

STATES OF JERSEY

OFFICIAL REPORT

TUESDAY, 10th MARCH 2020

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[9:31]

The Roll was called and the Dean led the Assembly in Prayer.

The Deputy Bailiff:

We return to Senator Gorst and the Connétable of St. Ouen. You were going to propose that he should be marked *défaut excusé*.

Connétable R.A. Buchanan of St. Ouen:

That is correct. I have been able to establish that he is on a Jersey Finance roundtable event in London today for promoting the Island.

The Deputy Bailiff:

Are Members content that the Senator should be marked *défaut excusé*? Does anyone second the Proposition that he should be marked *défaut excusé*?

Senator J.A.N. Le Fondré (Chief Minister):

Yes, Sir. **[Seconded]** Can I just add that, as far as I am concerned, it is States business.

Deputy R.J. Ward of St. Helier:

Given that there was a Proposition lodged and a number of Members took time, without officer support, to put in Amendments and think through those Amendments and then that Proposition was removed and the Senator, who proposed that Proposition, is now not here, I would like to know when he knew about this event, at what point was that event aware, because I do not know if this is parliamentary language, but I just feel we are being played a little. **[Approbation]**

The Deputy Bailiff:

I do not want to encourage or discourage a long debate, but does any other Member wish to speak before the *appel* is called for?

Senator Senator S.Y. Mézec:

Yes, simply to say we were given a rationale for why the order of the business today was going to be changed and that does not seem to chime in with what we are now being asked to approve.

Connétable L. Norman of St. Clement:

I have got every sympathy with what Deputy Ward and Senator Mézec have had to say. It is rather odd, bearing in mind the Proposition that was lodged by Senator Gorst, but nevertheless he is away on States business and we cannot change that. Whatever his motivation for changing the ... withdrawing his Proposition, he is working for the Island with Jersey Finance in London doing an important job and therefore I think it would be totally wrong if we did not excuse him.

Deputy J.H. Perchard of St. Saviour:

I do agree that if the Senator is on States business that he is absolutely right to not be here if he is doing that, but the point does still stand that he arranged for ... the Public Business fell so that his P.7 was to be debated today. It has been pulled relatively last minute. I want to understand, was it pulled because he realised: "Oh, there is a clash. I am away" or is it ... yes, how long has this States business been in the diary? Is it urgent? When were the flights booked? It is not acceptable to defer this kind of debate for a month and to then pull a Proposition at the last minute based on a meeting that was probably not planned at the last minute. I really do not think that that is acceptable and I think that we do need more detail and answers to those questions, because it is getting ridiculous. **[Approbation]**

The Deputy Bailiff:

The last speaker will be Deputy Wickenden.

Deputy S.M. Wickenden of St. Helier:

I think Senator Gorst will have to answer those questions when he gets back, but there is a marking for States business. He is on States business and he will have to answer to this Assembly, probably by email or in some way to explain his rationale, but he is not here to answer right now. He is on States business and he should be marked that way.

The Deputy Bailiff:

The Proposition is that Senator Gorst should be marked away on States business and the *appel* I think was called for, so if you are in favour of the Proposition, you will vote *pour*, and if you are against, you will vote *contre*. I ask the Greffier to open the voting.

POUR: 33		CONTRE: 6		ABSTAIN: 1
Senator J.A.N. Le Fondré		Senator S.Y. Mézec		Deputy L.M.C. Doublet (S)
Senator T.A. Vallois		Connétable of St. Saviour		
Senator S.W. Pallett		Deputy G.P. Southern (H)		
Connétable of St. Helier		Deputy of St. John		
Connétable of St. Clement		Deputy J.H. Perchard (S)		
Connétable of St. Lawrence		Deputy R.J. Ward (H)		
Connétable of St. Brelade				
Connétable of Grouville				
Connétable of St. John				
Connétable of Trinity				
Connétable of St. Peter				
Connétable of St. Mary				
Connétable of St. Ouen				
Connétable of St. Martin				
Deputy J.A. Martin (H)				
Deputy of Grouville				
Deputy K.C. Lewis (S)				
Deputy M. Tadier (B)				
Deputy J.M. Maçon (S)				
Deputy of St. Martin				
Deputy of St. Ouen				
Deputy S.M. Wickenden (H)				
Deputy of St. Mary				
Deputy G.J. Truscott (B)				
Deputy J.H. Young (B)				
Deputy L.B.E. Ash (C)				
Deputy G.C.U. Guida (L)				
Deputy of St. Peter				
Deputy of Trinity				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy C.S. Alves (H)				
Deputy I. Gardiner (H)				

Deputy M. Tadier of St. Brelade:

Could I seek some guidance from the Chair as to the opinion of the Chair? It might be helpful in future to stop these kind of situations arising if when Ministers know that they are not going to be here, if they publish in advance meetings when they are away. We know advance notice is given for

questions without notice, which are changed around to accommodate and give notice, so it seems that that could happen and it would be accountable not just for the Assembly but for the public.

The Deputy Bailiff:

I do not want to make a ruling on this, but I have sympathy with what Deputy Tadier has just said and perhaps it would be helpful if the Members themselves might communicate by email indicating why they are away at the last minute, if they are away at the last minute on States business.

COMMUNICATIONS BY THE PRESIDING OFFICER

The Deputy Bailiff:

We now move to communications by the Presiding Officer.

1.1 Welcome to His Excellency the Lieutenant Governor

On behalf of Members, I would like to welcome His Excellency, the Lieutenant Governor, to the Chamber this morning. [Approbation]

1.2 Royal visit in commemoration of the 75th anniversary of Liberation

Secondly, I am pleased to inform Members that we have been informed that, on behalf of Her Majesty the Queen, their Royal Highnesses, the Duke and Duchess of Gloucester, will visit Jersey to help the Island celebrate the 75th anniversary of the Liberation. The Duke of Gloucester is Her Majesty the Queen's first cousin and grandchild of King George V and Queen Mary. The royal couple will arrive on 8th May and depart on the afternoon of 9th May. They will also visit Guernsey and Sark as part of those Islands' respective ceremonies. The Duke and Duchess last visited Jersey as a couple in 1978, but His Royal Highness was last in Jersey in 2012 and visited Elizabeth Castle and celebrated the transfer of St. John's Ambulance Commandery to Jersey on that occasion.

1.3 States Assembly: time limits on speeches in debates

Thirdly, Members will have seen 3 screens that have been temporarily installed in the Chamber this week and they will have received an email from the Greffe advising that the screens are to be used to trial the timing of Members' speeches during debates. This follows the Assembly's adoption last year of P.101/2019, 'States Assembly: time limits on speeches in debates'. It was recognised at the time that timers will be required in the Chamber before the Proposition could be implemented in full. During the course of this week and during the Assembly's next meeting on 24th March, the screens will therefore be used to show the lengths of Members' speeches during debates.

[9:45]

In keeping with the Assembly's decision, they will not be used during question periods, or for statements. To remind Members of what they agreed in P.101, the Proposition stated that speeches in debates in the Assembly: "... should not normally exceed 15 minutes in length, excluding time spent on interventions, points of order and questions to the Attorney General." These time limits are not yet procedurally enforceable, as no changes to Standing Orders have yet been made, but the Greffe will operate the timers in line with the Proposition, so Members will be able to see if they are about to pass the 15-minute limit with their speeches. If Members have feedback as a result of the trial during this meeting and the next one, please contact the States Greffe.

PUBLIC BUSINESS

2. Electoral Reform 2020 (P.126/2019)

The Deputy Bailiff:

We now move to Public Business and the first item is the Proposition entitled Electoral Reform 2020 (P.126/2019) lodged by the Privileges and Procedures Committee and I ask the Greffier to read the Proposition.

The Deputy Greffier of the States:

The States are asked to decide whether they are of opinion - (a) to agree that fair representation and equality in voting weight and power across the whole population should be the basis for any reform of the composition and election of the States; (b) to agree that it should establish an Assembly of 46 Members, elected from 9 districts, each choosing a number of representatives based on population and to replace the current Schedule 1 to the States of Jersey Law 2005 as follows. Constituencies. District 1: St. Helier South, Vingtaines de Bas et de Haut de la Ville, St. Helier, 5 Deputies to be returned. District 2: St. Helier Central, Vingtaine de Rouge Bouillon, St. Helier, Vingtaine de Bas du Mont au Prêtre, St. Helier, 5 Deputies to be returned. District 3: St. Helier North, Vingtaine du Mont Cochon, St. Helier, Vingtaine du Mont à l'Abbé, St. Helier, Vingtaine du Haut du Mont au Prêtre, St. Helier, 5 Deputies to be returned. District 4: St. Saviour, Parish of St. Saviour, 6 Deputies to be returned. District 5: St. Clement, Parish of St. Clement, 5 Deputies to be returned. District 6: St. Brelade, Parish of St. Brelade, 5 Deputies to be returned. District 7: St. Mary, St. Ouen and St. Peter, Parish of St. Mary, Parish of St. Ouen, Parish of St. Peter, 5 Deputies to be returned. District 8: St. John, St. Lawrence and Trinity, Parish of St. John, Parish of St. Lawrence, Parish of Trinity, 5 Deputies to be returned. District 9: Grouville and St. Martin, Parish of Grouville and Parish of St. Martin, 5 Deputies to be returned; (c) that an independent Boundaries Commission should be established to begin work after the 2022 elections to make recommendations to ensure that the 9 districts remain compliant with the principles cited in paragraph (a), comprised of a Chair and 3 other members from outside the Island and of 3 Jersey residents, all with relevant skills and experience, and to request the Privileges and Procedures Committee to take the necessary steps to identify, through a process overseen by the Appointments Commission, the proposed membership of the Commission for subsequent approval by the Assembly; (d) to agree that the office of Constable should entitle the holder to membership of the States of Jersey in a non-voting capacity, but with the ability to participate in debate and non-executive committee work; (e) to agree that legislation to change the composition and election of the States Assembly to 46 single-category Members, elected from 9 districts as outlined in paragraph (b) of this Proposition, should only come into force if it wins the support of the majority of Islanders who vote in a YES/NO referendum to be held during 2020; and (f) to request the Privileges and Procedures Committee to bring forward for debate the necessary legislative changes to alter the composition of the Assembly and create an independent Boundaries Commission in time for the 2022 elections.

2.1 Deputy R. Labey of St. Helier (Chair, Privileges and Procedures Committee):

I see the timers have kicked in. It would have to have been this morning, would it not, but I have only got myself to blame, I suppose. P.126, what does this Proposition set out to achieve? Four very clear things: ensuring the vote of one elector is equal to that of another. For the first time in Jersey's democratic history, every Islander entitled to a vote of equal weight and power; (2) meaningful elections with every Member of this national Parliament, this legislature, specifically and directly elected to it in contested elections, meaningful elections that the voter will be able to take part in and get to know the candidates to make informed choices; (3) a simplified system, one category of States Member, leading to greater engagement, greater participation, greater civic participation and my goodness, do we not need it? Not only greater participation by the voter, but by potential candidates too, because it is going to be more attractive to potential calibre candidates. My goodness, we need that too. It is our responsibility to ensure our own succession. If the Members present here today were replaced by the 47 members of the public that took part in our focus groups, the qualitative survey, 6 groups of 8 - one was missing and ill, so that is 47 - if those 47 people were sitting in these seats today, P.126 would be approved 42 votes *pour*, 5 votes *contre*. I am a big fan of citizens' juries.

I just want to tell you the story about those, both the qualitative and quantitative research that we undertook under the suggestion of the Chief Minister and the focus groups. As I say, we engaged 4insight, which the States is regularly engaging, a market research firm. I think policy development boards are using 4insight, I think Scrutiny are too. Members will be aware of them, a very professional outfit, moderated by a lady - we will call her Dorothy - independently moderated and also they have a panel of nearly 3,000 people who might rock up one day to give their thoughts on a new biscuit packet, or a new washing detergent, or the issue that a policy development board might have brought or, on this occasion, electoral reform. I was absolutely terrified by this, because I thought: "How is it going to go?" and it could have killed P.126 stone dead. Members will have experienced this, some of them, that you watch from behind the 2-way mirror, you can watch anonymously, you can watch the whole session and how it goes. I did watch the first 3 and, as I say, I was very nervous at the beginning and the very first thing that the moderator, Dorothy, does or did in these sessions is to play a word association game. She asked those participants to take a pen and paper and write down the first words that came into their head when she uttered a certain phrase. She uttered the phrase: "The States of Jersey", they wrote and then she went to the whiteboard and they read out what they independently wrote, so they were not listening to somebody else, it was what they independently wrote. The results were not pretty. They were universally negative over the course of the entire 6 focus groups. The kindest thing I can remember that was said, the most benevolent thing, when people were asked to comment on the States of Jersey is that somebody said: "Well, they are doing their best." Apart from that ... and it was not like: "They are corrupt, they are crooks", it was not that sort of thing, it was just disillusionment, dissatisfaction with the Assembly. I think that exists in the Island and this is part of the remedy. Then they go on to discuss the current States and what they knew of it. They were shown a graphic sequence of the current makeup of the States, so up would come a map, there would be the 12 Constables would pop up yellow, the 29 Deputies in green, the Senators in blue and they were left with this picture of these 3 categories and the number of States Members and all the districts Island-wide. I remember in the first focus group one gentleman just looked at it, there was silence, and he said: "Well, that just says everything, that just says it all. What are they doing on an Island 9 by 5 with all their titles and their little fiefdoms? What are they doing? It does not make sense." So then they go on to discuss that how better ... then they are explained what P.P.C.'s (Privileges and Procedures Committee) proposals were or are, P.126 effectively and that first focus group was unanimously - unanimously - in favour of it. They were only asked one question to write down and there is a box to tick, which is at the very end and it was: "Would you support the P.P.C.'s proposals in their entirety, yes or no?" Eight yeses. That is a good start, I thought, or maybe it can only go downhill. The second focus group, one person held out for the Senators, one person; the rest, 7 of them, yes to P.P.C.'s proposals in their entirety. The third focus group I went to see, one person. This is the first time now, we have done 2 focus groups, one person holds out for the Constables and they have a discussion about that. We are going to spend a lot of time talking about Constables and Senators probably and it is our obsession. Well, of course it is, because some of us are them, but the public are not that obsessed to this degree. They want a better system, better representation and we are at an all-time low in public opinion. We have got to turn it around and I believe we can start to turn it around with a decision, a positive decision, today, one that no one is expecting. Would it not be wonderful to surprise everybody? The other qualitative research we did was a survey, so again, it is sent out by email to the 3,000 panel. They got about 400 replies online. To make up the numbers and for a more random selection, the street interviewers went on the street. There were only about 10 questions. They are all there in P.126 and they were asked that. We had 600 plus replies. Once that is turned into a representative sample, no politicians, sitting or past, none of their immediate family, no media, current or their family, no other members of the civil service, no other people working in market research, once the demographics are sorted out, age, income, where they live, Parishes, town and so on, we had 500 plus and the result of that was 74 per cent of people ticked the box. This is quantitative, not qualitative, they do not get a chance to chat about it and discuss it and inform themselves, this impulse, 74 per cent were in favour of the

P.P.C. proposals in their entirety. In the age group 16 to 40, it was 84 per cent, 84 per cent in the age group 16 to 40. I think that says it all. We know, do we not, from O.E.C.D. (Organisation for Economic Co-operation and Development) statistics, the Better Life survey that came out just recently, that as far as civic engagement is concerned, Jersey ranks 41st out of 41 nations. When it goes to a survey on regions, regions that elect a legislature, or an assembly, or a parliament, we are, I think, 370-something out of just over 400. It is alarming. One of the things that I think we should be worried about in the O.E.C.D. survey on Better Life - it is the index on how people feel about their life in the location that they live in, their life satisfaction - in 2013, we were up there in the first 2 or 3 with Norway and Sweden, who are normally up there at the top and they still are. In 2013 we were at the top. This year, 2020 or 2019/20, we have dropped. We have dropped maybe 15 or 16 places to 6.6, just above the average. We have gone right down the table from 2013 in the intervening 7 years. I think it is tied in with all of this. I think it is tied with not accepting the results of that referendum in 2013 and on what has happened subsequently. I am not going to do too many statistics today, because, of course, we can turn them around, can we not, to suit our argument? But I think those are pretty stark and pretty unarguable. I just want to go through those 4 outcomes that this proposal is aiming for and will deliver: the delivery of equal votes, fair votes, for all. This is absolutely crucial. I know, from doing the rounds of the Parish Halls and from starting this process, the very first letter I had was a gentleman in St. Clement: "Why should I go out to vote when I know my vote does not count in St. Clement as much as somebody in St. Mary?" The cat is out of the bag now in terms of our malapportionment.

[10:00]

People know, people are aware that they are underrepresented, that their vote does not count as much as somebody's in a different place and that is a classic disincentive not to come out and vote. How do we sort that out and give everybody the same vote? It is very simple, it is you have equal-sized constituencies, the same number of people voting for the same number of candidates. That is the way it is done the world over. Members say: "But Jersey is special." There is nothing special about keeping a large section of the population underrepresented. There is nothing special, or quaint, or charming about that. It is simply unfair, that is all. There is nothing special to effectively valuing some people because of where they live more than other people because of where they live. Just yesterday Members will have seen me posting lots of videos to help raise awareness on Commonwealth Day of the great work that the Commonwealth Parliamentary Association does. In those videos, it talked about the ideals of the Commonwealth, about governments having a moral authority about equality, about human rights. We cannot claim, as a Government, to have a moral authority, if we are allowing a system to perpetuate which is so patently unfair to some sections of the population. It is an equality issue; it is a human rights issue. People are entitled to a vote that counts the same as everybody else's, not a vote that carries less weight, simply because of the accident of their postcode. Members often say also in opposition to any kind of reform like this: "Well, there are plenty of other places that are worse" and that is true. Singapore is in the Commonwealth and Singapore is really bad. It has a parliament of 80-plus members and 80 of them are in the same ruling party and that has been the case for decades. They do a thing where the ruling party will change boundaries days before a general election - that is proper gerrymandering - to suit themselves and it works. They are bad. We are nothing like that, but why would we want to stay in the club with those that have not put their act together, that have not delivered fair votes? That is what I do not understand. Why, when it is so easy for us to change, why look for loopholes or reasons why we should stay as we are, not delivering fair votes, when it is so easy to change and instead of being one of the worst, we are immediately one of the best? That is my aspiration for the Island. I say it is easy to achieve, it is easy to achieve on paper. It is hard for Members, because there is gain, but there is pain, very obviously. I appreciate that. In all this, I have to say that I enjoy working with every Constable that sits in this Assembly and everyone that I worked with in the previous Assembly, absolutely a fact and more than that, every Constable here is an asset to this Assembly, period. It is

not about personalities, it is not about kicking out the Constables, it is about everybody who takes a seat in this Assembly being specifically and directly elected to it in fair elections. We have reached the same conclusions on the P.P.C. Sub-Committee in a way as the Electoral Commission of 2012/13. Whatever you say about them and the results, their conclusions that they reached - and by the end, the Commission was split down the middle, so that is why we had 3 options - but whatever you say about the conclusions they reached, they did an awful lot of work, 9 months solid of work and it stands there. Of course, we have come to the same conclusions on the boundaries. The Electoral Commission had 6 equal size districts. We think we have come up with a better option and it seems to have gone down well, with 9 districts, so that means that St. Clement is not twinned with Grouville and St. Martin, or a bigger Parish like St. Brelade was twinned in the Commission's recommendations with St. Peter, Trinity was also combined with St. Saviour. You can imagine that people might feel in Trinity they would be overwhelmed by their bigger sister. We have tried to redraw those boundaries. As I say, they have gone down well, I think, with Members and outside. The consternation that we have the audacity to do that I do not understand, because this argument was played out in that referendum: 80 per cent of people that voted in that referendum for their first choice voted for an option which had 6 larger constituencies. One could argue that that argument has been won and it was resounding. That was when, for instance, 1,300 people voted in Grouville in that referendum. Over 1,000, their first choice was for (a) and (b), an option which would have seen Grouville twinned with St. Clement and St. Martin. That was the pattern, was it not, 80 per cent? It was interesting in that first round ballot, 3 Parishes voted for option (a), there were more people voting for option (a) than option (b) and there was just one vote in it, one vote in St. Brelade, 956 to 957, but in St. Clement, the first round option (a) came on top, the same in St. Saviour, the same in St. Helier and, of course, those are all the underrepresented Parishes. Those are all the urban Parishes which are underrepresented, so it is perhaps no surprise. If I am going to take some account of the referendum in 2013, people have got a right to say to me: "OK, what about the referendum in 2014 with the: 'Do you want the Constables in, yes or no, by automatic right?'" Fair point, fair point. However, I think that referendum is unreliable. I am sorry Senator Moore is not here, because I wanted to address her on this, because I know she is thinking about this. I think it is unreliable because (a) there was no "no" campaign, just one "yes" campaign; (b) you could ask 6 months after that referendum, you could ask the question: "Do you want to keep the Senators in?" "Yes." You could ask: "Do you want to keep the Deputies in?" "Yes." "Do you want to keep things as they are?" "No." What happened - and Deputy Maçon originally brought the Proposition and he might speak to it - and I will just reference it briefly here, that Deputy Maçon wanted to bring the Clothier principles to a referendum to the public and it was hijacked at the last minute. He did all the work, he went to 4insight, he did the focus groups, as you are supposed to do, to arrive at a question that is sensible. You are supposed to consult the public and do these groups. He did all that. At the last minute it was amended by former Senator Green and that is wrong. That is why we have a Referendum Commission now and they would not let that happen. There is a process and they did not follow it. But there is something even more important. If you have successfully managed to deter those most against the system from voting, it is no surprise that when you put a question to those that are voting they will say yes to something that resembles the *status quo*. It is difficult to grasp, that concept, but it is the levels of disillusionment with the system, it is the levels of non-participation, the levels of disillusionment with the system that speaks to a high level of dissatisfaction. That is the spiral we are in now. Do we honestly believe we are going to get better civic engagement, better participation by staying as we are? We are not going to. As somebody who is known to all Members in here and once worked with us said to me on Friday, when we bumped into one another: "How low do our participation levels have to fall before we cannot really continue to call ourselves a properly functioning democracy? How low? How bad does it have to get?" I always hear people saying: "You see, the thing is, it is the Jersey people that vote and the ones that have come over, they are not interested and it is just the indigenous population." That is absolute nonsense. We have all knocked on the door of people with Jersey names, if you want to call them

that and they have said: “No, I am not voting anymore.” You cannot make that distinction and you cannot be satisfied with it. We have to work so hard on improving it and I have got plans for that, but we cannot go to the electorate and say: “Come on, do your civic responsibility” which people do respond to, in these sort of Get Out to Vote campaigns. Appealing to their civic responsibility is one way of getting the numbers up, which has been proved in America in the Get Out to Vote campaign. We cannot do that, though, if we have not put our own Assembly in order, put our own house in order in terms of giving everybody fair and equal votes, because they are just going to throw it back in our face. When I was on the planning bus once, with the Constable of Trinity and I remember asking him: “What are you doing tonight?” He said: “I have got to get the Parish Hall ready for our Liberation evening.” I said: “What do you do on your Liberation evening?” and he explained that they have something to eat and what have you and then he said: “We have a jolly good sing-song around the piano” and I thought to myself: “That is so good, I bet it is a brilliant night” and it reminded me of when I was a kid of the Harvest Festivals in Grouville Parish Hall and the Constable would don his safari suit and sing inappropriate songs, which we all loved and that is absolutely marvellous. I just do not see how that will change by Trinity voting with St. John and St. Lawrence in a constituency. I do not see how that will change. Once every 4 years they come together to form a constituency, so that everybody in the Island has an equal vote once every 4 years. How is that going to change the Parish system? How is it going to change the Battle of Flowers for those Parishes that put votes in? How is it going to change the Rates Assembly? Are suddenly people going to stop coming to the Rates Assembly, because they vote with 2 other Parishes every 4 years, once every 4 years? I do not get it. What about the things they have to do to go to the Parish, all the licences and all that? Is that going to stop? No, it is not. The Honorary Police, people are going to stop joining the Honorary Police ... by the way, the new campaign I say to the Constables they are running is absolutely first class. It is classy and I congratulate them for it and good luck with it, it is brilliant, really professional. **[Approbation]** I do not see how Parish activities like that, which are brilliant ... and Trinity is special, but as the rates assessor said, Peter Colback, when we had that meeting there, Trinity is special, but Trinity has also got to play its part and it has got to cede some of that extra power it should not have in the vote, so that everybody else has a fair vote. I have never forgotten that. The Constables have heard me quote it often, I have written it in letters to the *Evening Post* and so on. Trinity is special, but we have to play our part in reforming the system. You cannot argue with that. I simply cannot see how giving people fair votes by changing the boundaries is going ... “This is what is going to kill the Parish.” I do not see it and nobody has yet tried to convince me of it. There is no evidence of it. If we are going to hear: “Oh, look what happened to Guernsey when they took the Douzeniers out of the States”, I will come to that later on, but Guernsey is a different Island to Jersey. The Parish system in Guernsey was never the same as the Parish system in Jersey. It was never the same. Jersey has got more in common with Madagascar because we both have ring-tailed lemurs than it does with Guernsey. **[Laughter]**

[10:15]

