So long as he is certified to be a person suffering from mental disorder”.*
- 5.5.1 Historically every patient detained in St. Saviour’s Hospital was “Certified” and therefore not considered fit to vote.
- 5.5.2 However, with new Mental Health legislation we have informal, detained and guardianship status, together with moves into hospital and out into the community.
- 5.5.3 As there is no clinical justification to assume a negative ability relationship between a person’s status under the Mental Health Law and their ability to vote, then their ability to participate in electoral matters should not be determined by their status under the Mental Health Law.
- 5.5.4 Currently, under the present law, a person can be receiving treatment in hospital for a mental disorder on 1st March (current closing date for the Electoral Register) and be disqualified from being placed on the Register. Two days later he is discharged, but cannot vote at the Senatorial or Deputy elections in the autumn.
- 5.5.5 Conversely, a person may not be receiving any treatment for a mental disorder on 1st March and have themselves

entered onto the Electoral Register. Two days before the Election he may be identified as suffering from a mental disorder and be notified of admission to hospital the day after the Election, but in this case he could still vote.

- 5.5.6 In the United Kingdom, all informal hospital patients and some detained patients are considered eligible to be placed on the Electoral Register. All persons subject to guardianship are in the community - not in hospital. As there is no clinical relationship between a person placed under guardianship and their ability to participate in electoral matters, then these persons would also be eligible to be placed on the Electoral Register.

RECOMMENDATION 6

The provision disqualifying persons set out in paragraph 5.1(c) of this report be replaced by a disqualification to the effect that -

“a person receiving treatment for a mental disorder under the provisions of the Mental Health (Jersey) Law 1969 who, in the opinion of their responsible Medical Officer, is considered unfit as a result of such mental disorder to be registered to vote as an elector at a public election may not be entered onto or may be deleted from the Electoral Register”.

RECOMMENDATION 7

There would be a right of appeal against a competence disqualification to the Inferior Number of the Royal Court.

6. Electoral registration - current procedure

- 6.1 The Connétables of each parish are required by the Franchise (Jersey) Law 1968 to send out Electoral Return Forms by 15th June each year to “every occupier of dwelling accommodation in the parish” in order to obtain the information which will be used to compile the Parish Electoral Register.

- 6.2 The occupier is required by law to fill in the Return Form giving details of everyone who was “ordinarily resident” at that address on 1st March of that year and who will be 18 years or older by 20th September of that year.

- 6.3 The information required is -

- (a) full name;
- (b) nationality;
- (c) date of birth;
- (d) occupation;

and for married women in addition -

- (e) maiden name;
- (f) christian name(s) of husband;
- (g) whether a wife or a widow.

Note: Theoretically this information is still required, even if the person has moved to another address, another parish or even left the Island.

- 6.4 The total responsibility for getting people to complete an Electoral Return Form is placed on the occupier of the

dwelling accommodation and not on each particular individual.

- 6.5 The States Greffier is required to publish the provisions of the law in the Jersey Gazette on at least six occasions before 22nd June, so as to give any occupier who has not received a form the opportunity to do so - and to complete and return the form to their Connétable by 30th June.
- 6.6 From 1st July to 14th July each parish prepares a draft electoral register using the information provided. This draft register is then displayed in the various Parish Halls during the rest of July. The Connétables are required to publish two notices in the Jersey Gazette during this period detailing where and when the register may be inspected.
- 6.7 Any alterations, additions or deletions must be made by 7th August. The final draft of the Electoral Register must be printed and made available for sale to the public as these registers come into effect on 20th September.
- 6.8 Each printed Electoral Register is drawn up in separate parts for each Vingtaine, and the names and addresses of registered electors are arranged either in the -
- (a) alphabetical order of their names; or
 - (b) street order of their addresses.

Of all the parishes only St. Helier produces a street order version of the register.

7. Electoral registration - the issues

7.1 *General*

- 7.1.1 The Working Party identified several issues consistently appearing in the submissions received which related to the legal framework and/or the administrative procedures associated with the electoral system.

These were -

- (a) the responsibility for an electors name being entered onto the Electoral Register;
- (b) the method by which information is obtained to compile the Electoral Register, including the Electoral Return Form;
- (c) the period of validity of the Electoral Register and the actual form it takes.

- 7.1.2 Reviewing the submissions received, it is fair to say that the electoral system as a whole was not considered to be fundamentally flawed and so requiring to be substituted by another totally new system. Where problems had been identified, most suggestions took the form of improvements to the existing system. Thus the Working Party has not felt it necessary to “fix things which ain’t broke” or use “sledgehammers to crack nuts”, but instead to try and keep a balance between necessary tweaking of the system and the radical imposition of an overbearing bureaucracy.

