



The Hon Barry O'Farrell MP

Premier of NSW

Minister for Western Sydney

MEDIA RELEASE

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CONSTITUTIONAL PANEL TO EXAMINE RECALL ELECTIONS FOR NSW

NSW Premier Barry O'Farrell today announced the appointment of a panel of constitutional experts to advise the NSW Government on the possibility of introducing recall elections in NSW.

Mr O'Farrell said the panel would be chaired by one of the State's leading barristers, David Jackson QC, and fulfilled another election commitment.

"A recall provision would give power back to the people," Mr O'Farrell said.

"The NSW Government supports fixed, four year parliamentary terms, but it became clear in the last Parliament that a safety valve allowing a fresh election was needed to rid the State of a corrupt, incompetent government that was not acting in the public's best interests."

Mr David Jackson QC will chair the panel of experts, which will also include Professor George Williams and Dr Elaine Thompson.

The panel will be asked to report back to the NSW Government by 30 September on the feasibility of establishing a recall procedure in NSW - which would be a trigger for an early general State election.

"Eighteen US states including California have a recall mechanism, as well as the Canadian province of British Columbia," Mr O'Farrell said.

"The panel will be asked to consider the viability of introducing such a recall provision in NSW and the relevant requirements to force an early election.

"It will examine issues like the reasons required to trigger a recall election, the percentage of voters required to petition for a fresh election and whether or not time limits should apply before a government could be forced back to the polls.

"Generally my Government supports fixed four year terms for Parliament because they enable governments to make the type of tough decisions that we are making now and deliver some certainty to the political process.

"But we have to look at creating a safety valve where a deeply unpopular and/or corrupt government has clearly lost public support and is damaging the State's performance or prospects.

“At present, the circumstances permitting an early election are very narrow – involving a vote of no confidence in the government or the failure to pass supply.”

The Panel’s terms of reference require it to also examine potential risks and benefits of a recall procedure and, if recall procedures are adopted, the relevant procedures that would be involved.

To establish a recall procedure in NSW the Constitution Act 1902 would need to be amended by a referendum.