

# **STATES OF JERSEY**



## **ELECTORAL REGISTRATION: LINK TO POPULATION REGISTER**

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**Lodged au Greffe on 22nd May 2007  
by Deputy G.P. Southern of St. Helier**

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**STATES GREFFE**

## **PROPOSITION**

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

to agree that eligibility to register to vote in public elections should no longer be linked to length of residence in Jersey but should be an automatic entitlement to every resident as soon as he or she is registered in the population register to be created under the Migration Policy as approved by the States.

DEPUTY G.P. SOUTHERN OF ST. HELIER

## REPORT

Members will be aware that this proposition was neither won nor lost, but merely dismissed, in its previous life as part of P.4/2007, Electoral Reform, by a motion to move on to the next item on May 2nd. I have therefore chosen to keep the identical wording on this proposition, so that debate on these important issues can take place at the earliest possible opportunity.

This measure to liberalise eligibility is fundamentally grounded in the “no taxation without representation” principle. In this case, those who come to work and live on the Island will soon be required to register and receive some form of “unique identifier” or identity card under the population register in order to work, live and pay tax here. I believe that, along with those three permissions to be allowed to work, to be housed and to pay tax should come the right to vote.

The causes of low turnout and voter apathy, whether real or apparent, may be many, but certainly in the urban parishes, confusion over who is eligible to vote and where they are registered, and the inaccuracy of the register are major problems. We have a Migration Steering Group actively committed to producing an efficient, effective and accurate register of the population to be in place by 2008. We should be capitalising on this work to ensure that voter registration is part of the population register under the new migration policy. This would be joined-up government at its best.

In effect the wording of the proposition does two things –

- (a) It transfers the responsibility for maintaining the accuracy of the electoral register to the population office.
- (b) It removes the need for 2 years’ residence before becoming eligible to vote.

I cannot believe that there is a member of the States who would argue with the Chairman of the Privileges and Procedures Committee, when he agreed with me on 15th May that “*the maintenance of an accurate electoral register is essential to the electoral process*”. The only questions can be whether the population office is best placed to keep such a register and whether it is appropriate to append eligibility to vote to such a register.

There can be no doubt that whereas the constable of many of the smaller country parishes can personally guarantee the accuracy of the electoral register in his parish, the same cannot be said of all constables in some of the larger urban parishes. We might argue about the degree of inaccuracy, but evidence at the last election of the presence of the names of deceased persons on the St. Helier electoral register, attests to the defects in the current system. Anecdotally, we are told that up to one fifth of residents in the town area changes address each year. This, combined with the method of updating the register, using envelopes addressed to “The Occupier”, which cannot be trusted in bedsit-land and amongst the population of lodging houses, must build in inaccuracies.

The Migration Policy was approved by the States in June 2005, and the Population Office established in September 2005. In order to ensure that its controls on population are effective, it is tasked with the introduction of a Population Register, which according to the Fourth Principle of data protection must be accurate. The Population Office is in the process of drafting legislation to enable the creation of the register by the end of this year. Law drafting time is booked.

It is surely insufficient to state, as PPC have done, that “*The Committee considers that this proposal is premature as there is not yet any firm information about how the population register will work.*” It has been clear for some time that the population register will require some form of registration document or card, which will contain basic data such as name, address and registration status (entitled, licensed or registered) along with an “unique identifier”, and possibly a photograph. These basic data are exactly what is required in exercising the duty to vote.

It is entirely appropriate that, should the assembly so decide, the registration card should be linked to the right to vote, and that this link should be made clear now in the law drafting instructions, instead of bolting on additional uses at a later stage. This sort of “post hoc” function creep is to be avoided at all costs.

I now turn to the second impact of the proposal, which is to remove the requirement of a 2-year residence period

before newcomers are allowed to take part in our democratic process. It is clearly linked as I state above to the principle of “no taxation without representation”, and, as we know, taxation, under the IT IS scheme means that employees will be eligible for tax from day one of employment.

Some have argued that not every worker will pay tax because some earn so little as to be zero-rated. All however will be paying Social Security contributions, thereby contributing to the island’s benefits and pensions systems. The principle still applies.