The other thing, one of the most depressing things about electioneering is you go to blocks of apartments, or flats and all those booklets, that are beautifully produced by the Greffe off vote.je with every candidate in, a sort of Yellow Pages and they are all stacked virgin on top of the post-boxes, untouched by human hands. If we go to these districts, we will have a leaflet provided for each district, so with just the candidates that are standing in that district, so we will produce 9 different booklets instead of the one big one, giving people an opportunity to get know the candidate and make an informed choice at election. You might have to do 3 or 4 hustings, but that is good. That is going to encourage people to come out and vote. If we take the biggest multi-seat constituency we have at the moment, the current system of St. Helier 3 and 4, if we take that example, there are 4 seats, are there not, in that district? It will be 5 in all these districts, 6 in St. Saviour. You are going to get between 7 and 11 candidates, if St. Helier 3 and 4 is a guide to go by. That is manageable. I also hear this business about it is an end to Parish representation. That is another one I do not fully

understand, because instead of having 2 representatives, every Parish will have 5. There will be greater Parish representation. A conversation I had with a Constable, he said: "Oh, but there will be no Parish representation in this if the Constables do not have the automatic right to a seat in the Assembly. That is the end to Parish representation and I cannot get my head around this." I said: "What about the Deputy? She is a Parish representative." "No, that is not the Parish representative." I said: "What do you mean?" "Well, she is not in the municipality." The argument seems to be that we should reserve 12 seats in a national parliament for members of local municipalities. I do not get that. Where is that done? Where in the world is that done? "Oh, Jersey is special" but there is nothing special about that. It is daft. It does not make sense. Andy Burnham is the Mayor of Manchester. He does not sit in the House of Commons. Sadiq Khan in London does not need the House of Commons for his authority and he does not sit in the House of Commons. It is a separate job. In one way it is good that it is a separate job, because there is the Commons and there is local government and they check and balance one another. That is why in France the mayors, you no longer could be a mayor and a member of the Assembly, you have to make the choice between the 2. People try to second-guess. Another I hear is St. Mary will be underrepresented; there will be nobody living in St. Mary that gets elected in that district, St. Mary, St. Peter, St. Ouen. I think that is so wrong, because I think what is going to happen is everybody in St. Ouen and St. Peter, because we have good people, everybody is going to give at least one of their votes to one of the St. Mary candidates or 2. If they do that, the St. Mary candidate could end up topping the poll in that district. The idea that people's priority is to vote for a candidate who lives near them over and above a candidate with calibre, who they think might do something, that is how people think. They are not stupid, they will put their cross next to the candidates they think are the best calibre, irrespective of whether they do not live in the Parish or they do live in the Parish. As an asset to the Assembly, the Deputy of St. Mary and a trained lawyer, he has got my mum's vote for starters. **[Laughter]** She is in St. Ouen. She only had ... I cannot reveal her age. She was here in the Occupation as a very little girl, but she only had one election for Constable in her lifetime in St. Ouen. The business about the uncontested election is no reflection on the candidates themselves and the people sitting here. If anything, it is a testament to how good they are, but in those focus groups and when you speak to people, when we flashed up the amount of uncontested elections that there were in the last election, over a quarter and the amount of uncontested in the election before that - over a third of the Assembly in the last 2 elections, a quarter or a third elected unopposed - and we wonder why people do not come out to vote, because another reason they say they are not going to come out to vote is because they cannot effect change: "Nothing I can do to vote is going to change anything." When they look at a general election, which has a quarter or a third of the seats elected even before a single vote has been cast, that is a disincentive. The other issue, of course, with the larger constituencies is what I call the red threat; we are going to be awash with Reform Jersey. Now, 5 people think that is a great idea in here. A lot of others do not think so. Giving St. Helier an extra 2 or 3 seats, it is going to be awash with Marxists in the Assembly. Let us just remind ourselves of St. Helier, the Parish that returned Deputy Frank Walker, Deputy Philip Ozouf, Deputy Alan Maclean, Deputy Paul Routier, Deputy Rod Bryans. I could go on. I mean, really, St. Helier, just like the rest of this Island - we have to face up to it - is largely a conservative voting Island. We like to toss the odd lefty in now and again. That is not going to change. It is not going to change and you just cannot second-guess how people are going ... but it is going to generate a proper election in these districts, it is going to generate power and we will not have the Senatorial elections, which are completely pointless, sucking all the oxygen out of the whole election, stealing all the headlines in the *Jersey Evening Post* and what have you - they are obsessed with the Senatorial election - and instead everybody is going to be interested in every election, which will be a meaningful election with people ... look, it is the Constable of St. Martin, who I am very fond of, is looking at me with daggers, but I have got to tell you, the P.126 deal for St. Martin and Grouville, you are never going to get a better deal; never going to get a better deal. I just appeal to ... look, the Deputy of St. Martin and the Deputy of Grouville, I mean, what is going to happen? Eventually, if we really cannot reform ourselves, are we going to

have to bring somebody ... you will never get a better deal than this in St. Martin and Grouville. Is it really so tough, is it really asking too much of you just to ... I know there is a huge rivalry between St. Martin and Grouville. I used to do the Battle of Flowers in the 1970s, when there was a massive battle between St. Martin and Grouville and St. Clement, who were the contenders for the *Prix d'Honneur*. Is it asking too much of you just to be a constituency for 6 weeks every 4 years and you get an ... look, there are 5 seats available in P.126 in the St. Martin and Grouville area. We could probably guess what might happen with 4 of them, but then there is the chance ... it gives the chance, it is a vacancy and it gives the chance for people living in Grouville and St. Martin to try their hand. The great thing about a multi-seat constituency and I had this when I stood - oh, I am glad she is not here - and Deputy Martin, who I knew as a friend, said: "I hear you are standing against me." I said: "I am not standing against you, Judy, I am standing with you" and you can say that in a multi-seat constituency. She said: "Oh, I am going for the vacancy" and we ended up in the last election standing together as a team, which worked and I think there is a benefit there. I think that we are going to see that happening, alliances across the districts starting to form with coherent policies. It does not have to be full party, but alliances: "I am standing with this person across the region." That is going to be good for democracy, because people will be able to make a choice about policies. I just have not finished with the Deputy of Grouville and the Deputy of St. Martin. Look, St. Martin and Grouville share a patron saint, *St. Martin de Tours*, *St. Martin de Grouville* and St. Martin. St. Martin was famous - you probably know this, of course - for cutting his cloak in 2 and giving one half of it to a beggar and that is all I am asking you to do today. That is all I am asking those Members to do, just cut off a little bit of your cloak and toss it to your neighbours in St. Saviour and St. Clement, so that the vote equalises. Remember St. Martin. What I hear also a lot of is: "Evolution not revolution." There will be, later this year, the 20th anniversary of the *Clothier* review results. Yes, 20 years with no evolution, but surely 20 years is long enough for people to get their head around the concept of one category of States Member. I mean, when this came out, the Comité were collecting their pearls and gathering their skirts and they are all in shock because somebody has deigned to suggest one category of States Member. It has been there on the books for 20 years. If you want to go further back to Lord Sandhurst's review in 1965, the year I was born, 35 years ago, [Laughter], 1935 ... 1965 he comes out with one category of States Member and that report was buried faster than you can think. So, they tried to bury Clothier, but not everything that is buried is dead. It will not die, and every time somebody looks at this it bubbles to the surface. We dubbed this *Clothier* for the Venice age, *Clothier* for today's age, because we still cannot achieve voter equity and voter equality with the pure *Clothier* principles. That is why we have gone for the larger constituency. Another deterrent for people coming out to vote is the complexity of the system. All of us might think: "That is crazy" but it is true. They give this as the reason and nobody wants to look stupid, going into a polling booth and feeling stupid because they do not know what they are voting for. I am sorry, but impossible as it may seem that these 3 categories of States Member and all these different elections are ... easy as we find it, people do not. A simplified system, not only having posters up with people's faces in the district that they are living in to vote for, one category, a simplified system. We have got to try it, because we have got to try things that will get people out to vote. We have got to increase our civic engagement before we cease to become a functioning democracy. I am surprised that I have talked for nearly 40 minutes and I realise ... but it is time to stop. I know on the Constables' issue, it is a big ask to give up the automatic right. We do know, of course, they are highly electable and back so many of them will come. That is a good thing. I honestly believe the Constables derive their authority from their job, running the Parish, which they all do brilliantly. If there was a call, if there was a movement to centralise more things, I can understand that being taken as a threat to the Parish system. If we were all: "Oh, let us centralise the rates, let us have the Minister for Treasury and Resources do rates and then she can allot the money to the Parishes", if that sort of suggestion was coming up, I could understand the fear and loathing for something like this. Nobody in this building wants to damage or harm the Parish system, none of us. There is not one single Member here who wants to do that. In fact, I think we all think there

is huge potential for the Parish system. The idea of centralising is old hat. Nobody wants to do that anymore.

[10:30]

In fact, if we can, we will devolve as much power as we can to the Parishes. So that is not a threat. Members, let us just be clear about what the Chief Minister is proposing in terms of a working party. He wants a working party to reach an accommodation that the sitting Members are happy with. I think we need to reach an accommodation that our electorate are happy with. I think it is time we put the electorate first, not our own - as uncomfortable and difficult as it is - but not our own self-preservation. It is not an accusation I am levelling at people, because I know there are genuine worries from some people. If I can just quickly run through, I hope Members will find Article (a) a sensible thing to do, for the voter equity, voter equality will be the driving force. Option (b) is the division of things; that stands for itself. Option (c), a Boundaries Commission, we absolutely have to have that. The idea that Connétables, who do not get elected, can still come into this building when we are here and talk to everybody, excuse me for trying to keep all Constables included, but if you think that is a rubbish idea ... somebody said to me: "Oh, they are not going to do that, sit through all the debate." That is the point, they do not have to sit through the debate, but if they want to address this Assembly, this Article allows them to do that. "Who is going to want to do that?" they say. The Dean does it regularly. As to a referendum, that is there in case people needed that as a safety blanket. This is what people say. It is not something I am gunning for. I think our voter engagement is so low that referenda really risk being completely meaningless until we have sorted out our voting figures. I have come to the end of my speech without mentioning once the C.P.A. (Commonwealth Parliamentary Association) E.O.M. (Election Observer Missions), the Venice Commission, the European Court of Human Rights, or the United Nations, or the I.C.C.P.R. (International Covenant on Civil and Political Rights) for this reason: I do not think our electorate are interested in being told what to do by any of those bodies and I think some people share that in the Assembly. We have to have an eye on them because that is our job, but this is not about being told what to do by any of those bodies. This is about recognising ourselves where we are in trouble and trying to put it right. If the Attorney General tells us that we are not in breach of the European Court of Human Rights, I think I absolutely trust his opinion. Are we in danger of the electoral reform police arriving and making us change things? No, it is not going to happen. There are plenty of other places they can go first. I mentioned one earlier in this speech. It is not going to happen. This is not about legality; it is about morality. Of course we do not have to do anything, but we should do something, morally we should do something with that. I know that in these debates and I have read so many of them in the last 20 years, you can hang your opposition to these difficult reforms, but necessary reforms. There are so many different things you can hang your opposition to them on, but I encourage Members, please, to look at the bigger picture and deliver for our Island and every one of our citizens a vote of equal weight and power. Only when we take a difficult step like this can we begin for the Assembly to turn a corner and start the process back to getting proper democratic, civic engagement in this Island. We are a small Island, we can do it. I make the Proposition. **[Approbation]**

Deputy J.M. Maçon of St. Saviour:

Does it not need to be seconded, Sir?

The Deputy Bailiff:

Sorry, forgive me. Has the Proposition been seconded? **[Seconded]**

Deputy J.M. Maçon:

Can we raise the *défaut* on Deputy, please?

The Deputy Bailiff:

Do Members agree we raise the *défaut* on Deputy Higgins? Yes, the *défaut* is raised on Deputy Higgins. Thank you for seconding the Proposition.

2.1.1 Connétable C.H. Taylor of St. John:

I hope you will indulge me, because I go back as early as the early 1970s, when I first helped John Averty get elected into this Assembly and in the early 1980s I was elected Constable's Officer and became part of the municipality of St. John. I have held a number of positions and during election time had been fully involved in elections and, most recently, as Constable, I was very much organising the Parish Hall and the election in it. Over these years I have seen a number of changes, one of which has been a bad change. If you go back to the early 1980s and throughout the 1980s, the Parish Hall was open and welcoming. You came into the Parish Hall, you went to the table on one side, you got your ballot paper, you voted at the far end and on the other side we even had teas and coffees and people would stand around and mill and talk but, oh no, that is very naughty. You are not allowed to talk to other people if you have voted and they have not. So, we now have this system that is not too dissimilar to a ghost train, really. It is all blacked out and you walk around this corridor and you come in and you get your ballot paper, you go around the corner, down the side and you go out the back door when you are finished, because that is progress. I have had parishioners say to me: "Why do we do that? I do not vote anymore because I feel claustrophobic." A couple of years ago I was in France when they were having their elections and I was staying with the Mayor of Le Teilleul, with whom St. John is twinned. She took me to their polling station and how was it arranged? They had the ballot papers on one side, they had the ballot box at the far side and on the left hand side they were serving coffee and *croissants*, exactly as we used to. There is a change that we did not need to make and it has backfired. It has not improved turnout. I feel I should also raise concerns about the Sub-Committee on P.P.C. and the P.P.C. itself, on which I sat. There was no open call for Members to join the Sub-Committee. It was announced a Sub-Committee was being formed and that has been their progress. We have never had minutes of the Sub-Committee, nothing online, no online links to all the evidence that they have hunted and I cannot help but feel that it was not a representative committee, especially when there were 3 St. Helier Deputies on that Sub-Committee, no Constables and no Senators. I am sure it will be brought up later that an attempt by the Constables to engage was not warmly received. In the end, P.P.C. came up with P.46, which I know was withdrawn, but it is interesting that the Chairman of P.P.C. went around all 12 Parish Halls with the suggestion of P.46 and it was roundly rejected. St. Helier, the Parish which is being given the biggest increase in representation, only managed the smallest attendance at the Parish Hall. I think that that raises a very serious question. The Sub-Committee's work is difficult to understand, because we have not had an opportunity to scrutinise it. For example, the Sub-Committee and P.P.C. have used the population figures in determining the size of districts. Why have they used population? Why have they not used eligible voters or registered voters? Population is the number of people, but not everybody in the population can vote. Out of the 106,000 population, I believe somewhere in the region of 18,000 cannot vote; they are too young or they have not been on the Island long enough. They are not eligible to vote. Statistically, to include them in the figures I believe is wrong. We then have eligible voters, people who are of the right age, lived on the Island long enough and they are eligible to vote. We could use that figure, but again - and I am sure many Constables will back me up - I have had parishioners come in and say: "Take me off the electoral roll. I do not want to vote. I do not want to be on it." So why are those people counted in the calculations? If one of course made the correct decision of determining the size of a Parish or constituency by the number of people who have registered to vote, the number of people who want to vote, the number of people who have

taken the time and trouble to say: “Yes, I want to be involved”, this is what the U.K. (United Kingdom) does and it is what a lot of the Commonwealth countries do, is they determine constituency by the number of registered voters. We are out of step. Why? Perhaps that should be looked at. The Deputy, in his Proposition and under part (a) says “to agree fair representation.” I cannot argue with that; I agree, but under his proposal there are up 5 Parishes that could have no representation in this Assembly. That is absolutely true. There are 5 Parishes that could have no representation in this Assembly. The Venice Convention is very clear on boundaries. It says historic boundaries should be observed and protected. This Proposition here says that the Boundaries Commission should be brought in. How can it be to change these boundaries? This goes directly against what the Venice Convention says. I think one of the major concerns - and the proposer is quite correct in bringing it up - is voter apathy. Why is there voter apathy? I will give you a very good reason, because in 2014 people turned up to vote to keep the Constables in the Assembly, 61 per cent of the electorate who voted said: “We want the Constables to stay in the Assembly.” This Proposition proposes to get rid of the Constables. In other words, the 61 per cent of the people who turned up to say: “We want the Constables kept” are going to say: “Why bother voting? Nobody listens to us” and that is the biggest reason why people do not vote, because we do not listen to them. Part of the Government Plan and part of the Common Strategy Policy is care in the community and more involvement in communities, in other words, more involvement in the Parishes. The last few months, Health have come to the Parish of St. John and every Thursday we have the hall filled with parishioners and people from the north of the Island, patients from the north of the Island coming in and participating with our health strategy. By getting rid of the Constables you cut off the head of the Parish.

[10:45]

I have never come across any animal or any organisation which has thrived when the head has been cut off and I believe that this will, in the end, over a period of time, spell the end of the Parish system. I will finish with something that has happened in St. John. Just before election day, the Constables all received an email from the Observers’ Mission saying everyone must show I.D. (Identification) when they come to vote. I immediately emailed back saying I would not comply with that, because in St. John we have honorary people, honorary parishioners, who have worked up to and over 40 years in the Parish, given 40 years’ of honorary service in the Parish, and to ask them to provide identification in the Parish Hall, where they have given up such an enormous amount of service is an insult and I would not do it. The election observers came, and I put this point to them and they accepted it and they said: “You are right, but what we will ask is that anybody you do not know shows their I.D.” Halfway through the afternoon on election day there was a burst of laughter in the Parish Hall. I was down by the ballot box and so I sauntered around the Parish Hall and sitting opposite the *adjoints* who were giving out the ballot papers was the Honourable Phillip Paulwell, who was head of the mission and an M.P. (Member of Parliament) from Barbados. I sat down next to him and I said: “What was so amusing?” and he said: “Oh, you would have loved it. It was hilarious. This young lady came in and stood in front of the first *adjoint* and said: ‘Hello Granny’ and the *adjoint* said: ‘I.D.’” Following that, he leant over to me and he said: “Jersey is very special and what you have got here is really unique. You will have to fight to keep it and you must fight to keep it” and that is what I will do. I am fighting to keep our very special unique system. Those are not my words. Those were the words of the head of the Commission and with this I would ask Members to reject this Proposition.

2.1.2 The Connétable of St. Ouen:

I was expecting the Constable of St. Helier to speak before me, but obviously I pushed my button faster. Before I start on my speech I would just like to congratulate Deputy Labey on what is one of the best speeches I have heard in this Assembly. I do not agree with many of the points that he has

made, but I have to say he put them across brilliantly and he deserves all the credit for that. I have to say though that it will come as no surprise to him that I am not rising to speak in favour of the Proposition. The first thing I would like to talk about is the removal of the Senators from the Assembly. If we think back to some famous names in our past, like Cyril Le Marquand, Dick Shenton, Gwyneth Huelin, Ralph Vibert and more recently Sir Philip Bailhache, these are names that resonate with Islanders. They are some of the dedicated men and women who have been recognised for giving years of service to our Island in the role of Senator. So now we are proposing that role, one that has produced some of the most effective and respected politicians in our Island, be abolished. Why? Well, some of the reasons being cited include: "A single election day has compromised this class of Member, not allowing candidates to step up in other roles." "The large field of candidates means it is difficult to get to know each candidate well" and I have to say, having attended the hustings in St. Ouen it is a good point. "Standing as a first time candidate has increased the size of the field greatly, rendering the hustings a farce and more than one type of Member was confusing." However - and this is where I differ from Deputy Labey - none of these difficulties in my mind are insurmountable and I think the P.P.C. could have found some solutions, such as revisions to the husting format, separate election days and something I have been particularly impressed with: greater education of the electorate, a process that the Greffe made an excellent start on last time, for which they deserve a great deal of credit. Under the current system of ministerial government, Senators with an Island-wide mandate are perfectly suited to undertake the most senior roles in Government - Chief Minister, Minister and indeed senior Chairs within Scrutiny, roles that by their very nature are all full-time and leave very little time to deal with individual Islanders' concerns. I am not suggesting that Senators do not get involved in individual issues, because they do. The point that electors realise is when voting for Senator they are most likely voting for a potential member of the Government at a senior level. They recognise that that person will most likely be involved fully in their role and have very little time to be involved in issues that rightly are the remit of the Constable, Parish Deputy or, under the new proposed system, the District Deputy. Conversely, the new Deputies, if approved, would be required to deal with a great many more local issues in their district, particularly with the neutralisation of the Constables' role enshrined in this Proposition. Who then would have the time and the focus and the ability to take on senior Government and Scrutiny roles which require filling? When the current Chief Minister speaks about Island-wide policies, he speaks in the knowledge that he has a mandate from the whole Island. The same is true for all Ministers who are Senators. Would the Chief Minister's word carry the same weight if he was elected by a proportion of the Island? I am not entirely sure. I accept that our system is not perfect. We have both Deputies and Constables who are Ministers too, which in a purist sense is, of course, flawed. My argument could also be countered by Members pointing to the U.K. and highlighting the M.P.s. The only type of elected Member in the U.K. at Government level are elected by constituency and only one of their number goes on to be Prime Minister. Indeed, all Government roles are filled by M.P.s. My counterargument to this is that the U.K. has party politics. When you vote for an M.P., aside from the individual's qualities, you know what national mandate you are supporting. As you know, apart from Reform Jersey, we do not have party politics in the Island, but furthermore I do not think that voters will be comfortable seeing anyone other than a Senator in the role of Chief Minister. I could be wrong, but that is my view. So, reluctantly, I will not be supporting this part of the Proposition, because in short I believe that it will leave some Members with an all-Island mandate to take top Government roles and the issues with this grade of Member can, in my view, be fixed in other ways. I would also add that, at a recent Parish meeting, it was made clear to me by those present that they strongly support the role of Senator and would, in fact, like to see their ranks restored to 12, and you can see their point. Under the old system, St. Ouen parishioners had the choice of voting for 14 Members of the Assembly, 12 Senators, one Deputy and a Constable. Under the current system they vote for 10 and under the new proposed system this falls to 5, with the prospect with the new district that none of those 5 could have any links with the Parish and the question in my mind - and indeed in their mind - is that improvement? Turning now to the question of Constables and their future role. I should

firstly like to set out why I stood for the role. Like many Constables, I worked my way up through the Parish system via the Honorary Police and I am acutely aware of how much support the Parish system provides to the local community. The Parish is the focus of the local community and has a vital role to play in engendering the sense of value and pride in that local community. Furthermore, and through ongoing and close links with parishioners, much support is provided for those who are lonely through community events, for those facing hardship through the various charities set up and administered by the Parish and for those needing assistance acting as a liaison point between parishioners and Social Security. The discretionary nature of the Honorary Police plays a big part in the administration of justice in the Island and there have been many who have been firmly, but fairly, guided back to the path of righteousness without too much intervention by the criminal justice system. This is particularly the case with younger members of society where a criminal record would seriously impede their career and personal progress later in life as they make their way to university and later into work. While the Constable does not retain policing powers, he or she still retains overall responsibility for his or her Honorary Police force and this is a vital part of that equation. As Deputy Labey mentioned, things like rates, gun licences, driving licences, dog licences, *et cetera*, all flow through the Parish system and are controlled by the Constable. The Parish also plays a big part in administering the road system, not only helping G.H.E. (Growth, Housing and Environment) with the main roads, but also by direct administration of the many by-roads. In short, a very large chunk of Island life flows through our Parish system. The Parishes are a direct and vital and relatively inexpensive link with much of Island life to central Government. Few members of the public would deny that Parishes play a crucial and important role in the life of the community, encouraging honorary and other public service and is an institution that we should preserve and cherish. The Constable is the head of the Parish and is seen by many as the essential link between the Parish administration and central Government. In that context, it is my firm belief that the Constable is the direct representative for his or her parishioners. From the nature of his or her parochial duties, he or she is in daily association with Parish voters and is, therefore, well acquainted with their views and wishes. The Constable brings to the Assembly a valuable practical knowledge of the need and views of those parishioners, so important to the deliberation of this Assembly. There are some suggestions that Constables vote as a block to prevent change, or they do not participate in the wider aspects of the Assembly's work in Government and Scrutiny. As our ranks in this electoral intake demonstrate, we contribute substantially both to the work of Scrutiny and Government, as well as offering a balanced voting record on most matters before this Assembly. I do not think this criticism is as valid as it once was. This brings me neatly to the views of our Island electorate. We have been here before with almost all the same points being made in the Electoral Commission of 2013 as are being made in this Proposition, a point that I have to say I was repeatedly reminded of by my parishioners at a recent Parish meeting. One of the conclusions of the Commission was that the issue of Constables should be put to the electorate by way of a referendum and we have covered a lot of detail before on that. This did happen in 2014 and the result, as we have heard before today, is that 62 per cent of those who voted, voted to keep the Constables. In my view, little has changed since then to justify revisiting this referendum, unless, of course, you are unhappy with the result. Certainly, U.K. voters in the most recent U.K. General Election punished those parties who suggested that the results of the U.K. 2016 Brexit referendum should be revisited, or indeed ignored. Perhaps that is an object lesson to all of us. I have also heard it argued that the question put to voters in the 2014 referendum was ambiguous and voters were not clear about what they were being asked to opine on. Let us look at this in a bit more detail. The exact wording of the 2014 referendum in relation to Constables was as follows: "Tick yes when a Constable is elected by their Parish they will automatically become a States Member. Tick no when a Constable is elected by their Parish they will be appointed as a Parish Constable but not automatically have the right to become a States Member." That seems to me to be pretty clear and unambiguous. Indeed, P.P.C. acknowledge that the outcome of the referendum in 2014 was considered by many to have ended the debate on the inclusion of the Constables in the Assembly once and for all in their own proposal. At the risk of gilding the lily we

should perhaps look at our sister Island and I know Deputy Labey referred to this, disparaging our colleagues in Guernsey and Guernsey removed Constables from the States of Deliberation in 1844, substituting Douzaine representatives in 2014 in their place. The then Commission's visit to Guernsey revealed that the Parishes in the Island are much less of institutional significance. The Parish Halls, that are the focus of so much activity in Jersey, simply do not exist in Guernsey. Is there a connection? As Deputy Labey quite rightly said, Guernsey is, of course, different in many ways, but I would hasten to suggest that the dynamics between the 2 Islands are fairly similar. So, let us look at what is being currently proposed by P.P.C. Essentially, the Constables will be *ex officio* Members of this Assembly who can speak, but cannot vote. In my view, that is a complete fudge. If a Member, or *ex officio* Member, cannot vote, they have no influence and in time they will largely become irrelevant. There is also the suggestion that a Constable stand for a Deputy at the same time and this Proposition would make that possible. I have 2 issues with this, when one thinks about it. Firstly, the potential to run 2 campaigns, one at Parish level and one at district level will be challenging at best, because, as we are told, this Proposition would, of course, resolve the uncontested seats issue. Secondly, the workload at both Parish and district level covering 3 Parishes could be immense and would compromise the contribution to Government in Scrutiny from any Deputy who took this route.

