

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

REFERENDUM ON GUERNSEY'S VOTING SYSTEM
CAMPAIGN GROUP ASSESSMENTS PANEL

The States are asked to decide:-

Whether, after consideration of the policy letter entitled "Referendum on Guernsey's Voting System - Campaign Group Assessments Panel" dated 28th February, 2018, they are of the opinion:-

1. To appoint Sir de Vic Carey, Jurat Stephen Jones and Graham Daldry as the three members of the Campaign Group Assessments Panel.

The above Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

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CAMPAIGN GROUP ASSESSMENTS PANEL

The Presiding Officer
States of Guernsey
Royal Court House
St Peter Port

28th February, 2018

Dear Sir

1 Executive Summary

- 1.1 The purpose of this policy letter is to ask the States to appoint Sir de Vic Carey, Jurat Stephen Jones and Graham Daldry as the three members of the Campaign Group Assessments Panel, as required by "The Electoral System Referendum (Guernsey) Law, 2018".

2 Background

- 2.1 The policy letter entitled 'Referendum on Guernsey's Voting System¹' stated as follows:

13.1 *It is important in advance of the referendum for information to be made readily available about each of the options A to E. It is also important that no individual or group should be able unduly to influence the outcome of the referendum by spending disproportionate amounts of money promoting their preferred option(s).*

13.2 *The Committee recommends that these objectives can best be met by providing for the appointment of official campaign groups to promote each of the options A to E and by imposing restrictions, which would not be dissimilar from those imposed at General Elections, on how much could be spent and by whom in the promotion of any of the options.*

¹ Pages 16 – 18 of the policy letter P.2017/49 contained in [Billet XIV \(21st June, 2017\)](#)

- 13.3 *There is merit in options A to E having only one campaign group each: the Committee believes the ideal scenario would be five campaign groups in total. This approach is conventional for referendums held in other jurisdictions.*
- 13.4 *These officially-recognised campaign groups should be able to claim a limited grant from the States. This would encourage the formation of such groups, defray some of the costs they incur in promoting their favoured option and help create conditions in which the groups start with a fair and equal chance of succeeding. The Committee suggests that such grants need be no more than £5,000 per campaign group, i.e. a maximum of £25,000 in total. Campaign groups should be permitted to spend money in addition to any States' grant, but a cap would need to be placed on such expenditure. The Committee envisages that each campaign group would be permitted to spend in the region of £10,000. All expenditure incurred by campaign groups would need to be declared to the Returning Officer after the referendum. The Committee believes that no person or group other than an official campaign group (other than the States in the provision of technical information) should be permitted to spend any money or incur any money's worth in value to promote an outcome.*
- 13.5 *The Committee suggests that the process for appointing campaign groups should be along the following lines. Applications would be invited from persons wishing to work together as an official campaign group for an option. Applicants, who could be serving or former Deputies or members of the public, would be evaluated by an appointment panel of, say, three independent persons put forward by the Committee for approval by the States. The key criterion should be that persons applying to be an official campaign group for an option appear to the appointing panel to be the most able to promote the case in favour of that particular option.*
- 2.2 The States agreed on 22nd June, 2017 that campaign groups should be permitted along the lines set out in 'paragraphs 13.1 to 13.9 inclusive' of that policy letter.
- 2.3 The States approved the draft Projet de Loi entitled "The Electoral System Referendum (Guernsey) Law, 2018" on 7th February, 2018 and authorised the Bailiff to present a most humble petition to Her Majesty praying for Her Royal Sanction thereto.

- 2.4 Section 9 of the Projet de Loi sets out the requirements for establishing a Campaign Group Assessments Panel:

Campaign Group Assessments Panel.

9. (1) *There shall be a Campaign Group Assessments Panel ("the Panel").*

(2) *Subject to subsection (3), the Panel shall consist of 3 members appointed by the States on the recommendation of the Committee.*

(3) *The following may not hold appointment as a member of the Panel –*

- (a) a serving member of the States,*
- (b) a qualifying individual who has made an application under section 8(1).*

(4) *The functions of the Panel are –*

- (a) to review and assess any application made under section 8(1) referred to it by the Committee, and*
- (b) to certify whether or not, in the opinion of the Panel, the campaign group which has submitted the application is capable of publicising and representing adequately the Option to which the application relates.*

(5) *Where -*

- (a) more than one application has been made under section 8(1) in respect of the same Option,*
- (b) the Committee has referred the applications to the Panel for review, assessment and certification under subsection (4), and*
- (c) the Panel has certified more than one of the applications referred to it as adequate,*

the Panel shall also indicate, based on the contents of the applications, which campaign group it believes would most effectively publicise and represent the Option concerned.