7.2 *Electoral Return Forms*

- 7.2.1 At the present time the “occupier” of a property to whom an Electoral Return Form is sent by each parish is normally the person to whom the Rates Assessment Form is sent in respect of a particular property - irrespective of whether the property is occupied by one household, several households including lodgers, or sub-divided into additional dwelling units occupied by tenants/lodgers.
- 7.2.2 For a variety of reasons, many landlords fail to do their legal duty, thereby effectively disenfranchising their tenants/or lodgers who never see the form themselves.

There are four common causes for this failure -

- (a) some landlords are concerned not to reveal that they have lodgers because they wish to avoid paying tax on the income;
- (b) some landlords are themselves States Tenants but take in lodgers despite an absolute ban on this practice;
- (c) some landlords take it upon themselves to disqualify persons because they think that a person without residential housing qualifications cannot vote, or they are sure that the person will have moved on to another address before the Electoral Register is published;
- (d) some landlords, managing agents or company secretaries of share transfer flats may simply fail to process the Electoral Return Form.

7.2.3 The Working Party has looked very carefully at the context of the legal requirements and can see that when the law was being drafted 30 years ago, this type of action by landlords was not so significant, because all foreign nationals were disqualified from voting and seasonal workers could not have satisfied the residence conditions because they really were only seasonal. Thus, there was very little likelihood that lodgers and tenants were eligible for inscription onto the Electoral Register.

7.2.4 However, in 1998 we now have a much changed situation, whereby -

- (a) many Jersey-born and long-term local residents are forced to live in lodgings or bedsits because of accommodation shortages;
- (b) foreign workers are entitled to vote and can satisfy the residence conditions because they are no longer forced to leave Jersey every nine months;
- (c) a large number of casual unskilled labourers who are employed in “seasonal” jobs in fact stay in Jersey, often for several years before moving on; and
- (d) there are many professional people on relatively short-term contracts (two or three years) who often live in similar, but upmarket, granny flats or attic bedsits,

and so there are many thousands of tenant/lodgers with a potential entitlement to vote who are dependent upon their landlord for their enfranchisement, so that his failure results in the loss of their right to vote.

7.2.5 In the Franchise (Jersey) Law 1968, the definition of “occupier” in Article 1 is defined as “*in relation to any dwelling accommodation, the person having the use of the dwelling accommodation*”. Thus it seems fairly evident that, even under the present law, the occupier of every unit of dwelling accommodation should be sent an Electoral Return Form, and this does not seem to always be the case.

7.2.6 The Working Party is of the opinion that the current practice by most parishes of only sending out Electoral Return Forms along with the Rate Assessment Forms to the principal householder of a property (or the rate payer for a group of dwellings formed from one property) has contributed to the problems of getting an Electoral Return Form to as many eligible persons as possible. It could even be argued that the Parochial Authorities have been failing in their existing legal duty by not sending out an Electoral Return Form to the occupier (i.e. the person having the use of the accommodation) of every individual unit of dwelling accommodation.

7.2.7 The strength of the parish system has always been that its officers possess a good local knowledge of their area, and the Working Party feels that this detailed knowledge will enable a mailing list of the addresses of every single known unit of accommodation in the parish to be compiled so that every occupier can be contacted by post every year with an opportunity to register electors resident at that address. It is accepted that this will probably need some modest additional resources and effort to set up, but thereafter should be maintained easily by simply adding newly-built or converted units of dwelling accommodation to the list.

7.2.8 One excellent by-product of setting up a mailing list of all units of dwelling will be that, once set up, it should be possible at a glance to see the addresses from which no returns have been received, and therefore at which there are no electors - information which can be followed up either by parish officials with a reminder (see paragraphs 8.3 and 8.5) or by other interested parties who seek to encourage the maximum participation of the electorate in public elections.

7.2.9 The Working Party thus makes the following recommendations relating to the responsibility for making electoral returns -

RECOMMENDATION 8

Every parish should build up and maintain a list of every single known unit of dwelling accommodation in the parish for the purposes of maximising the number of Electoral Return Forms which are sent to potential electors.

RECOMMENDATION 9

An Electoral Return Form should be sent annually to the occupier (or head of household) of every known individual unit of dwelling accommodation in the parish.

7.2.10 The actual information requested on an Electoral Return raised two particular issues which the working party wished to clarify -

- (a) the reason for the inclusion of the questions relating to NATIONALITY and OCCUPATION is to enable the Electoral Register to be used for the compilation of lists of persons eligible for Jury Service - not for entitlement to vote;
- (b) the Electoral Return form sent out to each address would list only the names of persons listed on the register at that address i.e. no dates of birth or other personal information.

RECOMMENDATION 10

The Electoral Return Form should be redesigned so that -

- (a) before it was sent out the names of persons who were already registered to vote at that address on the existing Electoral Register would be included;
- (b) encouraging words could be added for persons not already on the register to seek to be included;
- (c) the Return should enable residents at an address to either renew or amend their existing Electoral Register entry with the minimum of effort or to delete persons no longer resident at that address who were entered onto the existing Electoral Register.