[11:00]

So, while on the face of it it is a good compromise, once you look more carefully - probably not realistic. In my view, this is a very clever and dangerous Proposition. P.P.C. are well aware of the result of the 2014 referendum and indeed the current strength of support for Constables from their recent tour of the Parish Halls. Only one person voted for P.P.C.'s proposal at the St. Ouen meeting, with unanimous support being expressed for the retention of Constables. This proposal makes it look like the Constables are still in the Assembly, however, with the removal of their vote it takes away any realistic influence. Why, for example, would a member of the public seek the support, or assistance, from a Member who cannot have any impact on the outcome of any proposal being voted on? In my view it is a fatal blow. Constables will become political dodos, flightless and doomed to eventual extinction, along with the Parish system they so ably represent. If the P.P.C. proposal we are debating is successful and goes to a referendum, I suspect that many of those who voted to keep the Constables in the Assembly will be tempted to vote for the proposal as it seems to do just that. They would not understand the damage that this proposal does to the role. This is why, in my view, this proposal is so dangerous and indeed from a referendum perspective is misleading and should be resisted. Finally, turning to the proposal in respect of the Deputies, in isolation this has my support, not least because it goes a long way towards making Jersey Venice compliant and answers some of the Electoral Commission's concerns. It also improves representation from the urban Parishes. If the Constables are retained in their full format, the loss of the Parish Deputies, replaced by District Deputies, is survivable by our Parish system. It is not good but in my view it is definitely survivable. We would need to learn to work within the new structure, but at least our ancient and vital Parish system would survive. Finally, turning to the question of the weighted vote, which P.P.C. seems to suggest is at the heart of the matter, I fully accept that there is a need to address some of the current imbalance and improve representation within our urban Parishes. However, as an aside, disparity in constitutional size is not an issue confined just to Jersey. For example, in the U.K., the Isle of Wight constituency has 105,448 electors for one M.P., whereas poor old Orkney and Shetland has only 20,887 again for one M.P. Examples of big disparities also exist in the U.S.A. (United States of America), Canada, Australia, India, Argentina and Switzerland, to name a few. As an aside, this also brings me to another issue. Much has been made of voter apathy and how, if accepted, this Proposition will, at a stroke, resolve this issue. I am sorry, but that is not my view. I am convinced that part of the reason for voter apathy is that voters are not sure what they are supporting when they vote for a candidate, or indeed whether they can achieve what is in their manifesto. Aside from Reform, our current Government is made up of independent Members with, in a number of cases,

widely diverse views on the way forward. In my view and short experience, this is not a recipe for quick progress. A common agreed approach from a Government with pre-agreed party politics could make much more progress in a shorter time. As the Deputy has quite rightly alluded to, we have a reputation for under-achieving, which in turn breeds apathy and, as he said, there is a feeling that why vote because nothing would change anyway? Whether you support Reform's views and, as I say, I do not, all their candidates have the same mandate and they are consistent in trying to achieve it. In short, voters know exactly what they are getting with their vote. For me, this is a pointer to the future for Island politics and I hope more Members are inspired by the Reform example and grasp the nettle of forming parties and indeed we get to the stage of party-led Government. This, in turn, may well help with the uncontested election issue, which I have to say is not entirely confined to Constables, as 3 Deputies were returned unopposed at the last election. Any party that wishes to be successful will need to contest every single seat to maximise its term of elected Members and form a Government, so there will be real motivation for them to do this. Moving on, I am also somewhat concerned that the Constables had no real part to play in the preparation of this Proposition. Indeed, their request for the Constables to be represented on the Sub-Group was denied. Furthermore, as the Constable of St. John mentioned, he is a full member of the Privileges and Procedures Committee and was denied representation on the Sub-Panel. I guess, from an external perspective, one has to question why the Sub-Committee was comprised entirely of Deputies and why all 3 Deputies, notwithstanding their undoubted integrity, were from the same Parish and that no other Deputies from outside that Parish were involved. I do not, in any way, question the integrity of the people who worked on this Proposition, but from a perceived viewpoint it does look slightly skewed. Moving on to talk about the Venice Commission, on reviewing the Proposition, it appears that the Sub-Committee have relied on the content of what is known as the Venice Commission. The Venice Commission published its *Code of Good Practice in Electoral Matters*, detailing guidelines and explanations of the Code and I quote from the Venice *Code of Good Practice in Electoral Matters*. Section 2.2 states: "Equal voting power ... entails a clear and balanced distribution of seats among constituencies on the basis of one of the following allocation criteria: population, number of resident nationals (including minors), number of registered voters and possibly the number of people voting. An appropriate combination of these criteria may be envisaged." It seems to me that the alternative and acceptable criteria have been ignored and they have just simply focused on total population. Furthermore, the Venice *Code of Good Practice* in subparagraph (iii) states: "The geographical criterion and administrative, or possibly even historical, boundaries may be taken into consideration." Again, no evidence is offered, even though there may be some, that these options were considered by the P.P.C. panel. The Code also states: "... departure from the norm ... should not exceed 15 per cent, except in special circumstances (protection of a concentrated minority, sparsely populated administrative entity)." St. Mary, of course, comes to mind. Perhaps they were considering a small Jersey Parish. Anyway, I do not see any evidence of that being considered and maybe the Chair might wish to enlighten us when he sums up. I also have some concern about the transparency of this process. I have to say the Chair did go some way towards enlightening us, but the Constables did put in a Freedom of Information request, which made an attempt to get appropriate answers, which we are still waiting for. Furthermore, we were advised that 6 focus groups, totalling 47 individuals, with 0.05 per cent of the Island's population were engaged, however the P.P.C. and their officers would not advise how they were selected, or how the questions were put to them in the context of removing the Constables' ability to vote in the States. Perhaps the P.P.C. Chair could expand a bit further on that point when he sums up. In conclusion - and I am well over the time limit - I should just like to add a few observations about my personal motivations. Like many people who retire from a career in the finance industry, I had a number of options. Firstly, I could saddle up old Trigger and ride off into the sunset to a happy retirement of hobbies, travel and spoiling my grandchildren and there are days when that seems amazingly attractive. Alternatively, I could have continued to work as a non-executive director in the finance industry, keeping the grey cells ticking over, while having more time to pursue leisure interests. However, mindful of what Jersey has done

for me, giving me a long and very exciting and fulfilling career in the finance industry, which in turn has given me a lot of experience and knowledge that I can offer back to this Assembly, I chose to go into politics, accepting the long hours, continual critics and the pay of rations that go with the role. It is not as has been suggested that I needed a job, but because I wanted to give something back. A Constable's pivotal role in both Parish and Assembly was for me, with my Honorary Police experience, the way forward. I am doing this job purely to give something back and to make a difference and for no other reasons, as I suspect many of my fellow Constables are and, indeed, many other Members of this Assembly. In summary, P.P.C. have to be commended and thanked for their efforts to try to resolve this issue and, to be clear, I do support an increase in representation for St. Helier and the other underrepresented urban Parishes, but in my mind this proposal is not the way forward and sadly it will be the beginning of the end for our valuable Parish system. To suggest otherwise, in my view, is not to understand how a Parish system functions and I urge Members to think very carefully before they support it and, in fact, I urge Members to reject it. Thank you.

Deputy M. Tadier:

Sir, may I seek a point of clarification from the previous speaker?

The Deputy Bailiff:

Yes.

Deputy M. Tadier:

He said that people who can speak in this Assembly, but who cannot vote, have no influence and would be largely irrelevant. We do have Members in this Assembly who can only speak and cannot vote. It seems disrespectful to suggest that the Dean, for example, has no influence and that he is largely irrelevant. Would the Constable help clarify this comment?

The Connétable of St. Ouen:

The point that I made was a matter of opinion that I hold. I have the greatest respect for the Dean, but the Dean does not represent a constituency, as an Assembly Member does.

Deputy M. Tadier:

For further clarification, clearly the Dean and the Rectors in a past life would have represented parishioners and the suggestion has been made that non-speaking Members of this Assembly, who cannot vote, are largely irrelevant and have no influence. I would like to distance myself from that comment, so does it contravene any Standing Orders about imputing false motives on Members of the Assembly?

The Deputy Bailiff:

I do not think the Constable was doing that. Do you want to say anything else in response?

2.1.3 Connétable A.S. Crowcroft of St. Helier:

I first of all want to compliment the previous speaker who I thought, as a relatively new Connétable, showed a very good understanding of the Parish system that he is seeking to protect. I want to challenge a couple of his statements. I think his opening remarks about the need to protect the office of Senator are misguided because he listed a few, maybe half a dozen, famous Senators of years gone by and he went right back 40 years, as people often do when they talk about the good old days; the good old days when we knocked down a lot of historic St. Helier in the name of progress, when we did a lot of other things that perhaps today's Assembly would not do. I do not seek to knock those great Senators, who came before me, but it was not all excellent. The bigger problem about the office of Senator - and we all know this - is that although we have had good Senators, we have also had ineffectual ones and the idea that the Assembly is going to place a newly-elected Senator ahead of an important ministry is nonsense. The Assembly has to have the right to choose its Ministers and

indeed to choose its Chief Minister. If we were to restrict those top ministerial positions to Senators, where would we be in the current Government? We would certainly have a slimmed-down Government but there have been other years when I think we would have struggled to find Senatorial post-holders who could deal with the business of the Island. The other problem, of course, is that Senators lost that extra 3-year period. When the rest of us had a 3-year term of office, a Senator was elected for 6, so there was some incentive in going for that top job. We all know what used to happen. The Senators would run their campaigns and unsuccessful Senators would then stand as Deputies and because of the work they had already done, they had an automatic advantage and often came into Deputy seats, often in St. Helier and they got into the States that way. I do not think the current system for Senators particularly works. We only have 8. You could argue that we should have 6, we should have 12, but basically having different types of Member in a small place like Jersey, we are not the United States of America where a Senator is quite an important position, we are a very small Island. I think part of the simplicity that P.P.C. is proposing here is about having one category of States Member in this Assembly. I think that has got to make sense. A single election day, again, is important. The previous speaker suggested that Senators could be elected on a separate day. We will be going back to having Constables elected on a separate day, as well. That really is not progress. The previous speaker also was, I thought, a little unfair to our sister Island. This is something that happens a fair bit in our Assembly and as a great supporter of Guernsey I deplore it. I think the Guernsey system of *Douzaines* is to be admired. They do have a system of local government that we do not have here, although currently the Parish of St. Helier is trying one out. The speaker who followed Deputy Labey, the Chair of P.P.C., the Constable of St. John I think set his mark on the debate when he described P.126 as: "Getting rid of the Constables." That is unfortunate, because after the excellent speech that Deputy Labey gave it is clear that he does not want to get rid of the Constables from the States Assembly. He is trying to keep them here. Indeed, I prepared quite a lot of notes about the value of the Parish system. As the longest-serving Constable, I have got a pretty good idea of what we do, but both Deputy Labey and the Constable of St. Ouen I thought were extremely eloquent in describing the value of the Parish system. It almost does not need arguing in this Assembly. We all absolutely agree with it.

[11:15]

Because I intend to be the first speaker, since the introduction of the clocks, to come in under the limit, I am going to avoid repetition. I would just say that the greatest value of the Parish system is, to my mind, the fact that we have a pastoral responsibility; that we are the father, or mother, of the Parish, however small or big it is. I think that is an enormous responsibility and it is an enormous privilege to fulfil that role. I do not believe that the change that has been proposed by P.P.C. would affect that one iota. That brings us on really to discuss this idea that the Constables could stay in the States. This was described by the previous speaker as a "fudge". I am going to suggest to use another culinary metaphor, so beloved of the Constable of St. John, that we can have our cake and eat it too under the proposals of P.P.C. What we are being offered here and initially as a member of P.P.C. I was not happy with it, because I do not think that fundamentally people should be in a legislature and be able to influence the outcome of debates without being elected into the Chamber. I admire the Dean, I am grateful for his advice, but in my ideal legislature there would not be a Dean and indeed there would be no unelected Members. All Members would be elected. We would get our legal advice from elected Members. We would be chaired by an elected Member, put in that place by the Assembly. We are a long way from that, of course, because at the moment we are just trying to achieve Members of the Assembly who are elected. Let us get that battle over first, before we worry about the other unelected positions. Members will know, from what I have said in the past, from how I have deviated from the usual position of the Constables, that I believe fundamentally in the fairness of voting, the principle that everybody's vote in an Island, or a constituency, should count the same and listening to the previous 2 speakers, neither of whom nailed their colours to the mast, neither of them said: "First and foremost we believe that voting should be fair." Neither of them said

that and to me if you cannot start from that point, if that is not your axiomatic principle that you bring to this debate, then everything else you say sounds a bit like finding excuses. It sounded a bit to me - let us put the clock back just over 100 years - a bit like Members in the same Chamber rising to their feet, all of them, of course, gentlemen, rising to their feet and saying: "Well, Sir, we are being told that we should allow women the vote, or women into this Chamber. We do not think we should, Sir" and listing lots of reasons about how the Parish of St. John and the Parish of St. Ouen are going to suffer if women are given the right to represent people in the States Assembly. Here we are just over a century later and we are hearing Members rising to their feet and saying: "We do not believe that a voter in St. Ouen, or in St. Mary, should not have more power than a voter in, say, St. Helier." At the moment, if we come to a critical vote and we had one almost a year ago when I asked the States to agree to take People's Park off the list for hospital sites, that vote was won by 24 to 22. Several Constables, who I know how they would have voted, were not in the Chamber. St. Helier voters could have found their public park being possibly prejudiced by voters who had 10 times more power at the ballot box than they do, because that is a fact. When I press my button for or against in a debate, to St. Helier voters that is only worth one-tenth of the vote of the Constable of St. Mary. That has got to be wrong. If Members do not start from that position, everything else they say, I think, is going to be flawed. I personally do not believe the office of Constable and the Parish system would be affected by this. We would still have the Constables here. They would still have their right to speak and a lot of them would stand as Deputy. I certainly would, because I would want to have that ability to bring Propositions, to ask questions and to play a larger role in the Assembly. As I have already put my cards on the table, I believe that all Members who influence in any way the proceedings in a legislature should be directly elected to do so. I do not believe that the Parish system is threatened. It is much too strong and it is gaining strength year-by-year and I think both previous speakers have said that. More responsibility is being channelled into the Parish system. We do, of course, have the Honorary Police, it has been mentioned before and it is something that, of course, Guernsey does not have and I am sure they must look enviously across the water at our Honorary Police system and wish they had it too. I do not think it is going to suffer. I think what we will do is that the Parish system will be built not on sand, as it is at the moment, but it will be built on the rock of voter equity. I do not believe that any system of Government that is not established and founded in that way will last. We will be told to put our house in order and one of the Members who spoke before me alluded to several places like Singapore, where it does not happen. Do we want to follow them? Do we want to follow the countries that do not believe in voter equity to the bottom, or do we want to be among the majority of democracies where a vote is worth the same, no matter where you live? I have called our system gerrymandered in the past and I believe if we turn this Proposition down, we will have no option but to accept, in public view, that our system is gerrymandered. Personally - and both speakers have given some personal anecdotes - I have had 8 elections for the Constablenesship of St. Helier. I have won 7 of them and 3 of them were contested. I was last contested in 2008 and that is too long ago. I did all I could to get people to stand against me, but of course if you want to represent St. Helier in the States, there are easier ways than taking on the Constablenesship. Even so, I look forward to the day when I have to participate against other candidates for a role in this Assembly representing St. Helier. I may well be challenged for the role of the Constablenesship. I am happy to take that on, but I do believe that it is of fundamental importance. It is certainly not the case, as the Constable of St. Ouen said, that nothing will be put right until we have party politics. As we know from the election we have just seen in the U.K., party politics brings in all kinds of things that we do not want in Jersey. I certainly enjoy being an independent Member and do not wish to join a party, although I take my hat off to Reform in many ways and quite often find myself supporting them in the States. So, I do urge Members to focus on the fundamental problem in Jersey, that a person's vote is worth a different amount depending on where they live. Someone emailed us just recently to ask how would it be if a pint of Jersey Milk cost a different amount depending on which Parish you lived in and how unacceptable that would be. For me, the key argument- and I go back to the fact we have just celebrated the centenary of giving women the

right to vote - the key point is that this is a fundamental human right that you can vote in a free way and that your vote is worth the same as the person next to you. That is why I support P.126. Thank you [Approbation].

2.1.4 Deputy L.B.E. Ash of St. Clement:

I would like to congratulate Deputy Labey again on a wonderful speech and on setting the new all-comers' electrical timed record of 45 minutes and 2 seconds. I will not look to speak for that long. Sir Winston Churchill said that democracy is the worst form of Government, except for all those others that have been tried from time to time. What he did not, of course, say is that democracy comes in different shapes, sizes and forms. Some are nearer perfection than others. Whenever this subject in here is discussed, I always think of the Blackadder episode, of the by-election of Dunny-on-the-Wold. Those of you who might remember Dunny-on-the-Wold will remember that it was a rotten borough. Now, rotten boroughs going back in time were used by certain political parties where they were just bits of land, basically, but they returned an M.P. Dunny-on-the-Wold had an electorate of merely one person, 3 rather mangy cows and a dachshund named Colin. Now, I wondered what the result was in Dunny-on-the-Wold, so I used Wikipedia and I have got it here. Some interesting parties stood, including S. Baldrick for the Adder Party. Bearing in mind there was one elector, Pitt, the Even Younger, he represented the Whig party, he got no votes and 0 per cent of the vote. Brigadier General Horace Bolsom, Keep Royalty White, Rat Catching and Safe Sewage Residents' Party, he got no votes either and 0 per cent of the vote. Ivor "Jest-ye-not madam" Biggun, Standing at the Back Dressed Stupidly and Looking Stupid Party no votes and 0 per cent of the vote and S. Baldrick for the Adder Party 16,472 and 100 per cent of the vote. Which is all rather amusing, until you consider that over 25 per cent of this Assembly were effectively elected with 100 per cent of the vote. They did not even have to face the chap Standing at the Back Dressed Stupidly and Looking Stupid Party, partly, of course, because he was probably running for Senator. [Laughter] Let us look at one or 2 statements that have been made in the lead-up to this debate, certainly that have been made to me: "We have always had our system like this and we like it this way." Well, no, we have not. Recently, we changed the number of Senators. I am sure Deputy Tadier could give you chapter and verse of how we have changed over the years, but we recently changed the number of Senators. Before that we had Jurats in here. Before that we had Rectors in here. That has all been changed over the years, so let us not get too carried away on the history front. The next point that is always raised as well: "Our system works." That is debateable by some and, certainly, members of the public might debate that. Let us take for a fact that it does. Is it a justification? As the Constable of St. Helier said, women did not used to have a vote. The system worked, we still had people elected, so should we have just carried on if the system worked? Of course we should not. It was changed and women got the vote, so the fact that the system works, if it works, is not justification for not having a fair and equal system. The next one that people raise: "Well, the U.K. system is not perfect." No, it is not perfect, but it stops well short of awarding Norwich the same number of seats as Liverpool. That is what would happen. In fact, if you drew up a similar system in the U.K. to one that we have in Jersey where you did it on a geographical land mass and you divided the country up purely on land mass and gave everybody a seat per acre of land, or whatever you had, the Conservatives would have won with a massive majority, which some might say is not a bad thing. The bad thing, of course, would be the S.N.P. (Scottish National Party) who was very close in second place, because they have a tremendous land mass and Labour would have merely got a handful of seats, despite the tremendous vote they would have got, because they only represent the cities, basically. Again, not a very fair system. It is also fair to say that the Electoral Commission in the U.K. works very hard, which we would have to do if this was adopted, in maintaining the boundaries are kept at an equilibrium. The next point people raise is: "Who cares if we are ranked last in a survey for civic involvement? Who cares?" Firstly, it does not do a lot for our international standing and, secondly, do we really think it is something to be proud of? Does everyone in this Chamber think it is something to be proud of, to be voted last in an international survey? If our seas were

voted last for cleanliness, if our air quality was voted the worst out of 41 countries, if our airport security was voted the worst out of 41 countries, people in here would be shouting blue murder and demanding action. Do you know what? They would be absolutely right to do so. But here we are saying: “Well, it does not really matter, 41st, well, who cares?” Well, I care. Lastly, the last point that I will bring up here is: “It will kill the role of the Constable in the Parish system.” I just do not buy into that argument at all. Firstly, most Constables and their Parish organisations go about their business totally independent of anything that occurs in this Chamber. Most importantly, they will be given the opportunity to stand as States Members and guess what? In my view they would be elected.

[11:30]

In St. Clement, if Constable Norman stood in this election, he would be elected. I have no doubt about that. He might even come in second place. **[Laughter]** In fairness to the observers, in our electoral system, they were very generous in their report. Very generous indeed. It just did not need to be as long as it was, because it could really have been in a paragraph. They said we were very decent people, we ran a very fair election and above board, but our system was a complete load of rubbish. Let us allow the people to decide if we move into a new era of a fairer electoral system and let us move forward, or it will be a bad day for democracy in Jersey. **[Approbation]**

2.1.5 Connétable J. Le Bailly of St. Mary:

As usual, I shall be brief. May I take this moment to apologise to the Members of this Assembly for things that I might say at times during our States Assemblies that may be politically unacceptable to Members, even though they may strike a chord of approval with the electorate? I am aware when this occurs, as a colleague, who is normally to my left, Deputy Pamplin, buries his head in his hands. Having had the privilege to live in St. Ouen for many years before moving to St. Mary, I know that St. Oueners do not mince their words. They call a spade a spade. I am told that when the Deputy Labey roadshow descended on their Parish Hall, it was very well attended. Unfortunately, everyone asked him to take his proposals away, in not such a polite manner and I know that a certain tribe would certainly give their opinion to the Deputy as to what to do with his proposal. No names mentioned, but a clue: a modern term for an automobile ending in an “A”. I am sure that Lambert will not mind me saying that. The people in St. Mary feel the same. They want their own Parish Deputy. The proposed change to Parish boundaries to form constituencies will also pave the way for party politics, which is something the rural Parishes do not want. All elected representatives should work together. We do not need to divide Members with a party system which will create unnecessary infighting and more time wasting. It appears that a small band of people in this Assembly are insisting that we change our constitution in order to comply with other jurisdictions who claim to be more politically correct in their voter representation. This Proposition is a document derived on assumptions, not fact. It does not portray the wishes of the electorate. Colour charts, percentages, random anonymous quotes; all of which appear to be fabrication. Who collated the information? Who verified it? In fact, it could be considered propaganda. The contents are not what the electorate wants. In fact, changing our boundaries for voting purposes is very low on the list of things the electorate think we should be addressing.

Deputy R. Labey:

A point of order, Sir. The speaker has just accused the results of the qualitative and quantitative surveys that are in P.126. The speaker said they are a fabrication. Now, that is an insult to the very reputable firm that put this together. I can take the political insult, but it is quite wrong to suggest a firm, which this Assembly relies on very heavily, 4insight, would fabricate results of a survey and I think the Member should withdraw that.

The Deputy Bailiff:

Yes, Connétable. I did not hear what you said, because I was talking to the Greffier, but if he did suggest these results were fabricated, he must withdraw that suggestion because there is no evidence of that at all.

The Connétable of St. Mary:

Yes, Sir, I withdraw the suggestion that it was fabricated. I am relying on the word of my electorate. Thank you. The words I hear from people time and time again is: “Where is the new hospital to be built? When will it be built? Why is there a delay when sites are already shortlisted the first time around? When will we have an immigration policy? When will truly affordable housing and rentals be available?” We clearly have a communication problem with the electorate on these issues and many others which need addressing before changing boundaries and a lot of St. Ouen language is needed and used to make the point. The vote in St. Mary may not be equal. That does not give us any benefit, as we do not have equal status anyway for the rest of the Island and, by that, I mean lack of infrastructure. This affects many people in other Parishes also. When we have a fresh water supply to the north of the Island, instead of having to rely on bottled water for drinking, because we also have no main drainage, so wells and boreholes have become polluted from soakaways, this is not a new issue. This has been happening for many years, but it just keeps being ignored and fobbed off every time it is mentioned. That is not equality. We do not get a rebate on our taxes for this. This is third world infrastructure and this is not acceptable in our modern society. Do we have to wait for an outbreak of cholera before this is taken seriously? Maybe, like coronavirus, it is only a question of time. Changing Parish boundaries for voting purposes will have no effect on the real problems that exist in our Island. We need to concentrate on the important issues. I am here to serve my electorate. I respect their wishes as part of democracy. They have already expressed their opinion. We are all here to serve our electorate, even if that means turkeys voting for Christmas. I will do that and I will feel honour bound to do so if that is necessary. We do not have equality of status. Equality of vote will not change that. Needless to say, that on the recommendation of our Parish electorate, I will not be voting for this Proposition. Thank you.

