

STATES OF JERSEY



E-PETITIONS (P.14/2017): COMMENTS

Presented to the States on 28th April 2017
by the Privileges and Procedures Committee

STATES GREFFE

COMMENTS

The Privileges and Procedures Committee (PPC) welcomes Deputy S.M. Wickenden of St. Helier proposition, which provides the States Assembly with an opportunity to debate a new parliamentary procedure which has been successfully introduced in other jurisdictions. In our report “[Engaging the Public with Jersey’s democracy: a 3-year strategy](#)” (R.5/2017), we envisaged introducing “a new system for submitting online petitions to the States Assembly” subject to the States Assembly’s agreement. We are, therefore, broadly supportive of this initiative.

Deputy Wickenden briefly refers to some of the matters which PPC would need to consider in order to introduce e-petitioning. This comments paper gives more information about those matters so that the States Assembly is assisted in reaching its decision on e-petitions.

The main issues we would need to consider are as follows –

- Can an individual submit an e-petition or should e-petitions garner a certain level of support before they ‘go live’?
- Should there be restrictions on who should submit an e-petition? For example, only people aged over 16; only people resident in Jersey; only people eligible to vote in Jersey; only people on the electoral register? A balance must be struck between the ease with which e-petitions can be submitted (too complex a system will put people off from engaging), the cost of building in additional authorisation requirements, and the need to preserve the integrity of the system from e-petitioners unconnected to the Island. This is particularly important for a small jurisdiction like Jersey. It would be much easier for non-residents to submit well-subscribed e-petitions here than in the UK (where e-petitions have sometimes attracted more than one million ‘signatures’).
- What technical procedures can be put in place to ensure that e-petitions are not submitted or signed by computer-controlled e-mail addresses or susceptible to cyber-attack? How can the system detect and prevent signatures emanating from the same computer using different e-mail addresses? The level of security provided will come at a cost and must be proportionate to the threat.
- The basic ground rule for accepting an e-petition should be whether or not it asks for action within the competence of the States Assembly. There should also be a prohibition on offensive language. Should there be other ground rules? How much work should States Greffe staff undertake to advise petitioners on how to meet the rules? What should happen to e-petitions which are rejected?
- When an e-petition is accepted and published what should happen next? Should there be a time limit during which additional signatures may be added, or should e-petitions remain online indefinitely? Should all e-petitions get a response from the relevant department, or only those which achieve a certain number of signatures, or should there be no automatic right to a response? Should e-petitions be sent automatically

to the relevant scrutiny panel for them to consider? Should this also be subject to a signature threshold? Should the States Greffe keep petitioners informed of developments related to an e-petition, for example a proposition or report on the matter? Should there be ground rules about this? What would be the resource implications for the States Greffe?

- In some jurisdictions, e-petitions are referred to a petitions committee which deals with the matters raised in the previous bullet point and also makes arrangements for certain e-petitions to be debated. Our assumption is that the States Assembly would not wish to set up a new committee, in which case would PPC be left to administer the e-petitions system? Does the States Assembly wish to see some e-petitions considered by PPC for debate in the States Assembly. If so, how many signatures would be required for a debate to be considered and how would the debate work? Would it be an in-committee debate? Or a new procedure, for example to note a petition, or to call on Ministers to respond to an e-petition, or must there always be a proposition about the subject of the e-petition? Or, should it be left to Members to bring propositions based on e-petitions, should they decide to do so?

None of these issues is insurmountable. All of these questions have been addressed in other jurisdictions and we could draw on experience elsewhere to design a system which works for Jersey. However, as Members will appreciate, this will take some time. If the States Assembly agrees to the principle of e-petitioning in May 2017 it might be sensible to plan for implementation in May 2018, immediately after the election.