RECOMMENDATION 11

Irrespective of what period of validity the Electoral Register is to cover in the future, there should be regular periodic publicity (eg., quarterly) instigated by the Greffier of the States coupled with appropriate opportunity for people to obtain an Electoral Return Form and add their names to the Electoral Register.

7.3 *Electoral Register*

7.3.1 With the advent of modern computer technology in the parish administrations, the Working Party felt that there were real possibilities to streamline the process of compiling, updating and producing the Electoral Register.

- 7.3.2 However, the first and perhaps the most important decision for the Working Party, related to the period of validity of the Electoral Register which at the present time is one year.
- 7.3.3 The Working Party was unanimous in that it considered a one year “snapshot” of those registered to vote to be too short and too inflexible a period. Furthermore, it seemed very wasteful in effort to, literally, throw it away each year and start again from scratch.
- 7.3.4 There was common ground in the Working Party that the Electoral Register, once compiled, should continue in validity on a rolling basis with the facility to add, amend or delete electors as people reached the age of 18 years, changed names or addresses or were deceased.
- 7.3.5 Although an Electoral Register would be an evolving document which would be updated on a continuous basis, it would become THE Electoral Register for any particular election in a parish, at noon on the day before the nomination meeting for that particular election, and all those electors’ names contained in the register at that time would be eligible to vote.
- 7.3.6 Thus, because there would always be a period between the Royal Court declaring an election - together with the appropriate media-generated publicity associated with that event - and the Nomination Meeting, this would give a significant opportunity for interested parties to add their names to the Electoral Register if they found that they were disenfranchised after learning of the pending election.
- 7.3.7 Effectively the Electoral Register would be frozen at noon on the day before the nomination meeting, until after the date of the poll, and at that time serial numbers would be allocated and printed versions would be sent to the Judicial Greffe and made available to candidates and the public.
- 7.3.8 However, concern was expressed at the prospect of an Electoral Register continuing for ever on a rolling basis, with a growing number of persons on it who were -
- (a) deceased;
 - (b) had left the parish or the Island; or
 - (c) were married and had changed their names etc.;

AND which changes had not been notified to the Parish Hall. It was felt that too much dependence would have to be placed on the Election Return Forms (and the update section in those forms) needing positive action by residents to notify the Parish Hall of the above changes in respect of former occupants of each dwelling unit already shown on the Electoral Register, and that as a result the Electoral Register could become progressively unwieldy and inaccurate.

- 7.3.9 Therefore, it is suggested that at the end of June in the year following that on which the Island-wide election for Senators and Deputies is held, the Electoral Register in use for that Election would become invalid, and a completely new Electoral Register would again be compiled from scratch and updated on a rolling basis for the next three years, and so on.

NOTE - Because the new Electoral Register would be compiled and updated on a flexible, rolling basis there would be no need for a long lead-in period to prepare it - it would simply be compiled as new Electoral Returns Forms which had been sent out in, say, March were received at the Parish Hall during May and June, prior to the compilation of the new Electoral Register from 1st July, and it would be updated subsequently as in paragraph 7.3.4.

- 7.3.10 Some consideration was given to setting up an Island-wide database of electors, which has obvious attractions for Senatorial elections, but as the most numerous uses of Electoral Registers are for parish elections, i.e. for Deputies, Connétables, Centeniers, Vingteniers, Connétables Officers, Assessment Officers etc., it was felt more realistic to keep each Parish Electoral Register autonomous.

7.3.11 The Working Party thus makes the following series of recommendations resulting from these proposals -

RECOMMENDATION 12

Electoral Registers will be compiled from scratch every three years beginning on 1st July of the year following the Island-wide Senatorial and Deputy elections.

RECOMMENDATION 13

The Electoral Register be held in a form where it can be instantly accessed for scrutiny during normal office hours by any person seeking to check who is on the Register of Electors for that parish, and that it be produced in a printed form following the Nomination Meeting for any particular election, for the general public, candidates and the Judicial Greffier.

NOTE: It would be free of charge to the Judicial Greffier and candidates but at a cost to all other persons.

RECOMMENDATION 14

The Electoral Register used for any particular election in any parish will consist of the names of those people entered onto the Register by noon of the day before the day of the Nomination Meeting for that particular election.

RECOMMENDATION 15

Once a person's name is entered onto an Electoral Register it will be allocated a unique serial number which will remain unchanged for the rest of the life of that triennial register only.

RECOMMENDATION 16

A copy of the Electoral Register for each Parish as at 1st July will be made available for reference at both the Public Library and the Judicial Greffe.