2.1.6 Deputy M. Tadier:

I did my best to try and hold off as long as possible. When I came in this morning, I thought: “I am not going to speak until tomorrow.” We have heard some very good speeches both for and against, obviously the best speeches were the ones for the Proposition, because they were rational as well as passionate and I hope I will not depart from that precedent that has already been set. What intrigues me is how do we explain the difference in opinion that you get from the Parish roadshows anecdotally - I went to some of them - where by and large I think the roadshows were much more nuanced? There was a motley crew who tended to attend all the Parish meetings at the Parish Hall saying: “We prefer the system as it is, thank you very much and we do not care too much for these new-fangled P.P.C. proposals. Deputy Labey and your Committee, you can go away politely, we tell you that.” Whereas the evidence base that we have from the research, which was not fabricated, it was based on fact. So, we have all these nice shiny charts with numbers and things, which is what we call facts and research and the facts and the evidence has led the independent citizens’ panel, which was given all the information they needed to come to a logical position, which was to support the proposals by P.P.C. and not just that, of course. There was a referendum in which 2 models were put. In fact, 3 options were put to the public. Keep things the same as they are, which was led very vocally and I have to say he will not mind me mentioning it. It was led very ably by the then Russell Labey, who is now, obviously, a Deputy of St. Helier, who was very much the charismatic element and the stalwarts of Senator Le Marquand and who was the other one? Someone remind me. Senator Farnham. They obviously all spoke really well. It is difficult to trump for now Deputy Labey, of course, in his enthusiasm and charisma who has now come to see the light, of course. That vote only got 20 per cent. Of the people who turned out to vote and there were 20 per cent of the public who were the eligible people who were registered to vote, 27 per cent of them turned out to vote and they roundly

rejected the *status quo*. When we talk about: “Well, we have just had another referendum, which asks to keep the Constables”, which one do we choose, because we had a preceding referendum which says the *status quo* has been roundly rejected and it is now a choice of these 2 models, all of which include super-constituencies, amalgamated Parish constituencies? The only difference is one keeps the Constables, one does not keep the Constables. It was not a perfect referendum and I have made this analogy before, because it did use an alternative voting system, which is good enough for that referendum, but it is not good enough for the way we elect ourselves, but that is a question for another day. It is interesting that 80 per cent of those who voted, even in the country Parishes right across the Island, wanted change and they did not mind being grouped with other Parishes. How do we explain the difference? It is because what goes on inside a Parish Hall is not representative of all of the people who live in the Parishes. Of those 27 per cent who came out to vote, it is vastly more than those who would attend to vote in a contested Procureur, or Centenier’s, election because the Parish Halls - they are great and you cannot fault the people who go to those meetings - are not representative of the Parish administration. I had alarm bells when I heard the Constable of St. John talking about I.D. I go up to the States Greffe, for example. I want to get into the Greffier. If I get asked for I.D., I put it there. If they ask me my name, I do not get offended. I do not presume that everybody knows who I am. I always have my I.D. ready to present. The idea that you should be ready to present I.D. when you go to vote is an egalitarian one, because the flip side of it is lots of people who do not normally engage in the Parish system will come out to vote in a normal election for Senator, for Deputy and for Constable if you are lucky enough to have a contested election. I had young people who came to Communicare at the last election, who were asked for I.D. and they said: “I did not know we had to produce I.D.” It was about 7.50 p.m.. They were told to go home and they said: “I am not going to bother coming back now. I have just queued up. I have been asked for I.D. Nobody told me that I needed I.D. I did not need I.D. last time. The person in front of me did not need I.D. because they said: ‘All right, Jack. How are you doing? You can go in. Are they all with you? Yes, go in, that is fine. You know where it is’.” It leaves a very bad taste in the mouth and that is why you need to do things properly. Of course, if somebody knows you, they are not necessarily going to ask for I.D., but the idea that everybody should be prepared to present I.D. is valid and I think that is where the Commonwealth observers were coming from. The next point is that we just celebrated Commonwealth Day. I think on Monday, there was the raising of the flag. Some of us went to that. Many of us have been on Commonwealth Parliamentary Association conferences. It is an important part of our identity, as a small semi-independent Island with its proud history and proud links to the Commonwealth. So, what do we do when the Commonwealth observers come over to the Island and say: “This is pretty good. You have a nice little island. There are some quaint things which work really well and you have to keep those, but basically the fundamentals of your system are flawed. They are not up to the standards that we would expect from a Commonwealth associate member. You have to change them”? We conveniently ignore them. This gets back to the issue of fairness, which the Constable of St. Helier has talked about. The starting point must always be fairness. We have different political views. Some of us are libertarian, some of us are liberal, some of us are environmental, some of us are conservative and some of us are ultraconservative, which we will see in this debate. That is all fine. That is valid. If we do not get here through a legitimate system, then the whole edifice that we have, not in this House but in this Assembly, is fundamentally questionable and people see that no matter where they live in the Island. So the stats are that St. Clement has 10 per cent of the population according to the latest figures that P.P.C. produced, which are out of date so, at best, these are conservative figures. We know that most of the population that has increased in the last 5 years will be in the urban areas because of our planning policy.

[11:45]

I do not have a gripe with that, but the reality is most of that population will be going into St. Helier, into St. Clement and into St. Saviour. St. Clement has 10 per cent of the population which, if you

take the Senators out of the equation, because they represent everybody equally, there are 41 Members in this Assembly. 10 per cent of 41 is 4.1, so the closest you can get to that in terms of fair representation for St. Clement is they should have 4 seats in this Assembly. What do they have? They have 3 seats in the Assembly. St. Clement is an interesting district. It is all one district, unlike St. Brelade which is 2 districts. What really appeals to me as the St. Brelade representative; someone with keen and strong links to St. Brelade that unites our Parish for the very first time. It means that a lot more people can stand and get elected in St. Brelade, so we will have 5 seats under the system. We currently have 3 and one. Five is the correct number that we should have and St. Brelade has always had roughly the correct number of representatives for its population, which is great. There is a disparity between number one and 2 but we get on with that. I have heard people in St. Brelade saying: "We do not care which part of the district you represent." So, if I get a phone call from someone living in Noirmont, I will, of course, out of courtesy, speak to the Deputy of that district and I work very well with my other colleague from No. 2 District and we all pitch in together. Of course, it is a very small Island anyway so we try and do work from across the Island. So, it is incumbent if you are here to represent the people of St. Clement and you are one of the 2 Deputies, or the Constable of St. Clement, the first thing you should be doing is saying: "Hang on a minute. We are underrepresented and we have been for a long time." It is likely with this new Samarès development that is coming online very soon, which the Constable very correctly has represented his parishioners in this Assembly to fight against overdevelopment and inappropriate development, as any good Parish representative, or constituency representative should do. Those representatives should also be saying: "This system is fairer and it gives our constituents the representation that they should have, so I would be expecting, if I were a St. Clement resident, for those to be voting for it. Similarly, as a Grouville resident myself, shock horror, it is possible for people in Jersey to have multi-Parish interests, because it is such a small Island and not everybody in the Island is a fixed *rentier* with thousands of years going back to the same street and the same gene pool. There are new people who have come into Jersey who rent and who have to move around. This is the reality of the wonderful *smorgasbord* of constituents that we represent. They are not fixated on these geographical regions. So, when I hear: "Oh, well, a particular Parish might not have representation", it is people who matter. It is not Parish administrations. We are not here to represent a particular abstract administration, or administrative region and I think that surely the Parishes would be strengthened if you had a person that was specifically elected to that role. Historically, what I have noticed is that the Constables, which become too political in their Parishes and also which make political mistakes and are judged to have made political mistakes by their constituents, tend to be the ones that do not do too well. This is exactly the problem when you ask people a specific question. You get a specific answer. When you put those mutually exclusive questions together, you can get mutually exclusive answers. I have heard people saying: "Well, I think the Constable should be in the States, but I do not think that any of them should be Ministers." You say: "OK, but how does that work, because when you get to the States, everybody is equal?" It may well be that one day we will have a Deputy, or a Constable, who is a Chief Minister if we continue down the current route. We have a Deputy who is the Minister for Treasury and Resources. Up until now, I do not think we have ever had a Deputy who was the Minister for Treasury and Resources, or the equivalent. Those kind of roles were always reserved for Senators, so the head of Policy and Resources or Finance and Economics. Now in the Treasury, we have had Senator Le Sueur. We have had Senator Maclean at Treasury. Who have we had before that? Possibly Senator Walker, who had a similar role - he was Chief Minister of course - and Senator Ozouf, so they were all Senators. Of course, they were also St. Helier Deputies before that, so the idea that this Assembly would prefer to choose an inappropriate, or an incompetent, Senator over a highly capable and highly skilled Deputy, or Constable, in the future is completely nonsense. Also, we are not just here to talk about abolishing the role of Senator, or abolishing the role of Constable. We are also abolishing the role of Deputies and I do not see many Deputies standing up saying "Well, we are abolishing the role of Deputies and that is a really retrograde step" because we know that, of course, there are advantages to having really small

constituencies. It means you are closer to the people you are representing. If you take it to the extreme, the *reductio ad absurdum* argument would say: "Each individual should be represented in the States by themselves" and then you could have an Assembly of 110,000 people, but you cannot do that. So, you boil it down and you say that that is why you have districts. I was disappointed campaigning at one of the last elections. It was quite close between the A and B referendum and it was only on the last day of campaigning that I clicked. The penny dropped, because up until then I was quite naïve. I thought people generally want a fair system. They might have arguments about tradition blah, blah, blah and I had this young person, of all people, who came up to me and said: "I do not think towns should have fair votes. I live in the country and I think that, in the countryside, we should have more representation than the town *pro rata*." I was flabbergasted by that and the penny dropped. This is the risk. There is a sub current of rationale, which is not going to be voiced easily in this Assembly, which has been there that people do not want to change the system because it currently suits them. It gets the right results. It works really well in St. Brelade for the last 4 elections and it has always returned the right result for me, so it must work pretty well, but this is not about self-interest. I am willing to sacrifice my self-interest to know that whoever is standing in the next election, in whatever district, needs to have that rigour to be elected. Let us put the cat among pigeons. I think one of the advantages of supporting this system is that it would really invigorate the Parish system because, potentially, you would have Constables who are elected specifically to the role of running the Parish and you might find that you get people who have no interest in being a States Member. They are 2 completely different roles. The reason I interjected earlier is because we clearly have a very capable and articulate Dean here and he is thoughtful and I always listen when he speaks. I do not think he should necessarily have the right to speak, a bit like the Constable of St. Helier, I think he should be elected too, but I think it is a much better system than having 12 Rectors in the Assembly who are doubling up the misrepresentation of the urban Parishes underrepresented against the country ones. So, I do not see the problem with having all 12 of the Constables being able to speak. To suggest that they would no influence in the Assembly and no one would listen to them I think is complete nonsense, because they would be here directly to lobby on the issues that affect them. People are shaking their heads. Do people think the Dean is irrelevant when he speaks? Do we think that the church and what the church has to say to us on certain key issues to do with socioeconomic justice, about the other thornier ethnical issues ... so when we have the debate on, for example, end-of-life options and the Dean speaks, are we going to say: "Sorry, we are not going to listen to you. We are going to the coffee room, because you have no legitimacy. You cannot vote, so there is no point. You are not relevant"? No, of course they will not. So, when it comes to an Island Plan and the Constables do not have to be conflicted ... because this is the point. If you are a Constable of St. Ouen, for example, or St. Brelade and the Minister for Children and Housing wants to put a development in St. Ouen, an inappropriate development, but you are an Assistant Minister at Housing, or you are an Assistant Chief Minister, you are going to have to support your fellow Ministers, because housing is what we need in the Island. So, you are probably going to have to go potentially against your parishioners. Whereas a Constable, who is not in the Assembly, who has fought that election on keeping St. Ouen special, keeping St. Ouen green and opposing overdevelopment in the Parish would be able to say: "Look, I am not a politician. I am not in the States. I am going to hold a meeting to hear what you say and then when I go to the States to make the representation, I am not going to be able to vote, but I can passionately say that we have thousands of voters here. Next time anyone wants to stand for election in St. Ouen, we are going to be watching you and we are not going to be voting for any of those 5 Deputies who have supported this particular Proposition." That is the reality of what would happen. I am really impressed with what the Constable of St. Helier is trying to do in St. Helier in revitalising democracy. He is not satisfied with just a handful of people turning up to very important votes. The classic, of course, of what you do in a Parish Assembly is that you put the boring stuff at the beginning. Then you make sure you put all the licensing stuff at the end, so if anyone has turned up to get their licence approved, they have to sit through all the dry stuff, so that at least you have a few bums on seats to make sure

that they put their hand up at the right time, because they know that, in a moment, people are going to be approving their licensing system. Do not get me started on licensing. How on earth, in Jersey, we allow non-elected people, who are in the Court, decide what our alcohol policy should be and then to enforce that policy is another matter. Perhaps Parishes led by Constables, who might not necessarily be in the States, should have a greater role in deciding what licenses could go on in there. I do not buy this argument that the Constables would be obsolete. I see this as a great opportunity to reinvigorate Parish democracy, to have proper Parish Councils and to really engage directly in that regard. Under the new system, it is going to be equal votes, so there are only people, there were not Parishes, so people are going to be represented. I think I have run out of steam there, so I do not know if it is the new clock which is affecting me and interfering with my brainwaves. But it seems to be quite appropriate that we have introduced a clock today on the very day that we are debating electoral reform, because it just goes on and on and, in fact, it seems that the clock should not be in hours and minutes. The clock should be in years and days, about how many years and how many months and how many days have we been talking about electoral reform. Was it not former Senator Le Marquand who said that the enemy of a good plan is a perfect plan? I think we all came here today a bit heavy, because some of us have been through this so many times and we are thinking: "OK, we know the arithmetic of it and we know that 11 of the 12 Constables are going to vote against this and they are going to find reason." I am still holding out some hope that maybe 10 of the Constables will vote against this and 2 of them will vote for it, because we know that the Constable of St. Clement is representing an underrepresented Parish as the father of that Parish and he has done a great job as Senator and Deputy and now as Constable. Would it not be great if he were the one vote that got this over the line? He says: "OK, I have always been a Clothier man." He is yet to speak. This is not Clothier. This is as close as we are going to get to Clothier. It does keep the integrity of St. Clement. It keeps the integrity of individual Parishes as far as possible. It also means that you know when you are joined with another Parish for the purpose of an election every 4 years. You do it, do you not? Because some people have to go to a shop in a different Parish and we do not spit on the ground when we get out, when we drive up in our car, or cycle, from Grouville to St. Clement, or we go from St. Peter to St. Brelade to go to Waitrose. We do not get out and spit on the floor and say: "Dirty St. Brelade. I resent having to come here. I resent having to be joined with St. Brelade for retail purposes. We should have our own local shop in every Parish." Taking it to the next level: "We should have our own *vingtaine* representation. Every *vingtaine* in Jersey should be represented. Every street in Jersey should have its own ... every cul-de-sac in St. Brelade No. 2 should have ... how do we know that Don Farm is going to get a representative under the new system? We do not know if Don Farm is going to be represented currently. It is because people even vote for the people who do not necessarily even, I was going to say, live in Jersey, but do not necessarily live on the same side of the Island, because they know that people vote on issues and they want someone that they can relate to that they can talk to. So, I do not know whether this speech, or this debate, at all is going to make any difference, but I would look at people who I know value fairness and equality as the overriding factor. I look at people like Senator Moore, I do look at the Constable of St. Clement and I look at the newly elected Deputies of St. Helier, who should be here looking at their voters.

[12:00]

How do you knock on a door and say: "I am going to represent you in the States, but you do not deserve a fair system? Your vote is worth less"? But let me finish perhaps by emphasising one of the emails we got from a Trinity representative. I was forwarded it. I do not know if everyone else got that. Imagine you go into a shop with £20 and you buy something for £17 and you handover your £20 and you are waiting there and you say: "Thank you very much. Thank you." "I am sorry, you do not get any change. That costs £20 for you." "Why?" "Where do you live?" "I live in St. Clement. I live in St. Helier. I live in St. Saviour. I live in Grouville." "Sorry, you do not get any change for that." Someone else comes in and says: "I will have the same item" and they are there with you. They handover the £20 and they say: "There you go. There is your change. You have £6

change.” You are even more miffed, because not only have you been short-changed, but somebody else has got the £3 change that you were supposed to have and that is exactly what we have in our electoral system. You have currently 3 Parishes: St. Helier, St. Saviour and St. Clement. Again, via old figures, they have 20 representatives in this Assembly out of 41, not counting the Senators. They are 3 seats short, so if you are a St. Helier representative, you should be biting their hand off for this particular Proposition. St. Saviour works out just about right anyway under both systems, but because the representatives of St. Saviour, including the Constable, are very fair-minded as individuals, they are going to be supporting this Proposition, because they do not want other people, from other constituents elsewhere in the Island to be short-changed. The representatives of St. Clement, all 3 or 2 of them, who are here today, are going to want to represent their constituents, because they have also been short-changed and this is exactly what we mean literally by the franchise. People are being disenfranchised in our Island. We stand up supporting International Women’s Day, we come out in March in support of women’s solidarity in terms of securing the suffrage and the vote for women and that is considered normal nowadays, but yet we cannot even bring ourselves, as an Assembly, to acknowledge the principle of equality. So, I am really interested to see whether or not part (a) is going to succeed. I would say that I prefer part (a) not to succeed, because if the whole thing is not going to succeed, that is just hypocrisy because I think there are people in this Assembly who do not agree with the fundamentals that one vote for one person, equal weight, including in this Assembly. I have not heard any alternatives. Whatever your politics, I have always abided by the presumption that it is OK to criticise, it is good to oppose and it is good to hold people to account, but you should also put your own ideas forward. So do not just say: “Do not do that. It is a terrible idea.” Tell me what is a good idea. What I have heard up until now from the naysayers, or the *contre* button pushers, is nothing. It is radio silence. There are no alternatives. We might hear in a moment that we should have only Senators and we talked about Guernsey. I genuinely wish Guernsey good luck, because it seems to me they have a great system and they have decided with some political machinations and perhaps some demagoguery that somebody has convinced them to completely change their system and take a step into the unknown, without even having a single transferrable vote to elect 38 old Members, because they will be the same faces, of course, by and large, but good luck to them. At least they are going to have party politics emerging, because their system is inevitably suited to that. We cannot build a system based on prejudice. We cannot say: “I am going to reject P.P.C.’s proposals, even though it is rational, even though it is supported by evidence and it is supported by the working party groups across the board, because we are worried it might return some of the wrong results” and I hope that nobody will be doing that. So, I do commend the proposals to the Assembly. Why do we not just vote for it today, I will say, as I just about sit down because, otherwise, we are going to be back here in another 3 months? We are going to be back here in another 6 months. We do not need another working party to look at this. We do not need another working party that is going to tell us something that we already know. We can do this today and the world will still go on, the Island will still go on, the Parishes will still go on and maybe we will all be a little bit stronger and democracy will be enhanced. That is why I will be voting for this.

Senator L.J. Farnham:

Sir, could I raise the *défaut* on Senator Moore, please, who has been present now for some time?

The Deputy Bailiff:

Do Members agree the *défaut* should be raised on Senator Moore? The *défaut* is raised on Senator Moore. Do we trust that your phone made a noise as you left the Chamber? Will you make the usual contribution? Thank you very much.

2.1.7 Connétable R. Vibert of St. Peter:

The P.P.C. Proposition seeks that the Assembly should agree to establish an Assembly of 46 single category voting Members, elected from 9 districts. The 12 Constables will no longer be allowed to

vote, but would sit in the Assembly. The position of Senator would cease to exist and a Boundaries Commission would be established. Under this, the creation of 9 districts from the 12 Parishes would see their historic boundaries ignored in some cases as they merge into bigger districts and ultimately the demise of the Parish system and administration within, perhaps, only a decade. I ask: “Who has requested these changes?” Well, not the public, as the result of the referendum in both 2013 and 2014 did not support, or request, the changes outlined in P.7. The C.P.A. came and made recommendations and that is what they are: recommendations. They are not binding and we are not legally required to implement any of them. In fact, the Sub-Group looking at the electoral reform, has chosen only to consider possibly 3 of the 18 recommendations contained in the C.P.A. report. In short, I would state that this Proposition ...

Deputy R. Labey:

Sir, a point of order. I was asked a question by Senator Mézec just before Christmas about the progress on all ...

The Deputy Bailiff:

Sit down please.

Deputy R. Labey:

On all 18 recommendations of the C.P.A. E.O.M. I gave an update to the Assembly of progress on every single one of those recommendations which will be addressed. It is quite clear that P.126 is about the recommendations on the electoral system and the composition of the States, but it is quite wrong to say that P.P.C. are not addressing every single recommendation of the E.O.M. They are.

The Deputy Bailiff:

That is not a point of order, Deputy. That is a point for your final speech.

The Connétable of St. Peter:

Sorry, but this said the Proposition did not address it, not that they had not been looked at.

The Deputy Bailiff:

Please continue with your speech.

The Connétable of St. Peter:

In short, I would state that this Proposition falls far short of the quality of Proposition that this Assembly deserves to see lodged. Having taken up the mantle of electoral reform, the P.P.C. Sub-Committee could have made a real impact on the Assembly and produced an innovative Proposition, looking at solutions that had not previously been considered. Instead, they appear to have been guided into looking backwards at solutions that were already well-known and, in the main, had been rejected by the Assembly in the past. In order to justify this, they appear to have included mainly legislation, Regulations and reports that supported that view and very little information on an alternative view has been included. It has been said that the C.P.A. report is highly critical of Jersey’s electoral system, but this statement is at odds with the comments made by the Head of the Commission. He stated: “This first mission to Jersey has identified many positive efforts by election officials to deliver an election which reflected the will of the people of Jersey, an election based on trust and respect for rules and procedures.” He went on to say that some reforms were necessary and what the C.P.A. observers gave us was recommendations for us to consider. His statement is not only positive, but it refers to a key consideration which appears to have been ignored. The will of the people. The C.P.A. report is critical, in fact, of the States Assembly for their failure to act on the will of the people in the result of the referendum in 2013. This did not criticise the result of the referendum, which was to retain the Constables in the States Assembly in their current role. The C.P.A. recognised that this referendum was the will of the people. The 2013 result was reinforced

by the 2014 referendum, where 62 per cent of those who responded, wished to retain the Constables in their current role in the States. I now touch on the P.P.C.'s Sub-Group, formed by the Chairman of P.P.C., Deputy Labey, in result to the C.P.A. report and to consider electoral reform. The States Assembly and Government strive to be inclusive, but this P.P.C. Sub-Group was formed exclusively of Deputies who represent St. Helier. There was no representation from other Island Parishes, or from the Constables and Senators. The Constables were not consulted regarding the changes and their request to be represented on the Sub-Committee was rejected. A claim was made when the electoral reform roadshow visited my Parish that numerous emails had been sent to the Constables and these could be produced. A Freedom of Information request, however, painted a different picture with just 3 emails having been sent during the relative period and approximately a year later, a letter. One of the main topics covered was, of course, the refusal to include a Constable on the Sub-Committee. When that Sub-Committee finally did meet the Constables, only 2 of the members of the Sub-Committee attended and the proposals were already, to a large extent, agreed albeit in a draft form. The Sub-Committee has relied on the content of what is known as the Venice Commission. The Venice Commission is an advisory body of the Council of Europe, composed of independent experts in the field of constitutional law. It was created in 1990, after the fall of the Berlin Wall, at a time when there was an urgent need for constitutional assistance in Central and Eastern Europe. Thirty years have passed since the Commission published its Code and it is interesting that the E.U. (European Union) have now encountered problems with some of the recommendations of the Venice Commission and have changed their view on certain issues, particularly that of equality of representation across electoral districts. Perhaps when setting up the Venice Commission, they had not anticipated the number of smaller nations who wished to join the E.U. Of course, they were only willing to join if they felt they had a voice and could not be bullied by the larger nations. The Treaty of Lisbon, signed by all E.U. countries in 2007, 17 years after the Venice Commission was formed and its Code was published, provides that the number of M.E.P.s (Members of the European Parliament) in the E.U. to be digressively proportional to the number of citizens of each member state. There is a clear parallel between our Parishes and the different sizes of the countries in the E.U. and this would reinforce that St. Mary should have a representative, although its numbers would not pass the equal votes wish. Finland has electoral boundaries that are centuries old and they have a system that works. However, they encountered one problem and that was that one district was particularly small and, therefore, was not entitled to a representative, similar to St. Mary. Finland, quite logically, simply passed legislation to allow that district to have a member. The E.U. has clearly recognised an issue and has addressed it. It allows smaller nations a greater number of representatives per their total population than the larger nations. In effect, flying in the face of the recommendations of the Venice Commission and Code. So why, then, are P.P.C. insisting that we abide by recommendations that the E.U. themselves have found flawed and addressed in subsequent legislation? Switzerland, likewise, only allows 2 representatives per *canton* in the Federal Council of States. The total populations of the *cantons* ranges from 100,000, or in fact less, to over 1 million and yet only 2 representatives are allowed from each.