Others have suggested that new arrivals would not understand our electoral system, with its three types of representatives and 50 individual voices. For example, in its response to P.4/2007, PPC stated –

*“... that the implication of Deputy Southern’s proposition would be that any new arrival in Jersey would be entitled to vote as soon as he or she arrived in Jersey and, although this may form a reliable form of registration and address the difficulties in updating the current register, the Committee is nevertheless concerned that new arrivals would know very little about the political issues in the Island. Members will therefore need to consider very carefully the implications of any proposal to allow new arrivals to vote without any qualifying period of residence before supporting this proposal”.*

One has to ask whether newcomers will have a great deal more understanding after 2 years; but in any case, that is no argument for denying the vote to new residents, it is rather an argument for simplifying the system.

Furthermore, it is my understanding that, in the process of widening the franchise by removing the requirement to be a British Citizen in 2002, the original proposals did not contain any mention of a qualifying period and the introduction of the 2-year period was a late compromise. With the adoption of a robust registration process, such a period is no longer needed.

In the debate of 2nd May Deputy de Faye held up the prospect of centuries of tradition being swamped by hordes if newcomers disembarking from boats and rushing straight to the polling booths to vote. He suggested that this was dangerous, and he wished to preserve the 2 year qualifying period. I suggest that there is very little danger in its removal. In my experience, the average worker on setting foot on Jersey soil, does not immediately seek out the nearest polling booth, but rather, he searches for his work, his lodgings and thereafter he might sample the local ale. The polling booth is not often a priority.

However, there are always exceptions. Here I turn to the words of the Dean who, in my opinion, made the perfect case, not only for a more inclusive society in its widest sense, but also for my proposition for inclusion, rather than exclusion, in political terms. He commenced, in the debate of P.145/ 2006, as follows –

*“I hope, Sir, Members will not mind me offering a few comments when I do not myself stand for election. But more importantly I want to stand as someone who does not have a vote. I do not mean vote in here, which I would never want. I mean I do not yet have a vote in any election we might call because it is still another 6 months until I have been here 2 years. We think we have still some way to go in coming up with modern democracy. It seems to me, Sir, we have not yet got past the American War of Independence, which was on the principles, I remember, of no taxation without representation. I do not think I have been given by the Treasury Minister a 2-year freedom from paying taxes, just a 2-year freedom from the responsibility of voting.”*

This is an accurate summation of the basic case that I propose. He then went on to examine the potential effects of this proposition –

*“...what I mean is that if you arrive in the Island, you are not immediately engaged in the principles of government. You are not grabbed the minute you get off the boat and made to feel just the same degree of stake-holding as everyone else.....*

*...the issue is how do we engage the voters more successfully, it seems to me that you engage people in 2 ways: you sell vision and you make them feel that they are important.....*

*... we need to engage in communicating the vision and building a community that includes both those who go back before the conqueror and those who came in on the last boat and assuring them that they are all stakeholders, upholders of the Island's past traditions and the guarantee of its prosperous future."*

That vision is assisted, I believe, by allowing those most recent arrivals the rights to work, to be housed, to contribute tax, and to vote at the earliest possible opportunity.

Finally, following on from the sentiments expressed by the Dean, I suggest that if the values embodied in our new logo are to bear some connection to reality, then by enfranchising newcomers to our island at the earliest possible opportunity, we will show ourselves to be both truly generous and cultivated, whilst preserving our independence.

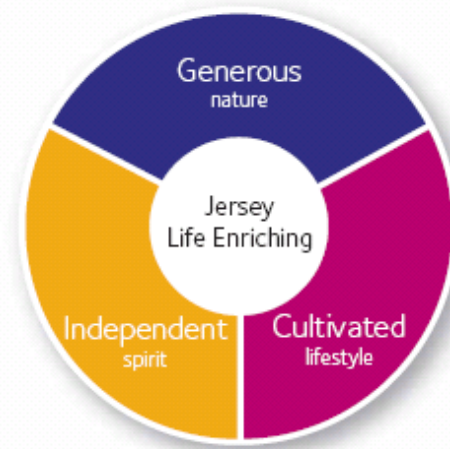
The Jersey brand was built by looking at the strengths of each of the four key sectors and finding the common threads and ideas that unite them.

**Tourism** had a reputation for being a very real and genuine place, a beautiful natural destination that was seen as precious and unique.

**Finance** painted a more sophisticated picture based on stability and quality where personal relationships are built on trust and integrity.

**Agriculture** brings the brand its generosity and authenticity. Things grow and thrive in Jersey.

**Community** is core to the brand as it provides the independent spirit and individuality as well as the warmth and generosity of the lifestyle.



### **Financial and manpower implications**

Although there may be some minor manpower and financial implications to this proposition I believe these can be absorbed within existing resources.