RECOMMENDATION 17

An Electoral Return Form seeking to add, alter or delete any name or amend any address can be submitted at any time, and this updating will be deemed to have taken place on the date on which it is received at the Parish Hall, except if it is received on or after the date of a Nomination Meeting and before the date of the associated poll, ie., during the “frozen” period.

RECOMMENDATION 18

Publicity relating to the need to obtain and return an Electoral Return Form be regularly promulgated by the Greffier of the States at quarterly intervals throughout the year in all the media - and not be concentrated into a limited period as now.

RECOMMENDATION 19

The Electoral Register computer system be capable of producing the Register either -

- (a) by alphabetical order of the names of persons on the Register; or
- (b) in street order, listing persons registered to vote at each unit of dwelling accommodation, and also including units of dwelling accommodation at which voters are not registered.

NB. The existing sub-divisions by Vingtaine would be maintained.

RECOMMENDATION 20

The parish authority remains the sole database for holding and compiling Electoral Registers.

7.3.12 Concern was also expressed that in order to vote at a Parish Assembly and/or a Parish electoral meeting, persons may attempt to temporarily change parishes and get themselves entered onto the Electoral Register by enrolling before NOON on the day before such a meeting or election. In order to prevent such a possible abuse of the system in respect of parish events, the suggestion has been made that no entitlement to vote be conferred for a period of 21 days. This would have absolutely no effect on entitlement to vote in Deputy or Senatorial elections as there must be at least 21 days between the Nomination Meeting and the election. Having identified a possible area of concern requiring alertness by parish authorities, no specific recommendation for legislative change was made.

7.4 *Public elections procedure*

7.4.1 According to the Working Party proposals contained in section 7.3 of this report, the Electoral Register would be frozen at noon on the day prior to the date of the Nomination Meeting (which must be held at least 21 days before the date fixed by the Royal Court for the poll) and no names of new electors could be added.

7.4.2 The interest of the public in the election process is usually at its greatest as the poll approaches, and once the Royal Court fixes the date of the election and the election is publicised, then there is a great certainty that many persons will remember that they are not on the Electoral Register and seek to obtain and send back an Election Return Form to the Parish Hall under the new proposals set out in sections 7.2 and 7.3.

7.4.3 At the present time, the Public Elections Law requires at least 31 days between the Act of the Court ordering the Election and the date of the poll. If one subtracts at least 21 days from this to allow for the Nomination Meeting and accepts that it is usually several days before the relevant notices advising of the election and the Nomination Meetings appear in the Jersey Gazette, then it can be appreciated that very little time is left for persons to get themselves onto the Register. The Working Party feel an extra week will be sufficient to accommodate this problem.

RECOMMENDATION 21

The period of time between the Act of the Royal Court ordering the election and the date of the poll be at least 38 days.

RECOMMENDATION 22

The time, date and place of every Nomination Meeting and Poll be required by law to be published in the Jersey Gazette.

7.4.4 Nomination Meeting

The Nomination Meeting must be held at least 21 days before the date of the poll, and no reasons were put forward as to why this need be changed.

RECOMMENDATION 23

The minimum period between the Date of the Nomination Meeting and the day of the poll should remain at least 21 days.

7.4.5 Date and time of poll

7.4.5.1 Submissions were made to the Working Party pointing out the difficulty of working people getting to the poll except on the way home from work, which was often difficult because of family commitments, and that very little time was left after the family meal to go out again before the polls closed at 8 p.m.

7.4.5.2 The Working Party felt very strongly that the date set for the polls for Senators, Deputies or Connétables should avoid days which are normal working days for the majority of people and that we should also avoid Sunday which is a very special day to all christian people.

7.4.5.3 It was recognised that Parish Assemblies at which parish officials below the rank of Connétable were elected would continue to be held at evening meetings, as now.

RECOMMENDATION 24

All polls for Senators, Deputies, Connétables and Centeniers should be held on a Saturday, which should be considered the normal election day for elections.

NOTE: The law would permit the Royal Court to nominate another day of the week in any particular election if a case were made as to why the Saturday would be inappropriate.

7.4.5.4 Several submissions were made suggesting alternative times eg., 8 a.m. to 8 p.m. and 10 a.m. to 7 p.m. However because Saturday is not a normal working day for most people it was felt that the existing opening times for the poll of 11am to 8pm would be adequate.

RECOMMENDATION 25

No change, however, should be made to the times of the poll (ie., 11 a.m. to 8 p.m.) provided that these times in the law could be changed by Regulation.

7.4.6 Ballot papers and counterfoils

7.4.6.1 Some reservations were expressed about the confidentiality of the ballot box because the counterfoils and ballot papers were serial numbered and could in theory be reunited.

7.4.6.2 The Working Party were convinced that the safeguards provided by the system were such that only the Royal Court could require the ballot papers and the counterfoils ever to be reunited for checking following a serious criminal allegation of electoral malpractice or fraud.