[12:15]

Any attempt to undertake constitutional change in Switzerland requires both a majority vote of the Council of States and a public referendum. The P.P.C. Sub-Committee have chosen to ignore the alternatives and acceptable criteria in the Venice Commission itself and their Code of Good Practice: "2.2 Equal voting power; it entails a clear and balanced distribution of seats among constituencies on the basis of one of the following: allocation criteria, population, number of resident nationals, including minors, number of registered voters and possibly the number of people voting." An appropriate combination of these criteria should be envisaged. There is no evidence of any of these options having been considered by the Sub-Panel. Furthermore, the Venice Commission Code of Good Practice in subparagraph (3) says: "The geographical criteria and administration or possibly even historic boundaries may be taken into consideration." Again, no evidence is offered that these

options were considered. The Code also states that: "The departure from the norm should not exceed 15 per cent, except in special circumstances." Evidence of consideration is again missing and consideration given that our rural Parishes are more sparsely populated than that of the main urban Parish of St. Helier. What I do not wish to hear is that these options do not apply in our case, as I have heard this response in the past. Any comments made need to be backed up by fact and not personal opinion, or perception. The P.P.C. Sub-Committee should have considered all options and brought forward a Proposition that represents the will of the people. Moving on to equal suffrage, the Code states in paragraph 2.1: "Equal voting rights; each voter has in principle one vote; where the electoral system provides voters with more than one vote, each voter has the same number of votes." Yet, for possibly a century or more, our rural Parishes have, in fact, had one vote for the position of Deputy and one vote for the position of Constable. However, currently in St. Helier, voters in District 1 have 3 votes each, District 2, 3 votes each and Districts 3 and 4 combined with each voter having 4 votes. Yet the Sub-Committee again ignores this anomaly, where the Code requires each voter to have the same number of votes. The Proposition, of course, fails to address one of the main issues of our electoral system; that is the consistently low voter turnout in St. Helier. I have researched some of the highlights, or possible low points, of St. Helier elections. A mere 19 per cent turnout of registered voters for the election of a Constable in 2008, where the Constable polled 2,317 votes. While I do not have population figures for St. Helier for 2018, I do have figures for 2011 when the population was 33,522. It is simply not true to state the Parish of St. Helier is underrepresented, because the Venice Commission allows us to consider representation based on the number of electors who vote. In this case, only 2,317 out of a population of 33,000, or an Island population of over 100,000. In 2014 the by-election in St. Helier attracted a turnout of just 14 per cent of the registered voters. The successful candidate polled 277 votes, which is significantly less than the number of votes required to elect even the Deputy, or Constable, of St. Mary, a smallish Parish, in the same year. The low voter turnout encourages candidates - and I recently had one who visited me in my office at St. Peter - from other Parishes to stand in St. Helier. That person's view, in fact, was that due to the low voter turnout in St. Helier, he was more likely to be elected at the next election in St. Helier than in his own electoral district. Why have P.P.C. not addressed issues directly related to the issue of low voter turnout in St. Helier? They had offered us 9 districts, in effect, modelled on the current system operated across the districts of St. Helier, which has already failed to produce high voter turnout. One St. Helier Deputy commented to me that he felt the Proposition would produce lower voting numbers in his district. Surely this is not a good sign regarding voter turnout across the Island if the proposal for 9 districts is adopted. In the rural Parishes, who currently have significantly higher voter turnout than St. Helier, there would be little interest in voting for a Deputy who no longer represented your Parish, or might not even live in it. A total of 8 Parishes across the rural areas would become merged in one way or another, but together they would have fewer representatives than the remaining 4 Parishes. In fact, 3 Parishes, St. Helier and the semi-urban Parishes of St. Clement and St. Saviour, will hold the majority of the votes in the States Assembly if this Proposition is adopted. So, far from attempting to deal with the issue of low voter turnout in St. Helier, that district is rewarded with a greater number of representatives under these proposals. We hear of gerrymandering, or we have done in the past and this Proposition is just that; it seeks to transfer power from the rural areas, where we historically see fairly high numbers of voters in election, to St. Helier, where the voter turnout is poor. Voters in rural areas will no longer be able to elect representatives who can influence issues in their areas, as they will be outnumbered by representatives from the urban Parishes. This was not the will of the people, as demonstrated in the referendums of 2013 and 2014. I urge all Members not to support this Proposition put forward by P.P.C., whose Sub-Committee have failed to consider all other options. I was not going to mention the additional information that was added by way of a focus group and survey, but I feel I must. The focus group comprised of just 47 people, or 0.04 per cent of the total population. Before becoming Constable, I was a qualified project manager, having taken and passed the PRINCE2 Project Management examinations and, therefore, I feel I can speak on this subject. The syllabus covered

the use of surveys and how these should be used when undertaking research for a project. It also covered how the phrasing of a question, or use of certain words, could influence the outcome, either positively, or negatively. Firstly, 0.04 per cent of a population is not going to produce the results that can be relied on. While the survey involved between 500 and 600 people, many were selected from a database compiled by the agency undertaking the survey. While there is nothing wrong with that, the issue is that when a survey is undertaken from a subgroup of a main population, i.e. the population of Jersey, it will be skewed in some way or another by the mere fact that in creating that subgroup criteria will have been applied to select those people on the database. In a meaningful survey, or focus group, issues have to be clearly defined at the start. Information should not be introduced which might influence the result. The error here, I believe, was that the Committee's video, promoting the Proposition, albeit in an edited form, was played to those who took part in the focus groups. The questions should also be specific. One question asked was: do you think our system should change? What is wrong with that? This is the type of question that you advise should never be included in a survey, as it does not define what is meant by either system, or change. The dangers of using the word 'change' in a survey are one of the first issues covered in project management. If you ask 100 random people what they consider change is, they will all provide you with a different answer. In a survey it will always produce a high response, but for the wrong reasons. I will give an example: do you believe speed limits should change? The answer "yes" covers both those who want higher speed limits and lower speed limits. You will get a high response, but the outcome is useless. Unfortunately, the addition of this material from the focus groups in the survey add little weight to the Proposition. The questions lack definition and are too vague. In my opinion, it was a wasted exercise. Please consider all these facts and do not support the Proposition. Allow the issue of electoral reform to instead be considered by a fully inclusive group of members who will undertake the appropriate research and consultation and bring a Proposition to this Assembly that the majority of Members can support. **[Approbation]**

2.1.8 Deputy G.C. Guida of St. Lawrence:

You will hear me repeat this often in this Assembly, which sometimes will get its own luck; count your blessings. If you are into sports play to an advantage, if you are into business use your assets but, being clear, do not sacrifice what you already have for something you might get. Funnily enough, I have not heard anybody here talk about the true cost of P.126 and I will address that. Representation is a difficult problem, I could not find any country that matched the lofty Venice ideals. Australia come close, with very stringent rules, yet Tasmania has double the representation of any other district. In France, the electorate goes from 7,000 to 150,000, depending on the district and they are doing pretty well. Jersey is pretty average among nations of the world; that does not mean that we cannot improve and we should. In fact, there are many ways to update and evolve our electoral system. I have been circulating one possibility here that keeps the Parishes alive, keeps the Constables in the Parishes and gives better representation than P.126. It is possible and not very difficult, but this is not really what P.126 is about. I have been asked during the elections why our system was the way it is. I agree that it could be easier to understand, but its complexity is the result of evolution. Evolution is an interesting engine, because it follows no logic but it always finds the most efficient, if unexpected, way to solve problems. We have 49 Members in the Assembly, each with an equal vote, so have the Constables. Constables run Parishes of different sizes, but the point that they have in common is that they spend all day dealing with small human problems. They bring this contact to the Assembly and ground it in common sense; they are useful to this Assembly. Deputies make the bulk of the Assembly and are the representatives of the electors. Senators have exactly the same powers as Deputies, or Constables, but they need many more electors in an Island-wide constituency. Their results create a **[indistinct]**, which is extremely useful to create a Government. How long would it take us to elect a Chief Minister without having those results? We can keep evolving. Many things can be improved and simplified. We can have better representation, we can have more candidates and we can have more voters. What I would like to avoid is a revolution. Revolutions

are always costing much, much more than expected, especially by those who started them and here the price is quite high. I will tell you 2 stories, most in this Assembly have probably heard them before but they are worth telling again. I used to be a Centenier; on a Wednesday evening you could come to me and argue about your parking ticket, about how the yellow line was quite faded and only the rear wheel of your car barely touched it. This is already a good thing, because there are not many countries in which you can talk to a human being about your parking tickets. On Monday we would have our police meeting, chaired by the Constable and on Tuesday the same Constable would be sitting here next to the Chief Minister.

[12:30]

In how many countries of the world is the lowliest of all infractions that close to the head of the Government? There are 2 levels between the smallest problem that you can have with your Government and the head of your Government. This is absolutely unique to Jersey and we really need to cherish it and this exists because the Constables are in the States. This is quite important; this is one thing. When I decided to stand for election, I was told in no uncertain terms that I will need to go canvassing. I was quite annoyed because I am not terribly forceful and I really did not want to go and knock on doors exactly at dinnertime, annoy people. I thought, I know, marketing, I have got a bit of money, I can do it like in every other country and do it that way. They said: “No, sorry, this is Jersey, you need to meet your constituents.” I had 2 surprises, the first surprise was that I could and in one month I knocked on every single door in my Parish. Truly, again apart from Senators, but every Constable here and every Deputy has this capability in the months of canvassing, in the months of competing for the elections, to meet every single one of their constituents. I do not believe there is another country in the world, maybe apart from Alderney, where that is possible. I think that is extremely important. I think, in fact, that this is Jersey’s greatest treasure, the fact that our constituents can know us, not because our campaign was the slickest, or because we look better on T.V. (television), but because they have met us. I must say that another surprise was that I enjoyed the canvassing tremendously, because what happened is that instead of me going and repeating what was in my manifesto 2,000 times, I learned things, I was told things by my constituents because I could meet them and they elected me because they know me. This Assembly can work on evolving electoral systems. There are solutions, there are ways of moving things around that are quite easy and not very dangerous. We can go by small steps. But please do not pay for it by giving away our national treasure, which is how close we are to our electorate. When you have to canvass 12,000 people it is over. It will be about how much money you can spend in advertising, about how many articles you can get in the papers and how much you can spend on T.V. and how well you are at marketing. It will not be about knowing your electorate and your electorate knowing you. I ask the Members to please vote against P.126.

2.1.9 Connétable D.W. Mezbourian of St. Lawrence:

The graveyard shift, I think, is after lunch. But looking around the Chamber now, it appears that I am addressing the graveyard shift: there are so few Members in here and that is disappointing, but it is not surprising. Because I am mindful that debates on electoral reform usually prompt speeches from most, if not all, Members and, equally and perhaps ironically, it is one of those subjects where we also know how difficult it is to persuade Members towards our own points of view, as often we each know how we are going to vote before the debate even begins. That point should be kept in mind both for today and the future. That said, I hope that all Members will have taken the time to read the detailed comments submitted by the Comité des Connétables in response to P.126/2019. If they have, Members will not be surprised by what I have to say today and, of course, I hope that the majority of the Assembly will share my views and will not need persuading. The first non-surprise is to confirm that I am unable to support this Proposition and will be voting against it. My prime reason is that it simply does not respect, in any reasonable way, the democratic will of the people of Jersey. We have heard that mentioned already a number of times this morning. I regret that I also

have concerns regarding the process that has led to this Proposition and we have heard that mentioned also. P.P.C. have undertaken a consultation, which they believe shows support for their proposals. But, unfortunately, their results not only do not align with what I and others have heard from many of our parishioners, but they also largely contradict what the public have told us on previous occasions when everybody was given the opportunity to have their say. That places doubt and uncertainty in my mind. I am very sorry that those feelings of doubt and uncertainty have not been allayed by the Comité's engagement, or lack of it, with P.P.C. on this matter. Indeed - and I take no pleasure in saying this - those doubts have only become more profound as a result of our attempts to engage with P.P.C. To quote P.P.C.: "These proposals have been revised in response to widespread consultation. An electoral reform-explained presentation was made by the P.P.C. Sub-Committee in all Parish Halls, independently moderated, qualitative and quantitative surveying was commissioned with emphatic results." The words of P.P.C., emphatic results. As we have heard, the results can be interpreted as being emphatic, with 89 per cent support for the P.P.C. proposals from those attending 6 focus groups. But what the Proposition does not tell us, or the general public, is that the focus groups totalled just 47 unidentified persons, nor does it say how, or by whom, they were selected. Of course, today, we have heard from the Chairman of P.P.C. when he gave some details about how this was managed and the word association again is what resonated with me when he made his explanation earlier. Similarly, the Proposition states and I quote again: "74 per cent support from those completing the survey online, in hard copy, or questioned in the street." End quote. This appears to be another emphatic result, until on making further inquiry we discover that just 529 unidentified persons were canvassed. This means that the members of the 6 focus groups and others canvassed totalled just 576 people; something we only know due to a request made under Freedom of Information legislation. It is from this sample, 576 people, that we are asked to believe that public support for these proposals is overwhelming, just over half of one per cent of our population. It is perhaps, therefore, not surprising that I and many other Members have been hearing views on this Proposition from our parishioners and constituents that do not align with the consultation responses received by P.P.C. For my part, I am guided by 2 previous consultations. The first took place in April 2013, it was open to every registered voter in the Island and it saw 16,624 voters take up the option to participate; 16,000 more than took part in the P.P.C. consultation. As we know, a healthy majority voted in favour of options that retained the Constables as Members of the States Assembly, with all the privileges and responsibilities that entails. The second took place in October 2014 and was again open to every registered voter. On that occasion, even more people took part; 24,130 and, again, a strong majority supported the full retention of the Constables. Twice the public have voted to keep the Constables as Members of this Assembly or, if Members prefer, twice the public have had the opportunity to remove the Constables from the States and on both occasions they have not taken that opportunity. Whichever way you put it, the public have spoken. We can, of course, say that something is unreliable, as the Chairman of P.P.C. said this morning, if we do not like the results. How can the Chairman argue, as he tried earlier, that we should put the electorate first when the electorate has spoken loudly twice for the retention of the Constables in the States? How can he stand up and argue that we should listen to the electorate, when the electorate have spoken? Let us be clear, this Proposition is, therefore, disrespectful to democracy in Jersey. P.P.C.'s tours of the Parish and public halls reiterated that point clearly and I am afraid the response from P.P.C. to include the Constables as non-voting Members of the 58-strong Assembly does nothing to rectify that serious shortcoming. When they voted in 2013 and 2014, before some Members here today were Members of the States, they did so to keep the Constables as full-voting Members of the States. They were not and I quote Senator Gorst's words from his now withdrawn Proposition: "Voting for the Connétables to have the ability only to speak and serve on non-executive committees, to be toothless Members who are listened to politely, but are an irrelevance when it comes to voting on Propositions and legislation." End quote. There is no mandate for that whatsoever; P.P.C. have no mandate to bring that forward as part of P.126. As I have already intimated, it is a matter of regret and concern that P.P.C.'s responses throughout this process, at least as far as the Comité is concerned, have been

unsatisfactory. This was epitomised when the Comité sought further information about the focus groups and surveys, as our comments reference. We discovered that the survey results published by P.P.C. reflected only elements of the survey. We asked for a full copy of the survey questions and we were told by P.P.C.: no. We asked for any preamble which was put to the survey's respondents and were told again: no.

[12:45]

I leave it to Members to consider whether the responses received by the Comité were reasonable, bearing in mind that the subject at hand - and do not forget this - the subject that we are debating now is the future constitution of our Island's sovereign legislature. I ask openly, why did P.P.C. deem it appropriate to, at best, not publish full information about their work and, at worst, withhold information that should have been available, not only to the Comité, of course we were the ones that requested it, but to all Members prior to the debate? Surely it is always important for Members to make their decisions based on all the evidence and information available, not just a selection of that information which is chosen for them. That is why we refer Propositions back, when we are not satisfied that we have received all the information that we need to make an informed decision. The Comité's comments also reference that a number of Connétables were approached by parishioners who had been invited to take part in the survey. They expressed their surprise at how difficult it was to answer as they wished and I think previous speakers have touched on this. We have heard that the simple yes/no/do not know answers seemed too simplistic for such a significant change and questions appeared to have a heavy bias towards the Proposition. The Chairman of P.P.C. will argue against that, no doubt, but I think that the Constable of St. Peter made an excellent point when he referred to this and he, of course, is an experienced project manager. I do not want to labour these points, because it is nearly lunchtime and it gives me no pleasure doing so, but they are points that do need to be made.

Deputy R. Labey:

Sir, on a point of order, once again, the Connétable is impugning the integrity of the firm that carried out this market research on behalf of P.P.C.

The Connétable of St. Lawrence:

No, no.

The Deputy Bailiff:

In what way, Deputy?

The Connétable of St. Lawrence:

No, no.

Deputy R. Labey:

She is saying that the questions are biased. The 4insight will not let you ...

The Connétable of St. Lawrence:

This is a second speech, Sir.

Deputy R. Labey:

4insight will not allow anyone that they are conducting a survey for, ask leading questions; that is the integrity and their professionalism and she must not question that. It is most unfair.

The Deputy Bailiff:

Please proceed, Connétable.

The Connétable of St. Lawrence:

That was an unhelpful interruption by the Chairman of P.P.C. who, of course, is cross when we speak against his Proposition. He does not like criticism of any kind. I was not impugning the integrity of the company that carried out the survey. I was merely reporting, if the Deputy had listened to me, comments that had been made to me by my parishioners, who had tried to complete the survey questions to give answers that they wanted to give but they felt they were unable to do that. They told me that there was a heavy bias, in their opinion, towards the Proposition. Their voices must be heard and this is the place, Deputy, for their voices to be heard.

The Deputy Bailiff:

Through the Chair, Connétable, through the Chair. Through the Chair, sorry, through the Chair. You seem to be pointing at the Deputy with your pen.

The Connétable of St. Lawrence:

I beg your pardon, Sir. I was indeed pointing at the Deputy with my pen, Sir.

The Deputy Bailiff:

Please, do not.

The Connétable of St. Lawrence:

I apologise, Sir. Unfortunately, in my opinion, despite what we have been told about the methodology behind this focus group and the survey work, any confidence that Members might have had in the headline results on which P.P.C. is basing its Proposition are, in my view, undermined by, at the very best, the guarded approach to the Comité's requests for more information and the manner in which the result differ so significantly from the views expressed by the public in previous full, free and fair referendums. Full, free and fair, over 40,000 people voted in the 2 elections in 2013 and 2014; just under 600 were surveyed for this P.P.C. Proposition. I am still mindful of the time, but I am going to finish the words that I have to say. P.P.C. have focused quite heavily on Jersey's responsibilities to meet its international obligations in electoral matters. As important as that is, nobody is denying that. It surely cannot be more important than respecting the view and decision of our electorate, as already clearly expressed. As already clearly expressed, I say to Deputy Labey through the Chair. To date nobody has been able to find a way of agreeing any reforms to our system that improve voter equity. Simply casting aside the views of the public just 5 years after we have asked for their opinion is not, in my view, going to change that position and this though is exactly what the Proposition does. If improvements to equity are to be realised, they must sit alongside the retention of the Constables as full Members, not toothless individuals, until such time as the public give us instructions to the contrary. It is important to remind Members also that, as the Attorney General confirmed in response to Written Question 51/2020, and I quote: "The Venice Commission is an advisory body and its guidelines and Code reflect best practice, but do not have the force of law in Jersey, or elsewhere." End quote. They do not have the force of law in Jersey, or elsewhere. That is not to say that we should not seek to reflect best practice as far as we can, but we need to respect and to understand our history, culture and people when doing so and accept what that might mean for our electoral system. The Comité have a number of further and belated concerns that we set out in our comments, for Ministers this is the impact this Proposition would have if it were adopted on the Parish system. We have heard a couple of people supporting P.126 today, saying that it would have no impact on the Parish system. I believe that the Connétables of St. Peter and St. Ouen gave very detailed explanations of how it would impact on our Parish system. I would only add that, in my opinion, it would significantly damage the stature of the Parishes and represent a further shift of power to central Government. Over time the Parishes would become increasingly irrelevant, with no meaningful political champions to fight for them. Do not tell me that the Deputy can speak for the Parish; they cannot speak on all matters pertaining to the Parish, because they do not run the Parish and all the administration that that involves. I see Deputy Southern making a face, as if to say he

does not really understand what I am explaining here. As I have just said, the Deputies do not run the Parish and there are many matters that come before the Assembly which impact on the running of the Parish. I will repeat, over time the Parishes would become increasingly irrelevant, with no meaningful political champions to fight for them if the Constables did not have full voting rights in the States, but that, of course, is what some people want. By way of example, why would anyone working on policy, or legislation, take into account the views of the Parishes to the extent that they do now if they knew that the Parishes mattered less, or not at all, in this Assembly? Policy makers know that they need to get their proposals through this Assembly and it is obvious and logical that they, therefore, focus significant time in engaging with Members and developing their proposals accordingly, because they need our votes, they need the votes of those who are able to vote in this Assembly. That is why, at every single meeting that the Comité had, we have the policy makers coming to speak to us to explain the reasoning behind the proposals that they are preparing on behalf of Ministers. They come to us to ask how they will impact upon the Parishes. Will it be beneficial, or will be detrimental? We tell them and very often they go away and they change the way that the policy is delivered and they change it to the benefit of the Parishes. When I speak about the Parishes, I speak about everybody who lives in the Parish, every one of us lives in a Parish and our system could change beyond all recognition and to the detriment of us all.

Deputy M. Tadier:

Sir, may I take advantage of this pause. The speech is excellent and I do not want it to finish, but I do not want the Constable to feel rushed to finish before one o'clock, so could I ask for the adjournment and perhaps she can continue to regale us after lunch?

The Deputy Bailiff:

A Member is entitled to call for the adjournment. You can complete ...

The Connétable of St. Lawrence:

I think it is inappropriate, Sir, to call for the adjournment in the middle of a Member's speech. It is not something I have ever done, it is not something that I agree with. I regret hearing from the Senatorial benches that it happens all the time, because it is a mark of disrespect.

The Deputy Bailiff:

You are entitled to complete your speech at 2.15 p.m. You are not required to stop your speech now. But a Member is entitled, after 12.45 p.m., to call for the adjournment.

Deputy M. Tadier:

Sir, can I just clarify? It is the opposite of showing disrespect. I want to continue to listen to the Constable's speech, but I will have to go myself for an appointment with someone that I have got and I will miss the Constable's speech. If I know it only goes on 3 minutes that is fine, but otherwise I would like to hear all of the speech and I am worried that I and other Members might miss it.

The Deputy Bailiff:

Deputy Tadier effectively said: are you near the end of your speech? If not, he will call for the adjournment.

The Connétable of St. Lawrence:

Sir, I have my speech prepared and I think I have about 4 paragraphs left, so I would say that I am near the end of my speech, Sir.

The Deputy Bailiff:

Then you can complete your speech.

Deputy M. Tadier:

Sir, that is helpful, so I will withdraw.

The Deputy Bailiff:

I am grateful, thank you. Connétable.

The Connétable of St. Lawrence:

I may have to repeat a few paragraphs. I was speaking about the policy makers and how they change policy at times to ensure that it is beneficial to Parishes and to all residents. If the time comes that they do not need the votes of the Constables anymore and there is no obvious direct link to the Parishes in this Assembly, then policy makers will inevitably focus their efforts, energy and concerns much less on the Parishes and their interests and concerns; that is just hard and simple logic. The bond between Parish and Government would be broken. The Comité is also concerned at the proposal for another unnecessary referendum, especially when the proposals go against what the public have already told us.

[13:00]

The question of why P.P.C. have focused so narrowly in this Proposition, on just 2 out of 18 recommendations of the Election Observation Mission and I know that the Chairman of P.P.C. has tried to address that. Deputy Tadier will be glad to know that, in the interests of time, I will not go into detail on those specific points. In conclusion, it is for the reasons that I have set out that I am unable to support this proposal. I see it as a subjective approach to reform, a reform that fails to meet the expressed will of the people. Here I look towards the Chairman of P.P.C., a reform that fails to meet the expressed will of the people and their wish to retain the Connétables in the States. It is one that would damage the identity of our Island for ever to the detriment of this and future generations. Sir, may I call for the adjournment?

LUNCHEON ADJOURNMENT PROPOSED

The Deputy Bailiff:

The adjournment is proposed. The Connétable of St. John, you wanted to mention something.

The Connétable of St. John:

There are 3 young enterprise students downstairs, who would like to talk to you about their project. They will be no more than 5 minutes and I would urge Members to attend in the lunch room just literally for 5 minutes.

The Deputy Bailiff:

Is the adjournment agreed? The States stand adjourned until 2.15 p.m.

[13:01]

LUNCHEON ADJOURNMENT

[14:15]

The Deputy Bailiff:

I remind Members that the annual general meeting of the Jersey branch of the Commonwealth Parliamentary Association takes place immediately after this sitting in the Chamber. Does any other Member wish to speak in respect of this Proposition?

2.1.10 Deputy J.M. Maçon:

Listening to today's debate, sometimes I feel that I could be on a different planet. I want to say the emperor has no clothes, because I feel Members are kind of stating that the sky is falling, everything is going out of the sky, but can I remind Members this is an in principle Proposition debate? Also, by the way, as part (e) of the Proposition, it is also subject to a referendum. If I could reread that part, if I may: "Should only come into force if it wins the support of the majority of Islanders who vote in a YES/NO referendum to be held during 2020." When the Constable of St. Lawrence spoke, she made the argument that nothing should change until there is another democratic mandate in order to do so, but that is exactly what P.P.C. is asking for in its Proposition, so it is a bit confusing, because when the Constable of St. Lawrence spoke, she said: "We have already had these decisions on the Constables" but how long do those decisions last for? Do they last for time immemorial, or do they last until we do another referendum, so that people can signal a different version? But again, that is what P.P.C. are asking for. I have been there before; I have been the Chairman of P.P.C. I came and I asked for a referendum on Clothier. I was punished in the next term by States Members for daring to be so radical and I had no position. Of course, we had no reform in the last term, by the way and Members have asked: "Oh, why are you bringing this?" but have they not read the terms of P.P.C.? The terms of reference of the P.P.C. is to continually review and mandate for the election and democratic process of this Assembly. It is part of the body's remit so, of course, they are going to do it, because that is their function, so to criticise the Committee for therefore trying to do something about it seems a rather non-argument. I want to know what the public think of this, I do, because I have been here before and we have been round and round again, but in a proper yes/no referendum, because I brought something which was very similar to the Clothier proposals, if not the most similar which, by the way, the public have never had a chance to have a say on, by the way, if I can remind people. With this, it is so important that the public have to indicate what they feel because, as has been said, you can take any individual element and if you put that to the public, by the time you put them all together, you have contradictory statements. That is why you have got to put a full package, a full package of reform to the public, not just one element, because you cannot have a coherent package that works until you do that, so simply to say: "Oh, but they wanted to save the Constables; oh, they wanted to save the Senators; oh, they wanted to save the Deputies; oh, they wanted to reduce the number of Members", you cannot do that piecemeal. It has got to be a package. I listened to the Deputy of St. Lawrence, Deputy Guida and I share some of his concerns, by the way, because I have stood up in this Assembly and I have made the argument for the advantages of smaller constituencies, the fact that you have that personal relationship and the media cannot overrule you and that it is not down to money. I absolutely have my concerns about this particular reform proposal, but my individual concern should not rule out the public having the right to give me an indication about what they feel about this set of proposals. They may absolutely hate it, but we should know, we absolutely should know. If you are the representative of an underrepresented Parish, it is even more important that you know because ... and again, Members were speaking and saying: "Oh, but the people I speak to at the Parish Hall say this" and it applies to all of us. In a sense, in our political world, we all live in our little echo chambers. I know, on voting day, people going into that polling station are not people I see normally, they are not part of the people I usually see in my Parish, or those who go to Parish events. What I would say to those advancing the argument: "Oh, but my parishioners do not do this", there are people within our Parishes that we do not know the views of and simply listening to the echo chambers, you would never get any change often if that were the case. There is a bigger Parish out there, some who do not get involved in the Parish at all, who have no relationship with their politicians, with the Constable at all. The only contact they have is to send in their rates. That is the truth for some parishioners; not for everyone, but for some. But how much weight do you just give to those faces that you just see? If you do the job of representing, you have got to be a bit wider than that and therefore that is why I think part (e) of this Proposition is so important. Now, also kind of an argument against this Proposition has been: "P.P.C. is only dealing with X amount of

recommendations. It is only 2 or 3.” Again, because I have been here before, there are issues, for example, within the recommendations around media regulation, around the changes to the Public Elections Law. Now, of course, that is not going to be in this Proposition, so I think it unfair to criticise P.P.C. for not including changes to media regulation in this Proposition, when it was the recommendation of that group. I do not think that is a fair argument to make. You can analyse the individual arguments applying to this particular proposal, that is fair enough, but I do not think it is fair to say: “You have only addressed 2 of the recommendations” because the other recommendations affect other mechanics which we need to look at. This is what I want to talk about, about electoral reform, because whatever the States Assembly decide, what I am so keen on and passionate about is again developing and polishing our Public Elections Law. Although we are hearing best practice does not seem to matter for some Members, can I just remind Members that when it comes to the Public Elections Law, you need to work backwards, so the yardstick is the law should be in place, that is approved by the Royal Court a year before the elections, so the administration know what is going on, so that the candidates know what is going on and so on. What does that mean? It means that we then have to debate any of those, so that takes us to May 2021. It means we need to debate really about 6 months before, so say the autumn of 2020, what is going to happen with our Public Elections Law. What does that mean? It means in order ... before you can start making a decision about how nominations might change, or how many candidates are going to be in a district, or how that is all going to work, you do not know that until you know the composition of the Assembly. All I would want to stress for Members is any of those who want to see some form of reform, we have only got 3 to 6 months of this window left in order to do that practically and we have just got to be aware of that. Of course, there will be Members who will stand up here and say: “I do not like this set of proposals.” This, by the way, is all in time for a referendum to take place within that as well, that is just from the timeline around these things and how much pressure there is on this particular decision, because it is not something we can think: “Oh well, let us throw it out and we can come back in 6 months with another proposal.” We do not have the time to do that if we go through best practice. I know some people do not agree with best practice in this place, but I am just explaining the rationale as to why it would be a good idea to follow best practice. I absolutely have my concerns about this proposal, but I absolutely feel that we should know the public’s view on this, because I do not believe that a referendum result can last immemorial. I think it is absolutely right for the politicians to decide when the time is right in order to reassess the situation. We have had a parliamentary term and it seems quite reasonable that within a parliamentary term you can retest things with the electorate. Again, in order to get any form of movement, of progression, some of us are going to have to compromise. Now, I have concerns about this, absolutely, but we need to be guided by the electorate, whom we serve and whom we represent and who we do not always see, so we must ask them this particular question. I hope, when Members continue with this debate, they are assured that there is that safeguard within this Proposition and that is not changing the system tomorrow, but there are other processes and high thresholds, by the way, high thresholds that have to be met in order for this to progress any further.