(6) *Where a campaign group has been appointed in respect of an Option under section 10(1), the Panel shall not consider an application under section 8(1) in respect of that same Option unless the campaign officials for the campaign group appointed*

for that Option –

- (a) have been notified of the application,*
- (b) consent to consideration of the application by the Panel, and*
- (c) have been given an opportunity to make representations relating to the application to the Panel.*

3 Membership of the Panel

- 3.1 The Committee is keen to ensure the Panel has a strong knowledge of Guernsey, its political and electoral system, and has marketing and communications experience.
- 3.2 The Committee considered a number of potential candidates and is pleased to recommend the appointment of the following individuals to the Panel:
 - Sir de Vic Carey
 - Jurat Stephen Jones
 - Graham Daldry
- 3.3 Sir de Vic Carey has served as an Advocate of the Royal Court, a People's Deputy, HM Comptroller, HM Procureur, Deputy Bailiff and Bailiff of Guernsey. He also served as President of the Guernsey Court of Appeal and as a Judge of the Jersey Court of Appeal.
- 3.4 Jurat Stephen Jones was elected Jurat in 2008 and is a Lieutenant Bailiff of Guernsey. He retired as Island Director of Barclays Bank in 2002 after a long career in the Island's finance sector. He was presented with the Special Award at the 2017 Community Awards for his extensive contribution to various charities in the Island for more than 30 years. He has been Chairman of both the Lloyds Bank Foundation of the Channel Islands and the Guernsey Community Foundation where he was involved with assessing the quality and integrity of applications for funding.
- 3.5 Graham Daldry is the Creative Director at Specsavers in Guernsey and is the creator of the '*Should've gone to Specsavers*' campaign. He is the head of the UK's largest in-house advertising agency and has worked in advertising for over 20 years. He was the co-founder of Creative Industries Guernsey and has worked to promote creative industries and provide training in creative skills on the Island for nearly 20 years. He also helped found the Guernsey Literary Festival and was a member of the Guernsey Arts Commission for nearly 10 years.

4 Compliance with Rule 4

- 4.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.
- 4.2 In accordance with Rule 4(1), the Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications. She has advised that there is no reason in law why the Propositions should not to be put into effect.
- 4.3 In accordance with Rule 4(4) of the Rules of Procedure of the States of Deliberation and their Committees, it is confirmed that the propositions above have the unanimous support of the Committee.
- 4.4 In accordance with Rule 4(5), the Propositions relate to the duties of the Committee *"to advise the States and to develop and implement policies in relation to the constitution...of the States of Deliberation [and]...elections to the office of People's Deputy"* and also fulfil the requirements of Section 9 of "The Electoral System Referendum (Guernsey) Law, 2018"

Yours faithfully

Deputy P. J. Roffey
President

vacant
Vice-President

Deputy M. H. Dorey
Deputy M. K. Le Clerc
Deputy H. L. de Sausmarez

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CAMPAIGN GROUP ASSESSMENTS PANEL

The President
Policy & Resources Committee
Sir Charles Frossard House
La Charroterie
St Peter Port

28th February, 2018

Dear Deputy St Pier,

Preferred date for consideration by the States of Deliberation

In accordance with Rule 4(2) of the Rules of Procedure of the States of Deliberation and their Committees, the States' Assembly & Constitution Committee requests that the Proposition be considered at the States' meeting to be held on 18th April, 2018.

The Committee proposes that the referendum should take place on 10th October, 2018 and it is therefore important that the policy letter is presented to the States of Deliberation on 18th April, 2018 to enable the necessary arrangements to be put in place to enable the Campaign Group Assessments Panel to be established.

Yours sincerely,

Deputy P. J. Roffey
President

vacant
Vice-President

Deputy M. H. Dorey
Deputy M. K. Le Clerc
Deputy H. L. de Sausmarez