7.4.6.3 Furthermore, on balance, without such serial numbering the dangers from such fraud or malpractice would constitute a much greater threat to democracy than the hypothetical risk to secrecy alleged to be caused by this time-tested system.

RECOMMENDATION 26

Counterfoils and ballot papers should continue to be serially numbered as a security measure.

7.5 Postal voting - current system

7.5.1 Persons entitled

A person is entitled to a postal vote if -

- (a) they are or are likely to be out of the Island on polling day, or
- (b) they are suffering from a physical defect or disability by reason of which they will be incapable of attending personally at a polling station on polling day.

7.5.2 Publicity

Immediately after the Nomination Meeting (if there is to be a poll) the Connétable is required to notify the Judicial Greffier who will publish a notice(s) in the Jersey Gazette advising electors of their right to apply for inclusion on the list of postal voters.

7.5.3 Register of postal voters

7.5.3.1 Any elector wishing to vote by post has to apply to the Judicial Greffe for an application form which is normally sent by post, completed and then returned by post to the Judicial Greffe.

7.5.3.2 On receipt of an application, if the Judicial Greffier is satisfied that the applicant is entitled to registration, then he enters his details onto the Postal Voter Register.

7.5.4 Provision of ballot papers

7.5.4.1 After the closing date for the receipt of applications some days before the poll, the Connétable must send the Judicial Greffier the appropriate number of ballot papers required for postal voters in that parish.

7.5.4.2 After validating and recording the received ballot Papers the Judicial Greffier sends by post the ballot paper, together with a pre-addressed envelope, to the postal voter.

7.5.4.3 The postal voter records his vote in the normal way and returns the Ballot Paper in the pre-addressed envelope by post to the Judicial Greffier not later than noon on the day before polling day.

7.5.4.4 The envelopes containing ballot papers are then recorded as having been received and passed on to the Autorisé of each poll as appropriate.

7.6 *Postal voting - issues*

7.6.1 Persons entitled to vote

- 7.6.1.1 Initially the Working Party were impressed by submissions which indicated that there were people who would like to vote but could not because of work times. However, little evidence was forthcoming of actual cases where people would be working full-time between 11 a.m. and 8 p.m. on a Saturday with no opportunity to vote in person.
- 7.6.1.2 However, there were many actual cases of persons who were out of the Island on polling day - mainly because of work (though also because of last-minute holiday breaks) - but who were unable to obtain a postal Vote because of the existing inflexible and rather time-consuming system of postal voting required of the Judicial Greffe by Law.
- 7.6.1.3 It seemed to the Working Party that, whilst there seems no justification to add an additional entitlement for persons whose work may take them out of the Island on polling day, its recommendation below of no change is conditional on radical changes being made to the flexibility and administrative requirements of the postal voting legislation.

RECOMMENDATION 27

The persons entitled to a Postal Vote or the circumstances giving entitlement to a postal vote should not be changed.

7.6.2 Publicity

- 7.6.2.1 As only 21 days may elapse between the Nomination Meeting and the date of the poll, the Working Party felt this did not provide adequate time for the public to have a considered opportunity to decide to apply for a postal vote.
- 7.6.2.2 The obvious way to maximise the period of publicity about an election is to publicise the need to apply for a postal vote as soon as the Act of the Royal Court sets a polling date.
- 7.6.2.3 The Working Party are well aware that at the Nomination Meeting there may be no contested election, but this is no reason to delay publicity or prevent persons from, at the very least, obtaining an application form and registering as a potential postal voter.

RECOMMENDATION 28

Notices inviting persons to apply for a postal vote should be inserted in the media immediately the Royal Court announce the polling date.

7.6.3 Register of postal voters

The requirement to keep a register of persons whose application for a postal vote is granted seems a reasonable database to enable the Judicial Greffier to check against whether a ballot paper has been received at his Department.

RECOMMENDATION 29

No change in the need for the Judicial Greffier to maintain a register of postal voters.

7.6.4 Provision of ballot papers

7.6.4.1 The Working Party felt that this part of the system needed a distinct revision so as to make it a little more user-friendly and, in particular, much more accommodating to the person who finds that, due to unforeseen circumstances, he will not be in the Island on polling day, and though he is entitled by those circumstances to a Postal Vote finds it impossible to satisfy the inflexible legal constraints of the procedural system administered by the Judicial Greffier.

7.6.4.2 The existing procedure copes well with persons who are permanently disabled or chronically sick, and persons with long planned holidays who know they will definitely be absent from the Island.

7.6.4.3 However, the system just cannot cope with people whose circumstances change during the last couple of weeks before polling day, e.g. -

- (a) if a new medical condition or accident confines a person to bed or home;
- (b) a family make a sudden decision to go on a short holiday over the period including polling day; or
- (c) a business person needs to make a journey out of the Island in connection with his work for a period which includes polling day or even just for polling day itself.