2.1.11 Deputy S.M. Wickenden:

As a member of the P.P.C. Sub-Committee, I should respond to a lot of the things that have been said. Let us go through some of them: we are all St. Helier Deputies, so we are not representative of anything to do with this Island, or this Chamber. We may all be St. Helier Deputies, but we are diverse in our makeup. Like other Members of the Assembly - and there are others, I believe - myself, Deputy Guida and Deputy Le Hegarat all live in the same Parish, but none of us represent the Parish we live in, but that does not mean that we are going to come into this Assembly and vote on things that will destroy the area that we live. This idea that things like larger electoral districts, somebody might not live in the Parish, therefore they have got no representation, just does not hold muster with me. I represent St. Helier 1, but I live in St. Martin. I am not going to be making any decisions in this Assembly that will hurt any Parish. It is not the way. When we went on the roadshow, when we

went to St. John we were told: “Yes, we are happy that we have got more power and we have got more of a voice than St. Helier. We do not trust those St. Helier people” which I thought was outrageous. “St. Helier are going to come in and make it so that we are going to have loads of housing that we do not want in our Parish and they are going to change the system.” Absolutely nonsense, this is trying to make arguments through fear. I started on this P.P.C. Sub-Committee, as did the Chairman, as did Deputy Alves, looking at is it possible to turn Jersey’s democracy into something that has equality and equity, equal votes for equal people? The numbers are difficult and the numbers of people in different Parishes is difficult to break up while keeping the *vingtaines* and trying to keep the boundaries in a level that we have, so we are not breaking up Parishes. It is not easy in the makeup of parishioners and where they live in this Island, but I think we have done an amazing ... very much thanks to Deputy Alves and her mathematical genius, trying to get us to the best possible place so we can say that we have got voter equity and voter equality. That is where we are starting. It was about equality within our democracy. We talk a lot, certainly this term more than any other, about making sure that we are diverse and we are equal in so many other ways on boards, Chairmen’s boards: can we be diverse, can we be equal, can we make sure it is fair and it is representative of people’s views, so can we have a much better share? That is all we were looking at and this is where we started. We started with the idea that is it possible to make our democratic system equal with equality and equity and we have come up with the numbers in the best possible way I think anyone has ever done before when looking at this very difficult issue. The working group has been basically attacked about its focus group, that it is not representative. The company that we use, which the Government uses, which Scrutiny uses, so most Members of this Assembly in some way or form - whether it is in Scrutiny, whether it is in Government or P.P.C. - have used a focus group to try and get just a level of understanding from a diverse group of people. It is picked from Parishes, it is picked from ages, it is picked from sexes and earnings as well, so they try and make an absolute mix of people in so many different diverse ways in these focus groups. They do not let you have leading questions.

[14:30]

At the very end of our video it did have a very leading statement at the end of it and that was removed. The company itself prides itself on being able to do market research and focus groups in a way that is not leading, so that they get a true opinion from the people that are taking part in it. I find it hard to attack that there were 47 people that were unknown from the Constable of St. Lawrence, unknown people are in this group, that the unknown people that spoke that are parishioners need to have higher weight. That seems a little odd in an argument. We have been told that we have done our figures based on population and not people that are registered to vote. “There are a whole bunch of people, say children, that they cannot vote so why should they be added into the figures?” We have got a plaque outside, that all the Constables have signed that says we are going to put children first. Children should be represented whether they can vote, or not.

Connétable S.A. Le Sueur-Rennard of St. Saviour:

Could I just set the record straight? I did not sign the board outside for Putting Children First and I have also spoken to ...

The Deputy Bailiff:

That is a matter for a speech, I think. It is not a point of order.

The Connétable of St. Saviour:

Sorry, the gentleman from P.P.C., he did say that all the Constables had signed it. I never signed it.

The Deputy Bailiff:

Thank you.

Deputy S.M. Wickenden:

Sorry, Constable, I believe I said: "I believe that all Constables signed it" but I stand corrected and I do apologise to the Constable for that. But even children, just because they cannot vote, need representation and they need fair and equal representation. Just because their parents have not registered to vote, do you think that that is fair to take that out on them and say that they do not need representation? It is not their fault. "Focus groups are bad, but we do not want a new referendum." So how are we going to get public opinion anyway? We cannot use the tools that are available, but it is too early to go and ask for a new opinion as well. That does not make sense to me either. Only 2 of us arrived to the Comité des Connétables, myself and Deputy Alves went, but it was very difficult in the very busy schedules of not only the Constables, but us as a working group, to find dates that were good for us all to be able to meet up. Unfortunately, Deputy Labey was unable to make it there, because of a previous engagement, but we found a time and we did go and speak to the Comité des Connétables. It was not an easy conversation to lay out these proposals in front of the Comité. It was not the most comfortable day I have had, bar today. That we are not following all the recommendations from the C.P.A. group, we should have brought them all in together. Well, unless we know what the makeup of this Assembly is, we cannot do things with the other recommendations, so we need to get one part first. The prerequisite is: does this Assembly accept that there can be change? If it is, what does it look like; are we going to vote for it? Then we move on to the other recommendations, but to do the other recommendations at the same time, or before, means that if there is change, we will have to just come back to the Assembly and change it again. We did not bring all of the Brexit stuff at the same time, we have fed it into the Assembly. There were no complaints about that, was there? We could have brought a massive Brexit legislation in and we could have waited until it was all done and it is exactly the same as this. There is no doubting that we are struggling with voter turnout and we are almost now at the moment in a race to the bottom. Is that really where we want to be? I was away at a C.P.A. event with some parliamentarians from Australia who have got voters ... you have to vote by law. It is very interesting, when I spoke to them about how ... the one question that worries me the most about making it legal to vote - or illegal not to vote, should I say - in some ways is that I said: "What about the people that do not vote that then you put a fine on, but they cannot afford to pay the fine? How do you deal with that?" and they deal with it on a case-by-case scenario and they make sure that they look at each scenario. Maybe that is something we could have put in to try and affect the voter turnout, but I do not think that would have been acceptable either. I am just going to go through my notes. Deputy Guida said: "Nobody has achieved the lofty heights of the Venice Convention as yet" as he looked around. Does that mean we should not try? Does that mean that everyone should just give up right now? Maybe trying to meet the lofty heights as best we can is a good thing. Just because nobody has made it yet ... we are a small Island and we can do something here. I do not accept the argument that nobody has done it yet, so maybe we should not bother. It is just not ... it should not be in our makeup. The Constable of St. Mary says that everything was done on assumption and not facts. I disagree with that entirely. I think that we have laid out facts. We have been accused of not sharing information multiple times now that we have shared. We have been accused of hiding information that is publicly available in Question Times before. It just seems barmy that we are getting attacked, as the P.P.C. Sub-Committee, that we are trying to create change by obfuscation. I know change is hard. We have seen it with OneGov now. It is not an easy thing to do. Trying to make things different, or better, is always, in any walk of life, met with resistance, but I am going to go back to my start. We started this under the idea that we could make Jersey more equitable ... equity and equality, we can make equal votes and fairness across the entire Island for every person on this Island, whether you register, or not. I think we have done an outstanding job at trying to get to that point. That was the starting point. It does not matter that we were 3 St. Helier Deputies, because what our terms of reference were was to try and see if we could make Jersey equitable and equality in its figures. I think we have done that in what we were trying to achieve. That was always going to be a laudable task that we

were trying to do. I cannot step away without mentioning the fact that the Chief Minister has now decided that he has talked Senator Gorst into dropping his own proposals on the basis of a new working group. Well, P.P.C. is the body in this Assembly, elected by this Assembly, to do this work. We have been doing it, we spent money, we have done focus groups, we have done every Parish Hall, we have spoken to just about every States Member that would come and speak to us, we have done online surveys. What will this new focus group do that we have not already done and why would anyone engage with them if we are going to do all of that work in the first place and then it is going to be ignored and they are going to say: "We are going to ask you something else"? What is going to be the terms of reference of this? If we are going to say: "We are pulling a Proposition on the basis of a working group. What are the terms of reference of this working group?" that does not seem clear at all. It seems absolutely just barmy, that if there was such a problem with our working group and what we were doing, why has it taken until now to decide that we are going to do something else? I think it is unacceptable. If you are so unhappy with what we were doing and how we were going about it, something could have been done sooner. Bring a vote of no confidence in us, I do not mind, but to suddenly turn around after we have done all of this work and we have brought the proposals based on the work that we have done to this Assembly to say: "We are going to do our own one" is absolutely outrageous. Anyway, I think that I have said enough and I hope people will support equality and equity for the voters of Jersey, whether they are children, elderly, registered to vote, not registered to vote. They all deserve - everyone deserves - representation in an equal and fair manner and I hope people support this Proposition.

2.1.12 Deputy G.J. Truscott of St. Brelade:

It is going to be a very interesting debate. Symbolism I will start with. Your chair, for example, Sir, is slightly higher than His Excellency's, to indicate authority in this Chamber. We have a U-shaped area in front of the mace and that is symbolically that nobody should enter that; it is a threat to the Crown and so on. There is something in the lobby, if you look up at the ceiling, that has 12 Parish crests and the Island's coat of arms. That is so significant and very symbolic, because what Jersey is all about is the 12 Parishes, absolutely. It is about the 12 Parish churches, it is about the 12 Parish Halls, it is about the 12 Parish Constables, it is about the 12 communities and it is all about the community in Jersey, in particular. I was so proud to be elected by my Parish: 4 generations of Truscotts - well, Ham and Truscott - have lived in St. Brelade, they do know me and it has been such an honour to serve for the Parish. But it is all about the Parishes and I think the whole ... I was so pleased when Deputy Labey invited us Members in to talk to his Sub-Committee. It was informative and I am sure Deputy Labey can remember my reaction. As soon as I found out that (1) he would drop the Constables, and (2) we would go on 9 districts ... and as soon as you do that, what happens? If you look at this wonderful stained-glass ceiling - and it is, it really is quite elaborate - I think if anybody is visiting the Assembly, please look up before you come in and it is quite a piece of art. It is that there are 12 spokes feeding into the coat of arms and then as soon as you have 9 spokes and 3 spokes, or whatever the combination is, you weaken the 12. I think that is what this Proposition, for me, is symbolically about. You are weakening the position of the Parishes. What it does as well ... and I had a very good conversation with a constituent, not with mine, but from St. Ouen and he attended the Parish Hall and I think the Deputy of St. Ouen was there as well. I think your Parish came over very strongly against this recommendation, but what he said was: "Why do people not realise that you get into the 'what if' territory?" What if all the Deputies came from the other district? All of a sudden you are feeling like your representation is somehow diminished, weakened and I do not think that is good for democracy either. I made it perfectly clear in my manifesto that I am a staunch supporter - you may have guessed that - of the Constables remaining in the Assembly. I was perfectly clear in my manifesto and I have signed the manifesto. It is my contract with my parishioners, so they knew exactly when I stood, this is exactly what I would be saying when I stood up in the States to defend the position of the Constables. But nevertheless, I did also intimate that I am up for change, as well. I am not stuck in the past. No, I am not going to contradict myself either,

because I do not think any organisation should necessary stand still and I think it is important that you do look at alternatives to see how you can improve things. I have to compliment Deputy Labey and his Sub-Committee. I think they have had a really good go at this and I think again it would be one of the things one could take forward - there is possibly another couple of options - and put it to the people. Talking of putting it to the people, I find it quite rich that the referendum has been questioned by Deputy Maçon in so much as we had a debate not so long ... Senator Mézec, did you bring it last time? I am losing count regarding the Bailiff and his position in here. Who brought the last Bailiff one? It was him, yes. But a referendum was brought by the Constable of Grouville to say: "Yes, we will take this forward. Let the people decide" but as soon as we did that, they ran for cover. They just were not interested in taking that Proposition as a referendum. As I say, I am a staunch supporter of the Constables remaining, so from that point of view it should come as no surprise to the people who voted for me in St. Brelade. Back to this, I consider myself an Islander. Yes, I was elected by the parishioners of St. Brelade, but they are Islanders, I am an Islander and when I press one of my 3 buttons, it is not for St. Brelade necessarily *per se*, it is for the whole Island. I think it is quite poignant, as well, because we are in this kind of realm of: "He was elected by St. Brelade, or St. Mary, and we are not getting equal representation."

[14:45]

For me, it is about the Island and caring for an Island. I sit on the Planning Committee. I cannot, strangely enough, vote - and quite rightly too - for any Proposition, or application, that comes in my district for favours and various other things, but when it comes to St. Helier, I am as passionate about St. Helier as any resident in St. Helier, because it is my St. Helier. I am an Islander. I care about all Parishes in this Island. Where do we go next? As I say, Deputy Labey, you have done a great job. I think the video was excellent and what one would expect from a BBC-trained journalist and broadcaster and I think it was excellent. I have got one eye - and I have got to say one eye - on it and I am interested in what is happening in Guernsey. I have discussed it with Deputy Labey, the issue of the Island-wide mandate. For me, if we were to ever go that route, it would be 37 Deputies, 12 Constables, keeping the Parish voice in the Assembly. I think that would be so important, but I think we both share a great deal of concern and we are concerned for Guernsey, because it will end up with a ballot paper with 120 candidates, effectively. That could be difficult for the electorate to sift out who is going to come to the fore, so to speak, so that is a major concern. I would not bring that until I ... one, I would like see how it pans out in Guernsey going forward. There are many ways to skin a cat - it is a horrible phrase, I am an absolute cat lover - so as you say, we could go Island-wide. I think there is something else if we were to go Island-wide and there is talk and rumour of another party being formed and I think we have got to look at what happened in the U.K. with regard parties. I think if an election goes badly wrong for a party, you can end up with, as the Conservatives did for the past 3 years, a very small minority. That causes great difficulty from a political point of view. It is fine if you have got a majority, as the current Prime Minister has and you will be able to get things done, but there is an argument that if you can back X amount of candidates who are supporting a certain manifesto going forward, then you have possibly more chance of getting things done. That is being discussed going forward, so we will just see how that one pans out. I will just have a quick look and see what else we have got. So, is it the system that is wrong? I would argue that it is not necessarily the system and I have got this booklet here, which is quite interesting. It is *Housing and Immigration: Island in Need of Major Reform*. This was 1989 and there are some significant names in here, our former Bailiff, Sir William Bailhache, who was an advocate last time, we have got Frank Walker, we have our late, great, Colin Powell all contributed to this, but 1989 we were talking about: "Island in need of major reform." Now, it is not the system ... well, you could argue it is the system, but it is the decisions that we make in here, it is the fact that we have not delivered on housing, we have not delivered on immigration and I think no wonder why our electorate are so disillusioned with what is happening, but it is not just this Assembly, it is governments worldwide that the public are just disenfranchised from to a great degree. £35 million and we still do not have a spade in the ground

for the hospital. No wonder why they are disillusioned with us. As I say, it must be very frustrating for the electorate. Again, I was just going to re-emphasise those points. We have neglected Fort Regent; we have neglected Piquet House, for example. We have not invested truly in our mental health provision in the Island. You can just go on and on. I think this is why we have lost the trust of the Jersey voter. As I say, I made it plainly clear in my manifesto I was a staunch supporter and I will be maintaining the *status quo*. I have one eye on what is happening in Guernsey. I am very curious how that is going to pan out. There would be, if we were to adopt it, a great deal of difficulty in perambulating Members around Parish Halls, if that is what we decided to do, but certainly if we have got social media, we have got Fort Regent, we could do the meet the candidate weekend and so on. There are many ways you could do it, but it is something I think we have just got to look at going forward. I think I will probably just wrap up there, but, as I say, I think it is a valiant attempt, but for me it is the 9 districts that let it down for me; it is the Constables not being here. We have had 2 referendums, absolutely right and I think the Labour Party, who ignored the people's will to Brexit, effectively, they suffered their worst defeat since 1935 because of ignoring what the people wanted and so, therefore, as I say, I will be not voting for this.

2.1.13 Deputy S.M. Ahier of St. Helier:

I attended a St. Peter's Parish meeting a few weeks ago in which the current Constable spoke of the need to retain his office. The previous Constable then stood up and gave a lengthy speech in favour of the same principle, followed by the Constable before him, who likewise agreed that the Constables should automatically have a seat in this Assembly. One gentleman in attendance was supportive of their sentiments, as he was concerned about the possibility of too many left-wing politicians being elected in superior numbers under the proposed electoral reform. He alleged that the Chair of P.P.C., along with certain members of the former, were - and this is a direct quotation - "Rampaging Marxists." I am sure that all Members will agree with me when I say that the Chair of the P.P.C. is not now, nor has ever been, rampaging. I recount this incident to illustrate the concerns of a small minority, who are fearful that voting for electoral reform is tantamount to voting for the Reform Jersey party. It is my belief that the argument for electoral reform is an argument in favour of improving our democracy and thus would be to the benefit of all Islanders. There are strong political, economic and even historical reasons for this. In December 1948, 12 Senators and 28 Deputies were sworn in to form a new Assembly in the wake of electoral reform. This reform had seen the removal of the Jurats, who had served for life, as well as the Parish Rectors, who had an automatic right to sit in the States. There were 3 contested elections for Constable that year, more than you would see today, one of which saw the first contested election for Constable of St. John in 72 years. The Privy Council Committee's report from that time said that they had heard strong arguments for and against retaining the Constables, but stated: "We think it is right, in view of the importance of agriculture and horticulture in the life of the Island, that there should be a slight preponderance in favour of the rural areas." This argument no longer holds water in 2020. We now recognise the importance of the finance industry and it is high time that St. Helier receives its rightful representation as a proportion of the population of the Island. I am absolutely in favour of the electoral reform, as proposed by P.P.C. It will result in fairer elections, it will allow for more open elections and it will create more competitive elections. There is no rational argument for voting against. It seems to me that the current *status quo* is being preserved out a sense of nostalgia for the days when parochial elections were vigorously contested, but this is clearly no longer the case, if this indeed was competitive in the first place. It must also be remembered that many Deputies over the years have also failed to face an election. Since the start of this century, no fewer than 24 Deputy seats have been uncontested, but there have always been contested elections in St. Helier, because there are always multiple seats available in my Parish. As a Deputy of St. Helier, I feel it is only fair that we address the problem of uncontested Deputy seats, as well, which this Proposition accomplishes more than adequately. We have here a rare opportunity to correct the failures of the past. It may require some minor adjustments to be made by the Boundaries Commission, but it must be implemented in order to supplant the

flawed system that we currently have with a robust, well-contested political model. Part (e) of this Proposition suggests that we should have a referendum on the matter, but when we had a referendum on electoral reform, as we did in 2013, less than 20 per cent of voters supported the *status quo* and more than 80 per cent of those who participated voted for electoral change. These people have been badly let down and it is hardly surprising that voter turnout remains so low when the wishes of Jersey residents are continually ignored. We have been elected to this Assembly to make important decisions about the future of our Island. It will be nothing less than a total disgrace to democracy if this Proposition is not passed today. I say again, I am absolutely in favour of the electoral reform proposed by P.P.C. There is simply no justification for unelected politicians. There is no place for them in a democracy and there should be no place for them in this Chamber. It is time for Jersey's electoral system to be brought into the 21st century. We cannot endlessly defer the issue; we cannot let this opportunity pass us by. Please join me in voting *pour* today. Thank you.

2.1.14 Deputy J.A. Martin of St. Helier:

It is a pleasure to follow the last Deputy. I sit here with a sense of *déjà vu* and I was trying to work who has been here prior to Clothier and I think it is myself, the Constable of St. Clement and the Constable of St. Helier. Just a little history lesson, because Clothier - and it is in the report - was: "Do not cherry-pick" but they proposed the electoral reform and Government reform and the Policy and Resources Committee of the day, probably the Chairmen of each Committee, were gung ho. I do not think, before 2005, we had one debate on electoral reform: "Promise that tomorrow, jam tomorrow." Let us get this Government done, let us get this power, let us get the power to the fewer; let us put 21 in Government and call the rest Scrutiny, basically. They are opposition, because they have to put a light into the eyes of the politicians making the decisions, 21 in Government. Again, tomorrow. Now, I have concerns about this Proposition, because it goes down to 46 and with the best will in the world ... and I have spoken to every new Member that was elected 2 years ago and I said: "Did you realise what this job entailed? Did you think before you came in we could run this place with 30 Members quite easily?" "Oh yes and I would have been one of the 30." No, they now know what the job entails and what the job could entail. You could sit up 24/7 reading, you still would not read everything that the Greffe and everyone sends out. It is not doable. Then I sit here, and over the years I have flip-flopped. I have wanted the Bailiff in the Chair; I have not wanted the Bailiff in the Chair. I have wanted the Constables in; I have wanted the Constables out. I have gone with the votes and I have been through so many of these debates. Again, I keep going back to what was it we promised? What were the people promised in the Assembly 20-odd years ago - sorry, outside and the Assembly - to get this sorted and we will change. I listened with interest today as one Constable after the other stood up. We are including children in the numbers. Well, children who were 12 the last election are going to be 16 and be able to vote in 2022. It is a moving feast. Would I not like to stay where I was 20-odd years ago? Yes, but it is not. We can only cut this cake and I have seen this cake cut so many ways, so then I am listening to all the Constables, then I read the Constables' comments on a separate Proposition by Senator Gorst. They cannot possibly support it because, in theory, it keeps the Constables in, but it still keeps 49 or 53 Members, sorry, 46, 49.

[15:00]

It does not do the 42 that the referendum was clear about when they wanted to keep the Constables. Forty-two Members is not enough. Then you hear Scrutiny asking the Chief Minister. Who is running the show, Chief Minister? Is it you, or is it this mass of civil servants? It was hard when we were all in Committees, between 5 and 7 people, asking the right questions, making sure. We still do it, it is hard, but the Constables cannot support that, because we have still got more than 42 Members. Now, I know the public out there, who have never done this job, think it can be done, like the Isle of Wight, 148,000 and one Member of Parliament. We are not the Isle of Wight; we never want to be the Isle of Wight. I really think we have got to the point where it was 20 years, let us sort this: jam tomorrow. We need - and I think Deputy Ahier put it - every seat contested. We need every

elected representative's feet held to the fire for 4 years by the public. Across Parish is great. They are still people living on this Island and they might combine in themselves, but they are still living in a Parish. Of course, they have the Island's best interests and if you know you have got to face them every 4 years, you will have 2 ears to the ground and you will be listening to everything they say, not when you think: "Oh, nobody in my Parish can stand against me, because I am doing a great job." Absolutely and I do not disagree, but it is not right. It certainly does not work for the majority of the public and they gave up engaging with us. Our turnout is so low. A bit like Deputy Ash, where are we? Are we one representative for one person? No, we are not. We really need to take this away from: "This is better for me." I know people say St. Helier is different and it is right. I have never lived in St. Helier No. 1, except for about 2 weeks when I first came here on holiday in 1984. People come up against me every 3 years - now 4 years - and they live there. We have someone who stands every time, has lived in the district for life. People do not want that person - I do not know why - but I represent the district. It does not matter where I live. I have my eyes wider than ... I have lived in St. Saviour, St. Clement, I have lived in different parts of St. Helier, but never in this district and people still elect me. I am absolutely listening, I know I am going to have to explain why I voted, why I did that and, if it concerns them, they will ask me, they will tell me. I cannot go with them every time, because I am going to have 20 of them tell me to vote this way and I am going to have 20 tell me to vote that way. I have to listen and I have to decide. I think P.P.C. has been criticised far too much for this. We elected P.P.C. We have been promising the electoral reform for 20 more years when we had Clothier, but we employed Clothier to go and do electoral reform and that took about 2 or 3 years. Guernsey had - I think it was - the Harwood report. They went out, got it, then they went and they done it. I do not know why we drag our feet all the time. I do not believe that it is the death of Parishes. I really believe that. I might have more concern. It will not, the Parish still continues, the Constables, the Honoraries, everything, the rates, the Parish Assemblies still continue, but we need a cross-section of more people in here. As I say, I am going to support this today, but my one concern is the 46. I want more Members in here, I want more Members doing the job and the Chairman says he can do that. It says what it is and I know the public are going to go: "Oh, that Deputy Martin, she wants more money and she wants more of them to have more money" but then they also say: "Oh, we have got one person running the whole Island and they were not elected." Now, which way do you want it? It is not a hard decision. You need us, we are elected. We need to be elected and we all need to be elected every 4 years. We are looking at the public in the eyes and them looking back at us and saying: "No, you have not performed for the 4 years. There is a better alternative and I am going to vote for him" not: "Oh well, it is not worth putting my name up against that lovely person, because they are doing an OK job." This is a real job. It is politics and this is what it is, the public need to be voting for you every 4 years. Sorry, I might have repeated myself. I am supportive. I really think we do need to maintain the number we have and we need to be realistic about what the job entails and do not say it is a part-time one.

2.1.15 The Connétable of St. Clement:

I should be brief, because I do feel there is not too much more that can be said, but also I do not think that any speeches I make, or anybody else is going to make, is going to change anybody's vote this afternoon. But nevertheless, there were a couple of speeches which I just want to refer to. I was going to say Deputy Wickenden was absolutely right, but he was not, he was half right. They did, the P.P.C. people did go around to all the Parish Halls to consult with the parishioners and precious little support they got, despite that consultation, but they did not go and consult on this Proposition. They went and consulted on the original Proposition, P.46, which was a darn sight better than this Proposition that has come up today and I shall talk about that in a moment. But Deputy Maçon was the other one I was a little bit concerned about. He was speaking about having the referendum and quite right too, but we have been there before, have we not? He was effectively saying: "Do not worry. Whether you like this idea, or not, you can support it, because it is going to a referendum and let the people decide." We have done that before, that we supported a referendum on the

Commission's Proposition, the people voted one way, it came back to the States and we rejected it. Now, is that what we are going to do again? Quite honestly, I do not think we should have a referendum, unless this Assembly is prepared to support that decision of that referendum, whatever it might be. Quite honestly, I am not prepared to accept this Proposition, therefore I cannot support a referendum. How long should the result of a referendum last? How long is a piece of string? But the reality is, it should last more than 2 or 3 years. When you are asking the Island to make a major decision on the constitution, take the Scottish independence vote, whenever that might have been - I cannot remember - but the agreement was between the Scottish National Party and the U.K. Government at the time that it should last at least a generation. That seems to me totally reasonable. I congratulate P.P.C. on P.46, because it got the closest to something that I could support, because it reduced the number of States Members, which I think would be a good thing, despite what Deputy Martin has to say, and I think that is what the population have always indicated that they want to see. It created a single type of Member, one title, one type of Member, which is a good thing, because it removes all the confusion about what is a Constable, what is a Deputy, what is a Senator. We all know what those roles are because we are immersed in the whole thing, while the majority of the population have difficulty in getting their heads around it. All those things were very good. The thing that was bad about P.46 - and is equally bad about this Proposition - is the amalgamation of some of the Parishes into voting districts. Now, Clothier I think is still the model we should be looking at a lot more closely than we have been, because the Clothier panel recognised the importance and the value of the Parish boundaries and institutions. It was important that Parish boundaries should be respected, according to Clothier and I think that position is still right, because the Parishes are the very basis of our cultural life, our social life and indeed our political life and we risk losing that, I think at our peril. I still could have been persuaded to vote for P.46, because 2 out of 3 positives is not bad and I could do that, despite the risk of some of the smaller Parishes effectively being disenfranchised. We know there is no need for that to happen if we go back and look at the Clothier report and reintroduce that. But where this Proposition goes bad is it does not reduce the number of States Members to 46, as P.P.C. claim. It potentially increases it to 58. That is 46 elected on the districts plus potentially 12 Constables elected in their Parishes, invited in here to speak, to sit on Scrutiny, to sit on P.P.C., because that is non-executive. All they can do is not be on the Executive and not have a vote. I do not know where they are going to put them all. If all the Constables decide that is how they are going to do it, we are going to have 58 people sitting in here, which flies in the face of any logic, it flies in the face of what people have indicated and is one of the main reasons why I shall be voting against this Proposition.

2.1.16 Senator S.Y. Mézec:

In this Proposition there are a lot of parts to it and there are a lot of words, but I think we can narrow it down to a simple 7-word question, which is what we are debating today and it is this: do we want to be a democracy, *pour* or *contre*? That is what this is ultimately about. In our democracy - and I should say that in inverted commas - we have a poison which leads to low voter turnout, low engagement for all sorts of other things we might choose to do, consultations and everything else and, as survey after survey objectively demonstrates to us, the trust and confidence in Jersey's government system is absolutely rock bottom. You cannot be surprised at that, because we have a third of our Parliament elected uncontested and we have tens of thousands of people in the Island who live in parts, the urban areas generally, where they know that their vote is not worth as much as their friends, or their colleagues, who live in other parts of the Island. By no stretch of the English language can that system be described as democratic. A democracy is a system in which the people have power, the people, all of the people, not a proportion of the people dictated by a system based on tradition which, by the way, has never been endorsed by the public in any vote. In the 2013 referendum, it was roundly rejected. There was no referendum in 1948; there has never been a vote to approve this system. We have this system, because of a series of accidents through history. What we have had since I was 9 years old is we have a perpetual debate on changing our electoral system

that started with the Clothier review, which, as the Constable of St. Clement said and I agree, is a good and valid system and I would support it being introduced here, but since then we have had how many different working parties, Sub-Committees of this Assembly? We have had a referendum on a package of proposals that turned out to be a failure. We have had a referendum on one issue in isolation, which is a terrible way of trying to reconcile this issue. We find ourselves in that time having not been able to take really a single step forward, despite all the evidence we have that the system lacks the confidence of the people who we are meant to represent, despite all the evidence we have that it is objectively unfair, because it provides greater voting power to some people and less power to others. From those who oppose the Proposition today, so far the only real suggestion for change that I have heard from any of them is that we could improve voter turnout by offering voters a cup of a tea and a croissant when they come to their polling station, which is an utterly absurd notion that demonstrates that some people just keep missing the point here. I say to those who oppose this Proposition, the onus is on them to explain why people like me, the people who live on the same streets as me, do not deserve to be trusted to have an equal say in how our Island is run. In the part of St. Helier which I live in, there is one States Member for every 3,000 people who live there, yet St. Mary gets one for every 800 people who live there. They need to justify how that is fair, they need to say to people in St. Helier: “This is why you do not deserve to have an equal say. You are inferior to the people who live in the country Parishes and you do not deserve a say” because that is what they are saying by opposing not just this proposal, but opposing all the other ones that have happened and have come before this Assembly. What they need to do, what we all need to do and what I am prepared to do, is to put aside my self-interest as a privileged person who sits in this Assembly and vote to abolish my constituency - I did so when I was a Deputy before - and replace it with something that ticks all the boxes for the people of Jersey.

[15:15]

The principles upon which a voting system has to be based are those principles of fair representation and equality in voting weight and power, because anything less than that is simply not democracy. We hear these sort of weird ideas about the role that the Parishes play in Jersey’s society and how that should be reflected in this Assembly. There is one thing that I find so strange about it. We say how Parish life is so fundamental to Jersey and I agree with that point, it is, it is an incredibly important part, not just culturally, but our local government system is important to how we make the Island run itself. We have the doom-mongers who say that any slight change means that that system will be cast aside into history and will be gone within a few years, without a single scrap of evidence to show that that could happen, that those who would be left in the Assembly would have such antipathy towards the Parish system that they would vote to get rid of it straight away afterwards, something that is clearly nonsense. You can ask all of the Senators and Deputies in here: “Who is going to vote to weaken the Parish system?” None of us are. You do not need Constables in the States to protect the system, because the Deputies, the Senators, whoever else is left over, will understand that it is a valuable system that is worth preserving. But what is strangest about it is in St. Helier we have a move to devolve more powers to St. Helier, to strengthen the Parish administration in St. Helier and what support do we get from the other Constables for that? None. In St. Helier, the Parish which is most disadvantaged under the current system and which by every vote that is taken does not want our Constable in, we want that because we want to strengthen the Parish system in Jersey. Meanwhile, others want to get complacent and do nothing to strengthen it and simply insist it must be kept on life support by having them unelected, retaining a proportion of the representation in this Assembly, skewing every vote we take, so that it is not reflective of the wishes of the population of the Island. The Constable of St. Lawrence, I thought she uttered a very interesting phrase. I think I got it word for word when I took a note down of it. She said: “In this Assembly, this is the place for the people’s voice to be heard” and I agree with that, it certainly is the place, but the mechanism through which you have their voice heard is the elections, where you try to elect people in proportion to the desires of the people out there to represent in this Assembly and,

therefore, vote on issues in proportion to what the people out there would desire. That is simply impossible when you have a gerrymandered system which gives greater weight to some voters and less to others. The voice that is then put forward in this Assembly does not reflect the voice of the people out there in Jersey and that can only be achieved through equal votes. We say that the Parishes ought to have automatic rights here. The word “municipality” has been referred to, not the people, the municipality ought to have representation here, because it is so fundamental to Jersey life. I ask what about all the other institutions out there that are so fundamental to Jersey life? Much has been said about the church. The church is a fundamental part of life for many thousands of people in Jersey, so why is no one arguing to bring back the Parish Rectors? Why not? Because it is an awful idea and makes no sense and is undemocratic. The courts are a fundamental part of Jersey life, because that is how justice is delivered and many people will end up in front of a court in one form or another in their life, not just for criminal things, but for buying their house, for example. Nobody argues to bring back the Jurats to sit in this Assembly. Why? Because it is an awful idea. But let us go a little bit further than that. We are talking a lot about diversity and inclusion, so why do we not have those groups that represent minorities, or historically oppressed parts of society, automatically represented in here? Why do we not have the consuls for our minority communities automatically sat here? Why do we not have representation from the Women’s Institute, or the Soroptimists, in here? Why not? Because it is an awful idea. Why do we not have automatic representation from the trade unions in here, given what an important part of people’s working lives trade unions are? Because you have to be voted in and get your mandate and your plan of action that is your manifesto, so that the public can get the results that they demand through that process. There has been some argument about the figures in this Proposition, about whether you should go by population figures, eligible voters, or registered voters. It simply beggars belief that some people think registered voters is the way to do it, because of all of those figures, it is the most volatile. There is nothing stopping the thousands and thousands of people in the Island tomorrow going on vote.je and signing up to vote and then all of these figures are then out of date straight away. There is nothing stopping what happened just before the last election, where the electoral roll, they went through old applications and removed them. They used to do that after elections, but last time around they did it before the elections and people forgot to put their form in and all of a sudden they are disenfranchised. It is an absolutely absurd notion that you would build your constituency breakdown on figures that are so volatile. I think less absurd, but still not valid, is the idea that it should be done on eligible voters. Deputy Wickenden, I think, made this point very well, which is as representatives of the people in this Assembly, we are representatives of all of the people in our constituencies, not just those who are eligible to vote. I defy any Member in this Assembly to admit that when a constituent has come to them to ask for help, or advice, you have asked them: “Sorry, are you eligible to vote? Because if not, I am not helping you.” Of course not, that would be not only an unkind thing to do, but a very unprofessional thing to do in this job. As representatives, we do not just represent those who are eligible to vote. Most importantly, we represent the children and the future generations of Jersey as corporate parents, as representatives and we consider their needs when going about our business in this Assembly, or in constituency casework, as well. Those people have to be included in those figures, because they are real people, they matter and we represent them as much as the people who either do not vote, or who cannot vote. This idea, one Member had the temerity to suggest that St. Helier is not really underrepresented, because voter turnout is lower in St. Helier. I think of it this way: I think about the football team, that there will be Members of this Assembly who have a football team who they passionately support, there will be Members here who go and see their favoured football team as often as they practically can. If you are passionate about your football team, you want to go out there and support them. You have your heart and soul in supporting them, as many people do, but if it was ruled through history, or through some authoritarian structure elsewhere, that your football team was only allowed to play with 7 players on the pitch and every other team was allowed to carry on with 11, would you bother carrying on to go see them play? You probably would not, because you know that no matter how well they play, no matter how hard their players train, they

are probably going to lose every match because the odds are institutionally stacked against them. That is what it is for the people of St. Helier and for St. Clement, as well, who know that they are underrepresented in the Assembly, they know that no matter how good they may consider their representatives who they go out to vote for to be, but they always have the odds stacked against them, because the system is gerrymandered against them. It may not be the case that people have sat with rulers and a map to create constituency boundaries like the salamanders they have in congressional seats in the United States to disenfranchise people, but it is gerrymandering by neglect, the fact that we, time and time again, have these solutions put in front of us and Members refuse to go along with them, despite these obvious and what should be intrinsic democratic principles underpinning it. Here I guess is the particular thing for me, because in every single election I have stood - I have stood for election 4 times now - I think I have had more or less the same wording in every one of my manifestos, which has said that I support one category of States Member and equal-sized constituencies and that is my mandate. My personal mandate is greater than the mandate of referendums gone by, because it is more recent, it is more substantial and it is about how I vote to represent those people and what they have instructed me to do. It is very convenient to go by referendum results if you do not have a manifesto, or a personal mandate, because you have been elected uncontested time and time again, but that is my mandate which I do have. I have been prepared to say that in the interests of progress, in the interests of getting something done, to take at least one step forward for the people we represent, I am prepared to compromise. I am prepared to settle for a system which is less than perfect. Rather than having one category of States Member, I would be prepared to settle for 2. I would be prepared, in some instances, to keep the Constables in the Assembly so long as there are changes elsewhere which mitigate the unfairness that is implicit in keeping them and the voting disparity that creates. I am prepared to do that and my voting record in this Assembly shows that. But then you have the comments produced by Comité des Connétables to Senator Gorst's now late Proposition, the ex-Proposition, the one which no longer exists for reasons which are, I think, unclear at this point, that the Comité produced comments which said that they would oppose that and they argued it having not reflected the referendum result of 2013 at least. That beggars belief, because I sat in this Assembly in the last term biting my tongue, saying: "I will vote for a Proposition to implement the 2013 referendum" even though I did not vote for the winning option, but I would bite my tongue and I would vote for it on the basis of getting progress. Many of the Constables, who have spoken in this debate did the opposite, who have produced comments now which say: "We cannot support the Gorst proposal, because it does not reflect the 2013 referendum" yet, in the last Assembly, when they had the opportunity, when Deputy Andrew Lewis brought forward that Proposition, they voted against it. It shows that some people are simply not prepared to compromise at all, they are not prepared to move from their position in the name of progress, because they just do not want any change whatsoever, when those of us who are prepared to do so, who are prepared to move in the name of progress, get betrayed time and time again. That is why the Chief Minister's suggestion of a working party is a nonsense, which must be rejected. I have told that to the Chief Minister. I have told him how disappointed I am in him for coming up with this idea of a working party: "Oh gee, a working party. Why did anyone not think of that before?" Of course they have thought of it before. It has been done; it has failed. I served on a working party in the last Assembly under the invitation of the then Chief Minister, Senator Gorst, who has now withdrawn his proposal in support of a working party and it failed. We ended up coming up with a proposal that attempted to pander to those who want to keep the Constables in, pandered to those who wanted to keep the Senators in, so we kept both of those and instead rejigged the Deputies' constituencies a little bit and then what happened is we were ready to go for it and we all looked at it and went: "No, this is rubbish. None of us can wholeheartedly support this" and so it ended up not even coming to the Assembly on that basis. That is exactly what is going to happen this time around, so you ask, if this fails, what are the next steps, what could happen as a result of it? I worry about what could happen, because if we have any future objective assessment of our electoral system or any attempt, using expertise from outside the Assembly, so the people who are not the beneficiaries of the current broken system, what

are they likely to come up with? This. They are just going to come up with a variation of this. It will be one type of Member, equal votes, simple. They might come up with something like Clothier; they might come up with something like option (a) from the 2013 referendum. They are not going to come up with anything drastically different to this. So, we go through the process again, it is rejected; we then do it again, it is rejected; we do it again, it is rejected again. The question has to be asked, how much longer does this have to go on for? I was 9 years old when Clothier reported. I am going to be how old before we finally get some progress on this and meanwhile you have succeeding generations of Jersey people losing more and more faith in our government system. There was an interesting phrase, I think it was the Constable of St. Mary who referred to party politics and all of the bickering and time-wasting that would bring, as if we have not had bickering and time-wasting under the current system.

[15:30]

I think the conversations about party politics are a complete distraction, that as far as I am concerned, they are irrelevant. A fair electoral system is a fair system, irrespective of what extras you may, or may not, want to add on top of that. If we cannot deal with this, we then find ourselves likely to be susceptible to more and more outside pressure. I know that there is a suggestion that the election observers come back again, at some point in the future, to see how much progress we have made on their recommendations. I think of the Care Inquiry report, who came back 2 years later and though, of course, they said that there was still much to be done and things were not being pursued quickly enough, broadly speaking they were positive about the efforts that we made to protect children in Jersey and move ourselves forward. I dread to think what the election observers will say if we make no progress whatsoever on this issue and what message that sends to the wider world about Jersey: "That place, when it comes to the financial services industry, is always one step ahead of everywhere else, always compliant with international standards, is highly regarded, but when it comes to a basic principle like equal votes for the citizens of Jersey, it cannot get even that simple and basic principle right." I ask Members to consider this Proposition, framed as such, that it is not purely about all of the *minutiae* of details that are in this Proposition. This is about whether we want to be a democracy or not and the fact of the matter is if you gerrymander your system, so some people's votes are worth more than others, you are not a proper democracy. This is a fine opportunity to take that step forward. This is no evidence that it will damage the Parish system and I believe that we will create more disillusionment and discontent among the people of Jersey and that is the last thing we need right now, when we have all of the challenges facing this Island. I urge Members to put their self-interests aside, vote to abolish your constituencies, step into that brave new world and make Jersey a democracy that will shine as a beacon around the rest of the world to show how it can be done and vote in favour of this Proposition.

2.1.17 Deputy J.H. Young of St. Brelade:

I am very pleased to be able to follow the last 3 speeches from my ministerial colleagues. Even though they were divided for and against, I think in those speeches were the real arguments why this Proposition should be supported and I explain why. Deputy Martin gave us a very good history lesson. She was obviously an elected Member, a very longstanding elected Member, when Clothier was born, as it were. I was a civil servant, working on the mechanics of that and I very clearly recall the discussions that went on and how, in the end, it led to adopting what is the fundamental way our Government runs, with Ministers and Scrutiny and so on, but left out the means by which you create the political body to keep that Executive in check, the ministerial system. That was fundamental. Of course, I remember speaking to - how I miss this - Colin Powell. I remember talking to Colin, and Colin's view was: "Jersey does not do revolution. It changes by evolution" and what all change has done in Jersey is to move step by step progressively. I think what has happened is we have got ourselves in a loop for the last 2 decades, whereby we have not been able to move forward one jot in progress. I think the need to be able to have an Assembly structure that keeps the Executive in check

is even stronger than it ever was. I think that looking for a perfect solution is no good. This Assembly will be here in 2 decades' time trying to find a perfect solution. "OK, let us have a working party, let us have a group." This is the only body that can make a change.

The Deputy Bailiff:

Deputy Southern, if you leave, we become inquorate. Sorry to discourage you from leaving.

Deputy G.P. Southern of St. Helier:

I shall stay then.

The Deputy Bailiff:

I am very grateful to you.

Deputy J.H. Young:

I am sorry to have that effect on Deputy Southern. But, seriously, I think that is fundamental. We had Clothier, we have had the Electoral Assembly. Remember them? Local people involved with those bodies, expert advice, months on it, huge money spent on it. They come up with ideas. What do they do? Get into this Assembly here: "Oh no, we do not like this detail, we do not like that, we do not like that" and so on. I think that has been the pattern. I had a break in office when I did not get elected, but it seems to me ... Deputy Martin spoke about *déjà vu*. In 2011, the work of the Electoral Commission came here that had been subject to a referendum. When you look at those results, the poll was in line, the number of people voting was absolutely in line with what we get in elections, around about sort of top 20s. Yet, as Deputy Ahier reminded us, option (a) vote was 29 point something per cent and option (b) was 30 point something per cent. Add those 2 together, it gives you a majority of people that said they wanted to see electoral reform. Nineteen per cent said ... we had this thing called option (c) which meant do nothing and, of course, I was not convinced at the time that it was legitimate to add up the do nothing votes and add them to the (b) and say: "Oh, option (b) won." I was not convinced, so what did I do? Oh dear, I am going to make a confession now. I voted against the referendum result. I thought it was not right to do that equation of adding up the: "Do not want to change at all" to option (b) and leaving it as it is. I have to tell the Assembly I regret that decision now. I regret it and I have been honest about that in any speeches I have made and my website and in Assemblies for 2 reasons. It was said to me by really able people I respected in this Island that: "John, you have to vote for a change, because you make change step by step, even though it is not right." That was important and what I did is I voted it down. End result, we are back here, 10 years on, exactly the same thing. There are faults in this. I think it is a real shame that Senator Gorst has decided to put us in a situation where we had another Proposition which could have given us a range of options and we do not have it. We have got one. We have got an opportunity to commence a change process and it is a change process, because if we go with this, it will not finally come out that way, because there will be legislation that has to come through this Assembly and there will be a chance to amend it and go through it, because that has been the history of change. It happened when we brought in the ministerial system. Clothier came in, they recommended this, that and the other and when it came here: "Oh no, we do not like that" and there were Amendments at the legislation stage. Those possibilities are there and, of course, we got the built-in thing about the referendum. I think that is right, so why I said the story about why I regret the vote, I think this: look, I believe we are committed. Whatever change, let the public decide. If we vote this down today, they will not get the chance, because this is the only body and here we are with ... the clock is ticking. We have got - I do not know - 2 years just and a bit to get this done before because, obviously, we cannot have ... if we get this done, we have got to get it done for 2022. A couple of things in there, as well, so that is the principle of why it changed. So the real question is: do you want change, or not? If Members think this is all tickety-boo, leave it as it is, vote it down. If you feel we need change and even though it is not perfect and we can work on it, support it and let it go forward and

make some progress. Now, number of Members. I absolutely agree with what Members have said, that I think Government is a real struggle with the size of our executive machine trying to do this job, even on the numbers of Members we have got. Scrutiny are seriously pressured and it is really tough for Ministers, I absolutely agree with Deputy Martin. I do not have a problem ... look, I do not know where we are going to sit people under this Proposition, if we have the Constables in a non-executive role and contributing. I welcome that, because I think to myself: "Well, it gives us opportunities to do things like legislative scrutiny" which we have not been able to even think about doing. We all sit here and how much scrutiny do we do on legislation, I wonder, effectively? It gives us an opportunity there. Also, what about strengthening the Scrutiny teams? We might even be able to get Select Committees. Think like that. The Constable of St. Clement spoke of, well, he did like us to have ... "Oh no, we cannot have 58, all those Members." I think it has got good possibilities and, of course, in there, if Connétables want to stand for election and take on a dual role, they can do so and full marks for that. So, I do not see that as a barrier. Now, we have had this business about: "Oh, we do not like multi-constituency Members." I tell you this: I am a single Deputy constituency, St. Brelade No. 1. I find that really a problem. First of all, it means that I have ended up with a ministerial office I did not expect, but it means that I cannot look after constituents' interests as well as I want to, because conflicts arise. Somebody comes to me with a planning case and I have to say to them: "Oh no, sorry, it is no good talking to me, because I will not be able to do anything. If I do, I will be just ..." that sort of thing. Now, that is not alone, I have heard lots of cases. People have been to Members in single constituencies with issues and they cannot, because of conflicts, whereas if there is a multi-Member constituency, then it is possible to share out that workload. The other thing is about the opportunity to get new Members in. I found myself unexpectedly being elected unopposed and it is something I regret last time, something that should not happen, because the former sitting Deputy decided that ... I think it was with about 3 or 4-days' notice, not to stand. There was no time for anybody else, yet we all know to get elected you have to build a campaign, you have to build a presence. I think having multi-Member constituencies will encourage new blood, new people, diversity, young people, women to come into politics, which we need because, obviously, standing in a multi-Member seat has got a much better chance of getting in. I really struggle with this idea, mixing up Members. Are we really saying that when we group the Parishes together ... I prefer this geographical layout to the one that the Electoral Commission came out with. This makes much more sense. The one the Electoral Commission had, it kind of joined up places that were not naturally a good fit, but when I look down and I see St. Mary, St. Ouen, St. Peter, this looks to me ... the feel of those areas, there is a lot in common. Are we really saying that the voters of one of those Parishes are going to be swamped by the Members that get elected for them? The P.P.C. proposal will give a good chance here, because they have said - and I think they are right - that this is the closest to Clothier. I sat down and did the numbers. I really appreciated the Constables by giving us all these appendices in their comments, it is really good. Appendix 2, this is Clothier's original and I did a check on what did Clothier do back 2 decades ago for the Parish split and what we have now got in front of us. I see St. Clement gets one more Member; I see St. Helier gets 2 more; I see Grouville and St. Martin get one more; and I see St. John, St. Lawrence and Trinity get one more, plus 5. I have to say - and I have got to be honest, because otherwise I will be criticised - St. Saviour is the minus one, but there again, so we have still got plus 4. But, of course, we have got the opportunity to tune these when it comes to the next stages, so I do not see that as a barrier. I see that as the detail, but to me, I am seeing, well, this is not bad, this is getting quite close to Clothier. So, I think close to Clothier is a good principle. Sorry, I have lost my way in my notes. I am sure I will find it in a minute. Right, Senators: I think Senators were definitely a good idea, there is no question about it. The principle when you had 12 and you had retirements, half the number retired every 3 years, gave you continuity and there was a real purpose in having an all-Island Senatorial role. There was a real purpose on it.

[15:45]

That was all completely thrown out the window with the decision, which was an *ad hoc* decision made to reduce the number and do everybody on the same term, which I think has created a situation where there are not enough of those all-Island mandate positions to go into the ministerial systems. I always thought that it is important that a role like mine, as the Minister for the Environment, you have an all-Island mandate. That is why I stood in the Senatorial election. I did not get in. I got 11th out of 8 and better persons than me got in, but nonetheless we have still got that situation, so I liked the idea of having the one class of Member where you can have no artificial barriers when it comes to the election of Ministers. Indeed, the Chief Minister himself, at the moment, we cannot envisage a situation, or I certainly cannot, where you have a Chief Minister, or a Deputy Chief Minister, who is not a Senator. I think that restricts our flexibility. It is an inflexibility that we do not need. I think although one might mourn the loss of Senators, it is too late now and it has gone. Now, Constables. I passionately believe that we must keep strong the Parishes, because one sees the differences between our sister Island in Guernsey, but what we need to do and there must be massive scope for delegation and empowering and building up those Parishes. That is the work we need to do. I cannot ever imagine that anybody with intelligence would say to water it down, or get rid of, the Parishes. It is just not going to happen. I am 14 minutes, I am nearly there. Chance to change. I think this is one chance to change. It is not perfect. It is a direction of travel. I congratulate P.P.C. and I ask you, if you boot this out, what happens then? Are you going to get P.P.C. to go up the mountain again? Get anywhere? Are we going to have this working party and who is going to be on it, and then what happens when it comes back here? What are we going to do with it? Please support this.

2.1.18 Connétable K. Shenton-Stone of St. Martin:

I am a Connétable, a Constable. I am female. I am the first female Constable in St. Martin since records began in 1387. I have a full head of hair. Constables supposedly are all alike. We are not.

The Deputy Bailiff:

Forgive me, Connétable. I understand we are now short one Member to be quorate, so if you would like to pause. Please continue.