7.6.4.4 In circumstances such as these, the Working Party are adamant that the administrative procedure should be made more flexible and be capable of a much faster response for homebound or absent electors, and these changes should include a facility which will even deal with electors requesting a Postal Vote in person at the Judicial Greffe and submitting the ballot paper, provided it is before noon on the day before the poll.

RECOMMENDATION 30

Provided that a ballot paper issued to a postal voter is received at the Judicial Greffe before noon on the date prior to Polling Day, then the procedures for application for a postal vote should be sufficiently flexible to accommodate changes in circumstances occurring up to 24 hours before polling day.

7.6.4.5 The existing, informal practice of the Returning Officer making domiciliary visits on polling day to elderly and infirm persons wishing to vote in their own home, in private residential care or in hospital was considered at length. This service is provided to persons who have chosen not to apply for a postal vote but have notified the Parish Hall that they wish to vote. It is totally unregulated and there is thus no criteria by which eligibility can be assessed or demanded.

RECOMMENDATION 31

The procedures for entitlement to and the procedures for carrying out, domiciliary voting on polling day be regulated by law.

8. Miscellaneous

8.1 *Maximum participation*

8.1.1 Because the Terms of Reference required the Working Party to consider changes in “the practice and procedure of public elections with a view to encouraging the maximum participation of the electorate in such elections” the Working Party also discussed various other aspects of the system which may or may not have an impact on the level of elector participation.

8.2 *Electoral Registration Officers*

8.2.1 One factor present in the United Kingdom electoral system which is evidenced as improving the number of persons registered is the appointment in each Local Authority of an Electoral Registration Officer, whose sole task is to compile a comprehensive Electoral Register.

8.2.2 The effectiveness of this post results from the fact that in addition to frequent, high profile advertising of the need to register -

- (a) every dwelling accommodation unit is sent an Electoral Return Form;
- (b) if it is not returned then a reminder letter is sent;
- (c) if there is still no return then another letter is sent explaining the advantages of being on the register (eg., for obtaining credit), and finally;
- (d) door to door canvassing for Electoral Form Completion.

8.2.3 The Working Party did not make any recommendation about Electoral Registration Officers, but felt that there should be an opportunity for the merit of this function to be discussed if the States feel that parishes should be more proactive in compiling Election Registers.

8.3 *Poll Cards*

8.3.1 Many submissions expressing the views of “ordinary voters” made much of the requests for some form of receipt or Poll Card bearing their name to indicate that their Electoral Return Form had been received and that their name had been entered onto the Electoral Register.

8.3.2 Whilst not a “ticket to vote” it was felt that this document could prove very useful for general advertising eg., “YOU SHOULD BE ON THE ELECTORAL REGISTER. IF YOU HAVE NOT RECEIVED A POLL CARD IN YOUR NAME CONTACT YOUR PARISH HALL”.

8.3.3 The Working Party did not make any recommendation about Polling Cards because it felt that the changes in sending out Electoral Return Forms would remove the concern which had generated this comment. However, it is included so that the merits of this suggestion can be more fully discussed, should it be felt that electors still need additional confirmation that they are indeed on the Electoral Register.

8.4 *Legal requirement to register*

8.4.1 It is currently an offence for an occupier to fail, without reasonable cause, to complete and return the Electoral Return Form - penalty £500 maximum.

8.4.2 In practice, even though the onus of proof lies with the occupier, the courts seem unable or unwilling to convict, and by so doing remove any punitive incentive either for persons to complete and return the forms or for parish administrators to investigate and pursue alleged defaulters.

8.4.3 However, despite any perceived ineffectiveness of the law and legal system, the Working Party feel that there should still be a legal duty imposed on every occupier of every individual unit of dwelling accommodation to register to vote when required to do so by law, but that there should be no penalty for default.

NB. All other existing offences and penalties should be retained.

RECOMMENDATION 32

It should be the legal duty of any occupier of any unit of dwelling accommodation to complete and return an Electoral Return Form.

Part C - Conclusions

9. Summary of recommendations

Section 4 - Franchise and residence qualification

1. RECOMMENDATION - Franchise age will remain at 18 years.
2. RECOMMENDATION - An elector must have attained the age of 18 years before the date of the Nomination Meeting notified as being held for the relevant election.
3. RECOMMENDATION - The residence qualifications should be that a person must be ordinarily resident -
 - (a) in that parish;
 - (b) in the Island for a period of two years immediately preceding the date of application or had been so resident for any period of five years preceding that date.

Section 5 - provisions as to disqualification

4. RECOMMENDATION - A person shall not be entitled to be registered or to vote as an elector if a curator who has been appointed to manage their property and affairs informs the Connétable of the parish that, in his opinion, that person should be disqualified from being entered onto the Electoral Register, and the Connétable of the parish agrees with that opinion.
5. RECOMMENDATION - A person shall not be entitled to be registered or to vote as an elector, if the attorney without who he may not act in matters real or personal informs the Connétable of the Parish that in his opinion that person should be disqualified from being entered onto the Electoral Register and the Connétable of the parish agrees with that opinion.
6. RECOMMENDATION - The provisions disqualifying persons set out in paragraph 5.1(a), (b) and (c) of this report be replaced by a single disqualification to the effect that -

“a person receiving treatment for a mental disorder under the provisions of the Mental Health (Jersey) Law 1969 who, in the opinion of their responsible medical officer is considered unfit as a result of such mental disorder to be registered to vote as an elector at a public election may not be entered onto or may be deleted from the Electoral Register”.
7. RECOMMENDATION - There would be a right of appeal against a competence disqualification to the Inferior Number of the Royal Court.

Section 7.2 - Electoral Return Forms

8. RECOMMENDATION - Every parish should build up and maintain a list of every single known unit of dwelling accommodation in the parish for the purposes of maximising the number of Electoral Return Forms which are sent to potential electors.
9. RECOMMENDATION - An Electoral Return Form should be sent annually to the occupier (or head of household) of every known individual unit of dwelling accommodation in the parish.
10. RECOMMENDATION - The Electoral Return Form should be redesigned so that -
 - (a) before it was sent out the names of persons who were already registered to vote at that address on the existing Electoral Register would be included;
 - (b) encouraging words could be added for persons not already on the register to seek to be included;
 - (c) the return should enable residents at an address to either renew or amend their existing Electoral Register entry with the minimum of effort or to delete persons no longer resident at that address who were entered onto the existing Electoral Register.
11. RECOMMENDATION - Irrespective of what period of validity the Electoral Register is to cover in the future, there should be regular periodic publicity (e.g., quarterly) instigated by the Greffier of the States, coupled with appropriate opportunity for people to obtain an Electoral Return Form and add their names to the Electoral Register.

Section 7.3 - Electoral Register

12. RECOMMENDATION - Electoral Registers will be compiled from scratch every three years beginning on 1st July of the year following the Island-wide Senatorial elections.
13. RECOMMENDATION - The Electoral Register be held in a form where it can be instantly accessed for scrutiny during normal office hours by any person seeking to check who is on the Register of Electors for that parish, and that it be produced in a printed form following the nomination Meeting for any particular election for the Judicial

Greffier, Candidates and the general public.

NOTE: It would be free of charge to the Judicial Greffier and candidates but at a cost to all other persons.

14. RECOMMENDATION - The Electoral Register used for any particular election in any parish will consist of the names of those people entered onto the Register by noon of the day before the day of the Nomination Meeting for that particular election.
15. RECOMMENDATION - Once a person's name is entered onto an Electoral Register it will be allocated a unique serial number which will remain unchanged for the rest of the life of that triennial register only.
16. RECOMMENDATION - A copy of the Electoral Register for each parish as at 1st July will be made available for reference at both the Public Library and the Judicial Greffe.
17. RECOMMENDATION - An Electoral Return Form seeking to add, alter or delete any name or amend any address can be submitted at any time, and this updating will be deemed to have taken place on the date on which it is received at the Parish Hall, except if it is received on or after the date of a Nomination Meeting and before the date of the associated poll, i.e., during the "frozen" period.
18. RECOMMENDATION - Publicity relating to the need to obtain and return an Electoral Return Form be regularly promulgated by the Greffier of the States at quarterly intervals throughout the year in all the media - and not be concentrated into a limited period as now.
19. RECOMMENDATION - The Electoral Register computer system be capable of producing the Register either -
 - (a) by alphabetical order of the names of persons on the Register; or
 - (b) in street order, listing persons registered to vote at each unit of dwelling accommodation, and also including units of dwelling accommodation at which voters are not registered.

NB. The existing sub-divisions by Vingtaine would be maintained.

20. RECOMMENDATION - The parish authority remains the sole database for holding and compiling Electoral Registers.

Section 7.4 - Public elections procedure

21. RECOMMENDATION - The period of time between the Act of the Royal Court ordering the election and the date of the poll be at least 38 days.
22. RECOMMENDATION - The time, date and place of every Nomination Meeting and poll be required by law to be published in the Jersey Gazette.
23. RECOMMENDATION - The minimum period between the Nomination Meeting and the date of the poll should remain at least 21 days.
24. RECOMMENDATION - All polls for Senators, Deputies, Connétables and Centeniers should be held on a Saturday, which should be considered the normal election day for elections.

NOTE: The law would permit the Royal Court to nominate another day of the week in any particular election if a case were made as to why the Saturday would be inappropriate.

25. RECOMMENDATION - No change, however, should be made to the times of the poll (ie., 11 a.m. to 8 p.m.

provided that these times in the law could be changed by Regulation.

26. RECOMMENDATION - Counterfoils and ballot papers should continue to be serially numbered as a security measure.

Section 7.6 - Postal voting

27. RECOMMENDATION - The persons entitled to a postal vote or the circumstances giving entitlement to a postal vote should not be changed.
28. RECOMMENDATION - Notices inviting persons to apply for a postal vote should be inserted in the media immediately the Royal Court announce the polling date.
29. RECOMMENDATION - No change in the need for the Judicial Greffier to maintain a register of postal voters.
30. RECOMMENDATION - Provided that a ballot paper issued to a postal voter is received at the Judicial Greffe before noon on the date prior to polling day, then the procedures for application for a postal vote should be sufficiently flexible to accommodate changes in circumstances occurring up to 24 hours before polling day.
31. RECOMMENDATION - The procedure for entitlement to, and the procedures for carrying out, domiciliary voting on polling day be regulated by law.

Section 8.4 - Legal requirement

32. RECOMMENDATIONS - It should be the duty of any occupier of any unit of dwelling accommodation to complete and return an Electoral Return Form.

**STATES OF JERSEY LEGISLATION COMMITTEE
FRANCHISE WORKING PARTY**

The Legislation Committee has established a Working Party under the chairmanship of Deputy H.G.Coutanche with the following terms of reference -

“to consider whether any changes should be made to the Franchise (Jersey) Law 1968 and the Loi (1897) sur les élections publiques or the practice and procedure of public elections with a view to encouraging the maximum participation of the electorate in such elections”.

Submissions are invited from interested persons or groups who have constructive proposals relating to the administration and conduct of elections.

These submissions must be within the above Terms of Reference and should be in writing.

The senders of certain submissions may subsequently be invited to discuss their written proposals with the Working Party.

All submissions should be addressed to -

Deputy H.G. Coutanche,
Chairman - Franchise Working Party,
c/o States Greffe,
Royal Square,
St. Helier.
JE1 1DD

The closing date for the receipt of submissions is Monday, 30th June 1997.

P.J. BRYANS,
Law Review Officer.

PERSONS WHO MADE WRITTEN SUBMISSIONS TO
THE FRANCHISE WORKING PARTY

Len Norman	Senator
Frank Walker	Senator
Maurice Dubras*	Deputy of St. Lawrence
Derek Maltwood*	Deputy of St. Mary
Ken Syvret	Deputy of St. Ouen
Bob Hill	Deputy of St. Martin
Stan Le Cornu	Deputy of St. Clement
Evelyn Pullin*	Deputy of St. Saviour
Robin Hacquoil	Deputy of St. Peter
Phil Rondel	Deputy of St. John
Paul Routier*	Deputy of St. Helier
Jerry Dorey*	Deputy of St. Helier
Len Hamel*	Connétable of St. Clement/ Connétables Committee Chairman
Iris Le Feuvre	Connétable of St. Lawrence
Roy Cabot	Connétable of Trinity
Carl Hinault	Connétable of St. John
Jack Roche	Connétable of St. Saviour
Bob Olliver*	Deputy Greffier of St. Helier/ Parish Secretaries Chairman
Barbara Myles	Jurat
Arthur Querée	Jurat
Max Lucas	Jurat
Peter Blampied	Jurat
Charles Gruchy	Jurat
Mazel Le Ruez	Jurat
Nick Herbert	Jurat
John de Veulle	Jurat
Michael Bonn	Jurat
Denis Ferbrache	Deputy Viscount (Retired)
Michael Wilkins*	Viscount/Judicial Greffier
David Moon	Candidate 1996
Roselle Godeaux	Candidate 1996
Nick Le Conteur	Candidate 1996
Mrs. Marianne Pallot	Candidate 1996
Peter Amy	Candidate 1996
Harry Cole	Candidate 1996
David Richardson*	Candidate 1996
Chris Taylor	Candidate 1996
Bob Little*	Candidate 1996
Sue and Ray Chinnery	Les Amis
David Newman	Les Amis
Kevin Daly	Mencap
Ian Berry*	Consultant Psychologist (Learning Difficulties)
Geoff Esnouf	Health and Social Services (Mental Health)
Helen Dorey	Jersey Rights Association

Roy Le Herissier	Lecturer on Constitutional Issues
Gary Matthews	Former Deputy
David de la Haye	Former Deputy
Percy Hembest	Former Adjoin
Stella Perkins	Member of the public
Clarissa Wakeham	Member of the public
Pauline Paintin	Member of the public
W. Richmond-Pickering	Member of the public
Michael Bisson	Member of the public
Dr. Timothy Myres*	Member of the public

*Supplementary comments submitted.