The Connétable of St. Martin:

Constables are supposedly all alike and we are not. I was born in Vancouver in Canada and I grew up in St. Aubin and I have lived and worked in London and Switzerland and have travelled overland in Africa with my husband, driving from Botswana to Morocco in an old truck. For the past 25 years, I have lived in St. Martin and I am fervently proud and protective of my Parish and my parishioners, who are also my constituents. I am also very proud of the Island as a whole and I take my responsibility as a voting Member of this Assembly very seriously. This is what Constables have in common - a deep love of their community, a sense to do what is right by their parishioners, who are their constituents. We, in this Assembly, are all parishioners. We all live in a Parish. Every single person living in Jersey is a parishioner. The Parish is the core of the community and the Island is built upon this. I want what is best for my Parish and what is best for Jersey as a whole and what better way to achieve this than to have a strong and active presence in one's community and a strong and active presence in the States? We could not achieve this without the right to vote in the Assembly. In the Parish, every constituent parishioner knows where to find me and I am immensely proud to represent them in the Assembly. This makes it far easier to get things done and I do get things done in the Parish and in the States. Look at my record in St. Martin and the States. For example, at this week's sitting, on the Order Paper, I have 4 written and one oral question. I have not just asked a few questions at this sitting for the sake of this debate. Look at my record. I have been asking questions since I was elected and, yes, I was elected unopposed, which I can tell you was a genuine shock and it has been a lasting disappointment that both the other candidates, who had had their papers signed, did not want to fight an election. On this point I would like to destroy another myth. I had no delegation of anyone, parishioners or anyone, asking me to be Constable. I had not

come up through the supposed usual channels. I was a completely surprised candidate in St. Martin. I have never been a member of the municipality and I was not an honorary officer. I did, however, edit the Parish magazine for a few years and was a member of the St. Martin's Conservation Trust, so you see I am not a standard Connétable and I am not sure that any of us are a standard Constable. In reality, we are an anomalous group, who work hard for our parishioners and work hard for the Island as a whole. Our differences in personality and in political thought strengthen us. This Proposition is not the means forward and instead offers what can only be described as a quick fix that ignores a plethora of major issues. I agree we do need some sort of electoral reform, but we need to be confident that the electoral model that we adopt is the best one available to us and this Proposition is not it. The Venice Commission. This would appear to be only advisory and therefore not capable of issuing any directive, *et cetera*, of a binding nature. As I understand it, this is an adjunct of the human rights legal movement. The human rights law is now part of the law and parliamentary procedure of Jersey, but I would argue that the making of a case to the effect that the respective opinions of those sitting on the Venice Commission, who have little working knowledge of the Island, carries the same measure of force would be stretching the matter too far. In any case, it is possible for a state to put a case of derogation in respect of an international treaty, or to otherwise negotiate, as Jersey did with Protocol 3. The special characteristics that pertain to Jersey, *quasi* micro-state, Crown Dependency, results of 2 referenda, established Parish system, *et cetera*, would seem to make an application for derogation viable, if there is any suggestion that international obligations might be imposed on the Island. It would be interesting to know what, if any, pressure had been applied from outside Jersey and, if so, what moves had been made to deflect this. None of the above anomalies. When I ran for this seat in 2018, I did it under the expectation that I would face a challenge. None arrived and, thereby, I was elected unopposed. I was disheartened by this and would have gladly campaigned for my seat and fought a proper election for it. While I do not feel that my being here is illegitimate, I do believe that we need proper contests, that all Members should be elected and yet this question of contested elections is not dealt with in this Proposition, not really. P.P.C. appears to assume that by changing the voting composition, every district will face a contested election and yet, judging by our history, this seems incorrect. It is entirely possible that in 2022 we could have one, or many, districts featuring just 5 candidates for 5 seats. Neither have ideas, or creativity, been lent to the issue of how our current nomination system may lead to a lower turnout, or fewer candidacies. Currently, each prospective candidate needs one proposer and 9 seconders, but zero thought has been given to this in these reforms. If you are serious about improving turnout, then ensure that every aspect of our electoral politics are dealt with, not just a single part. We need a stronger method than what P.P.C. are offering, which is why, in appendix 5 of the Comité des Connétables' comments paper we have included a reference to: "None of the above" or: "Reopen nomination system used in a multitude of jurisdictions across the world." If there are only the bare minimum of candidates, then I want voters to be able to confirm that they consent to their election. No candidate should avoid going through the ballot box, regardless of how many stand against them. Turnout. The Proposition, of course, also speaks of turnout being a key issue. Again, no evident solution is proposed. The focus group identifies confusion as an attribute, but this is an educational issue, a reflection of successive governments failing to offer adequate resources and information to the public on voting in Jersey in a clear and informative manner. If you want better turnout, we need this Government to commit to providing better resources for Islanders to help them both run for office and register for elections. The role of the Constable in Additional Member voting systems. The role of the Constable is, I believe, a much simpler brief than many believe it to be. The Constable is the head of the local government, with a seat at the national table. They work as a Deputy would, but with a greater emphasis on looking after their elected area. Indeed, the advantage of our current system is that there is a direct link between the head of local government and the representation of that area in the national legislature. The 2 are intertwined, without the risk of national Government imposing on local. This is unlike in, say, the U.K. where the M.P. needs no fundamental connection to their constituency. Here the Constable is a fundamental component of their local community. They are the ones tasked

with being aware and working with everything going on within their Parish. By being in the States, Constables can provide direct and assertive representation and recount exactly what concerns are in their Parish. This is not to say that Deputies cannot do so, but the experience, the exposure and the work that Constables do in their areas is unparalleled. Furthermore, there we can find theoretical justifications for the Constables' presence. Take the report issued by the Jenkins Commission in 1998 to the House of Commons as an example, a report I would recommend to the Chair of P.P.C. This was a 1997 Labour Government's cross-party investigation into a new voting system, but then it was a Proposition for a voting system called A.V. (Alternative Voting) Plus. What this entailed was twofold. First, a constituency M.P. elected to represent that area through the Alternative Voting method. Second, further M.P.s would be elected from a larger constituency by a series of party lists, using votes cast from an accompanying ballot, thereby allowing those, who were not represented by first-past-the-post constituencies, to have a voice in Parliament. The report considers cities and county lists as potential constituencies. You might notice that these use historical and geographical boundaries, rather than the ones based on population. While this was never put into practice, a similar system, the Mixed Member Proportional system also known as the Additional Member system, is used in Wales, Scotland, the London Assembly and New Zealand. Here, much larger regions are used to top up additional seats, but all regardless have small constituencies, each returning one representative. Each one is commonly seen as the first port of call for local casework and constituency matters, while those additional Members are often the ones who receive Cabinet jobs. The First Minister of Scotland is an M.S.P. (Member of the Scottish Parliament) for a regional seat and the Prime Minister of New Zealand is herself a list M.P., one elected as a result of the vote share amassed by New Zealand Labour from across the country. Granted these are large party-based systems for an Assembly made up primarily of independents, but time and research would likely yield a workable system here. Removing Constables. It should be remembered that the office of Constable is an ancient one and that its ambit survived the States reform of 1948, a reform based on the recommendations of a report by the U.K.'s Home Secretary, James Chuter Ede. This was a reform that removed the Jurats from the Assembly, but maintained the Parish links that go back hundreds of years. To remove this link can itself be viewed as democratically regressive. By removing the Constables from their current positions, either as voting Members, or in their entirety, a direct and much needed line of protest and political communication between Parish and Parliament is blocked off. Suppose we did remove the Constables from their ability to vote in the Assembly. What then? Well, here we come to an issue not just of representation, but of access and social justice. The role of the Constable is a full-time position, requiring 24/7 focus.

[16:00]

However, the payment that we receive is from the Assembly and to be a paid Member of this Assembly one must be a voting Member. Therefore, removing the Constables from being able to vote removes our salary. Our Parishes cannot afford to pay us. They must already fund the salaries of the rest of the Parish staff and maintain the Parish services, unless we make severe cuts, or significantly increase our rates to compensate ourselves. If we are to leave, I expect P.P.C. to at the least help to establish a new method of income. Suppose the Constables were removed from the Assembly as voting Members and it became a full-time voluntary position. Now, some may argue that this is good and will save a considerable amount of cash, but consider who would be eligible. The only viable candidates would be those who are either independently wealthy, financially supported by their partner, or retired. Those on a middle, or lower, income would be shut out entirely from running for this role, due to the expense of it. The decision does not bring democracy. It turns 12 key political positions in the Island into a wealthy hobby. Furthermore, does the Chair of P.P.C. really expect that we Constables would gladly continue our work in Scrutiny with no pay and no power? It seems that P.P.C. is asking us to not only run our Parishes, but also hold the Government to account, all for no compensation, or reward, or true influence. He values our expertise just enough to keep us busy, but not enough to respect us. Is this really the face of our brave new democracy, our

new Assembly? Senators. I have similar concerns about the removal of the Senators. One of the biggest weaknesses in Jersey's elections is that it is difficult to judge the narratives of each election. At face value, the Senators have the most democratic mandate of any States Member, because every vote in the Island counts for them. They are the barometer by which we can judge the popularity of our governments and identify the key issues that this Assembly should focus on for its duration. Pray tell me, Committee, how you intend to compensate for these factors when they are gone?

Centralisation. In general terms it is clear that, if passed, this Proposition will lead inexorably to centralisation. It seems to me that this is seldom healthy and amid a political landscape that is increasingly attuned to devolution and self-determination, one wonders if this is more backward-looking than the Parish system, which is often derided as such. As an anecdotal piece of whimsy, I remember that Mrs. Thatcher drastically cut the autonomy of borough councils in the interest of taking the power to Westminster and enhancing the Government's control of the shires. In other words, do we really want to be handing the Chief Executive and the civil servants more control over the Parishes and their services, purely because we are unwilling to consider alternatives to this Proposition? I have similar concerns with the reduction in the number of Members. Following the reforms of 1948, this Assembly had 53 voting Members. Today there are 49. Under this there are 46 plus 12 non-voting Constables. I am concerned that this decision has been made not for reasons of population, but to fit with the populist idea that fewer States Members can only be a good thing for Jersey. It will not be. We need strong and sizable representation in this Assembly to not only fill the Government, but also enough backbenchers to maintain scrutiny of the Executive and hold the Government to account. With smaller and smaller Assemblies, we simply end up with more policy decided by civil servants, more decisions made without debate and demands for even fewer Members, because 46 will still be too big for some. Nor should we consider the presence of non-voting Constables as a quick fix for this problem. If the Constables populate Scrutiny in their capacity as non-voting Members, we guarantee that the Government will have considerably more votes than those outside of it. It may make almost any attempt at intervention through an Amendment, or vote of no confidence, pointless, because the voices raising concerns may be shut out of voting against it. Creating districts. So, if we keep the current Members, does that mean that we are doomed to unequal representation? I do not think so. I believe that we are approaching this issue from the wrong angle. A key example used to demonstrate current population inequalities in representation is that the Parish of St. Mary enjoys the same level of representation as areas of Jersey with far larger populations, my own Parish included. The solution, however, is not to absorb St. Mary into a large constituency and eliminate the Constable from the Assembly, but to use this constituency as a base point for the rest of the Island. By maintaining the Constables as local government representatives in the States and having Deputies spread out across districts of varying size, we could, in practice, replicate a version of the Additional Member system, or Alternative Votes system, I have previously described. Not only would this maintain the Parish systems, but also allow for an equal distribution of votes to be maintained through the Deputies. Indeed, any removal of the Constables from the States would need to be considered in the light of the super-constituencies that are proposed, so, as far as the country Parishes are concerned, we would have a situation where there is no Constable in the States and where no Parish has a dedicated Deputy. By contrast, St. Helier could maintain its Parish boundaries in electoral terms. Those in favour of electoral reform would argue that such a thing would promote voting equality. While this might, or might not, be correct on paper, such an argument pays no regard to how the Parish system really works. Again, I urge P.P.C. to check their research, unless an independent commission set the boundaries, not the Committee. As we have learned from the situation in the United States, leaving district boundaries and sizes up to the elected Assembly risks gerrymandering. Further, the Island census is taking place next year and in the event this Proposition does pass the Assembly, I ask the Chair of P.P.C. to not make the boundaries presented here final. Instead, we should wait until the census is complete when we can be certain of the exact population of this Island and its concentration and give the task to an independent commission. Referendum. Finally, I feel I must address the question of referendum.

This is a representative democracy. We elect candidates to positions to vote on the people's behalf and make key decisions. Therefore, it is imperative that when a representative democracy chooses to use direct democracy, we are assured that the question we give to the electorate offers a best, or clearest, set of alternatives for them to choose from. This is not the best option. We can see it is not the best option. We need electoral reform, true, but we do not need this interpretation of electoral reform. Is this a set of reforms that will bring proper voting equality that takes account of our democratic institutions and provides Islanders with a system that is fair, responsible and well-considered? It is not. We have already had 2 referendums on this issue in the past decade and both went nowhere. What changes here? What makes these reforms special enough that if the public vote yes to this they should take priority over option B in 2013, or the rejection of plans for single member constituencies and the abolishment of Senators and Constables from the States in 2014? We have had 2 votes on whether the 12 of us should remain in the Assembly and, on both occasions, the electorate has chosen to keep us. What more proof does P.P.C. need? The people of Jersey have told us that the Parish is important and vital to the Island. The Constables are an integral part of the Parish and the Island. By going against these 2 referendums, we may simply further dishearten the electorate and lower the 2022 turnout through voter apathy on the basis that we have twice dismissed the view of the majority, simply because it does not fit with our narratives. What do we say to the people if the majority who have rejected these ideas in the past are made to vote again and again until they finally say what some of this Assembly want? Even if what we are offering is not the best, most sophisticated, or most well-designed electoral system we can offer, is that the democratic institution we are? The answer is no and if the answer is no, then this Proposition is not good enough to put to the people and, if it is not good enough for that, it is not good enough for Jersey. I urge you to vote against this Proposition.

2.1.19 Senator L.J. Farnham:

Some Members have mentioned option C and those were the days when Deputy Russell Labey and I were like brothers. He is here. I did not see him in the corner there. We stood shoulder-to-shoulder and we promoted the messages of option C, which were to protect your Parishes and to protect your Constables. They were to save our Senators and they were importantly for change, but not this change. That was our battle cry and that still stands for me today. I am sorry that Deputy Labey has deserted the cause on this occasion, but I am sure he will be back at some stage in the future. The voter equity versus voter representation argument has been made, but it is important and I am not going to revisit the arguments of the validity of the Venice Convention and all these other conventions that try and Members will have to dictate to us what we should, or should not do, in our small, unique and very special Island. I happen to think that voter representation for us is more important than voter equity. If Members think that civic engagement will improve should we accept this Proposition, then they are going to be very disappointed. It will not make a blind bit of difference, as Guernsey have found out. What have Guernsey done, after removing the Island-wide mandate and trying this experiment in democracy? They have now gone completely the opposite way and are going to attempt to elect 37 Members on a single ballot paper at their next general election. The number of Senators will reduce from 12 to 8 and, if Members have forgotten how, or why, that happened, I will remind them now. The States of the day, in its wisdom, decided to introduce a single true election day, on the back of a Proposition I think, if I remember rightly, from Senator Le Fondré, who was a Deputy in those days. That might have been the right decision, but not before the States had decided upon the constitution of the Assembly. So how did the States deal with it then? They took an arbitrary decision, without the permission, or without reference to the public, to remove 4 Senators and it was taken in a debate like this on a Proposition like Deputy Labey's and that is what happened. That is the science that was applied to that move and I think the Assembly is weaker for it. I will remind Members why we have this system. We have a unicameral system. We have Deputies who represent the constituency, some Parishes, some constituencies within the Parish, who represent their voters and the electors' views. The Constables represent local government. They represent the whole

Parish in the Assembly and the Senators represent our small, but important, national interest. That is in place because we are a unicameral system. We do not have an upper House, we do not have devolved Assemblies in different parts of the Island, we do not have city councils, borough councils, town councils, we have the States Assembly and that is why we have 3 types of Member, for balance. I cannot imagine a Chief Minister being elected, who is not the holder of an Island-wide mandate, for example a Chief Minister representing a district in St. Helier. How can they do that? How can they exercise, or discharge, the role of Chief Minister impartially if they are put in that position? I do not think they can. If we lose the Constables in the Parish, if it changes from the way we have them now, then all parishioners will lose influence, because the office of Constable will lose influence. If the Connétables are not Members of this Assembly, not fully elected and, by the way, every Member of this Assembly is elected. Some Members have said Constables have not been elected. Everyone has been elected. Some are elected unopposed, but I just wanted to make that clear. If the Constables change that position, then the influence goes.

[16:15]

Try getting in to see a Minister, or a Chief Minister, or the Chief Executive of the States, or a senior civil servant if you are not a Member of this Assembly. Influence will be reduced and that is not in the interests of any Islander, in my opinion. I am only at 5 minutes. Rather good, because I was going to say that what do Islanders want? I will tell you what they do not want. They do not want us spending a day talking about ourselves. They do not want us discussing how we are going to be elected and by who and by when. There are far more important issues at play. The public want us to deliver a population policy. They want us to build more houses. They want us to build a hospital and importantly, today, on the back of an announcement, they want us to get to grips with the issue being faced by Coronavirus. I hope we can bring this debate to a conclusion soon.

2.1.20 Deputy D. Johnson of St. Mary:

I am sorry that the Chair of the P.P.C. is out of the room at the moment, because I would like to thank him for the manner of his presentation and the work done by his Committee in bringing this Proposition forward. I would also like to congratulate him on having a mother who will be prepared to vote for me, if necessary, at the next election. Perhaps you will pass that wish on. When I was first elected to the States in 2014, I did have concerns that it might be a country *versus* town problem and I was very pleased, delighted that it did not appear to be so. One of the first priorities that the new Council of Ministers adopted was the regeneration of St. Helier and I was more than happy to enthusiastically endorse that. On that point, I am somewhat disappointed there appears to have been a slide towards bringing a rural Parish *versus* town Parish situation about. I do not believe there is. I cannot defend the fact that I was voted by a smaller number of electorate than ever. I am fortunate to be in a Parish where we have a 60 per cent turnout and that meant that, in a contested election, I received less than a dozen fewer votes than the next Member, who was in a constituency with double that amount. I do not consider that I represent purely the electorate of St. Mary. As I am elected, I represent all the Islanders. I sit on Scrutiny Panels and I have done so and I champion the cause of St. Helier as much as any other Parish. In fact, I have supported St. Helier in many aspects. If as I do maintain that St. Mary and other rural Parishes should stay rural, I do so not just for the benefit of those parishioners, but for the benefit of all Islanders, because I know that all Islanders wish to enjoy our countryside and not just one Parish. I think it is a rather selfish outlook to think that any Deputy is loyal to his constituency only at the expense of others. I also well remember Deputy Mézec, as he then was, proposing a motion that there should be consultation as to the possibility of what technically amounts to a town council and I was surprised that despite the Constable's support and the Deputy's, the States did not support that. I am delighted now that that is underway. I also believe that is the way forward for all Parishes. We should have our Parish Councils, which would lead to a better Chamber in due course. I wish to emphasise that all Members here are here representing not just their Parishes, but through the various offices through which they are elected they represent the whole

Island. I now turn to the problem we are trying to address, that is apathy of voters. There seems to have been an assumption that this apathy is due to the electoral system. Could it not be that there are other reasons for it? Our performance, our mechanism of Government and the fact, as Senator Farnham has referred to and Deputy Young before him, that at one time we had 12 Senators whose electorate we could reliably regard as holding the main offices and that is no longer the case. There are 8 Senators. Of the 11 Ministers, 6 are provided by Deputies and I know from conversations with my own constituents and others that some feel disenfranchised by that. They would prefer the old days when their vote as a Senator was counted. They knew that they were voting for one of those principal officers and that is not the case now. If that is the problem, how does this new Proposition address it? It does not. The point is in these super-constituencies, whatever you like to call them, Members can vote for 5 Members, none of whom may well hold high office. So, that disenfranchisement, as some people consider it, will continue. I am not sure that it is a cure, but I would advocate that if this motion is defeated then regard is had to the role of Senators, whether we should return to the idea of them holding higher offices, which I think would do a lot to bring back support from the electorate. For those reasons I feel I am unable to support the Proposition.

2.1.21 Connétable P.B. Le Sueur of Trinity:

Well, here we go again, doing what we do best, or at least what we appear to do with ever-increasing regularity, debating the reform of ourselves. All too often I hear it said that the States spend too much time navel-gazing. Out there, in the real world, the people are worried about rampant immigration, the cost of housing, how they are going to provide for their families, where and when will the new hospital be built? Why is no one doing anything about the relentless power grab by unelected civil servants, which, if continued unchecked, will eventually ruin this Island in an effort to make it just like everywhere else? No, far easier to ignore the pressing matters and concentrate on diminishing the political role of the Parishes in the name of numerical neatness. It will come as no surprise to my good friend, Deputy Labey - and I thank him for his concern that I was going to Italy and might catch this dreadful thing, but anyway - I will not be supporting his Proposition. I refer to it as his Proposition, as although it is lodged in the name of P.P.C., the report reads just like one of his eloquent speeches. It is my understanding that P.P.C. was not unanimous in their support. I have started this speech several times, trying to get my message across without leaving it open for the usual cynics to dismiss it as a: "Well, he would say that, would he not, as one of those who has never faced an election and gets a free pass into the States." A comment in the report, which was both unwarranted and insulting, as it only serves to promote the misconception that Constables do not face public election as do the Senators and Deputies. We only have the right to sit in this Assembly after we have put our names forward for a public election, albeit within our own individual Parishes. Put simply, if no one else decides to put themselves forward. How is that construed as getting a free pass? If the parishioners that we represent are not content, or are unhappy, with our performance as their elected representatives, it is always within their gift to do something about it at the next period of election. Surely, a Constable whose parishioners see no need to drop the pilot has a stronger mandate to be in this Assembly than one who wakes up on the day after polling and is presiding over a divided Parish? It is unfortunate that this Proposition has been driven by a Committee of P.P.C. made up entirely of St. Helier Deputies, rather than engaging a broad membership to include representatives of the Senators and Constables and Deputies from rural Parishes, particularly when bringing forward such major constitutional changes, which are nothing other than a mishmash of ideas that will achieve nothing more than confused constituency boundaries, destroy Parish identities and leave the Assembly bereft of 2 respected classes of Member. However, to their credit, P.P.C. did take it upon themselves to visit the Parishes, on their do or die Island tour and presented their proposals for electoral reform with the aim of gaining public support. I am convinced that the decision to withdraw P.46 last year was entirely as a result of the negative feedback they received at the roadshow meetings. Moving on, apparently undeterred by the overwhelming public rejection of their proposals, they decided to commission a further public survey, engaging 4insight presumably

in the hope that it would produce a result more to their liking. I will return to this later. I find it particularly disappointing that the slightly amended Proposition P.126 before us today continues to completely ignore the will of the people, as was demonstrated by the results of referenda in 2013 and 2014 and which was again overwhelmingly reinforced at the public meetings held last year. It cannot have escaped Members' attention that this Proposition is dressed up to nominally include Constables in the life of the Assembly, but in a much-reduced capacity. I find it quite staggering that P.P.C. think the Constables will be content to sit and listen to endless debate, albeit with the ability to speak, but without a vote and, therefore, unable to properly represent their parishioners. This is simply a ridiculous suggestion and included merely as a sop to sweeten the pill in a veiled attempt to get the Proposition over the line on this occasion. It must be a question on every Member's mind why, when so much store is placed on the outturn of the Electoral Observers' Mission report, which incidentally included 18 recommendations, that the Sub-Committee have singly focused their effort on sacrificing the role of Constable and Senator. This, together with the blurring of the traditional parochial boundaries and traditional Parish systems, both of which have served this Island well over centuries, are all sacrificed on the altar of political correctness in a search for the holy grail of equal representation and increased voter turnout. Nowhere in this Proposition do I find any real evidence to support the assertion that by addressing one issue it will necessarily improve the other. The proposed new boundary lines on the electoral map will have the opposite effect by alienating even more traditional voters, without enticing many new ones. Voter turnout in the urban areas will continue to be low, simply because reform alone is not the panacea that it is perceived to be, as has been clearly demonstrated following other recent reform measures. Coupled with this, the voters in rural Parishes, who traditionally turn out at election time, will become even more disillusioned, disinterested, by the loss of their direct Parish representation. Turning now to the old chestnut of uncontested elections; perhaps I can ask that, in summing up, the proposer will direct us to the evidence that supports the claim that these proposals, if adopted, will mean the end of uncontested elections. I do not believe that this will be the case. In the proposed multi-Parish districts, candidates will be faced with canvassing 3 rural Parishes. The geographical area they will have to cover, compared with a quick stroll round the constituency for candidates standing in the urban districts, is completely disproportionate. I foresee that more candidates will be offering themselves for election in the urban districts, due to the ease of getting elected by a relatively small number of voters, as is the case now, whereas there could be fewer candidates offering themselves for election in the multi-Parish districts, where it could easily be envisaged that there would only be sufficient candidates to fill the 5 seats. For example, in the proposed 3 Parish conglomerate of Trinity, St. Lawrence and St. John, 50 per cent of the combined electorate already reside in St. Lawrence and it is conceivable that 5 or more candidates for Deputy come forward in St. Lawrence and they are all well-known within their Parish. This puts candidates from Trinity, or St. John, at an immediate disadvantage, as each of these Parishes only has 25 per cent of the voting population and, like it or not, elections in rural Parishes are and will remain a parochial affair. This situation would potentially leave one or both smaller Parishes without direct political representation. I firmly believe that the loss of the Senators' role will be yet another retrograde step and equally damaging to voter turnout, as it flies directly in the face of everything that this Proposition sets out to achieve in democracy. What is more democratic than political representation elected by the entire population? The previous decision to reduce the number of Senators from 12 to the present 8 is a result of earlier efforts at tinkering with reform and together with the move to a general election has removed any thread of continuity running through Government. At present, my parishioners have the opportunity of voting for their choice of Constable, Deputy and 8 Senators and thereby influence a total of 10 seats in this Assembly. Under these new proposals they will now be only able to influence 5.

[16:30]

Is that progress? Is that improved democracy? Incidentally, the first 4 Chief Ministers we have had under a ministerial government have all come from the Senatorial benches, returned with an

Island-wide mandate. Returning to the Parish roadshows, I make no apology for producing the banners that went up outside of my Parish Hall. With one exception, I had nothing but positive comments from my parishioners. I was, however, contacted by a well-respected parishioner - and, Peter, I am sorry, I cannot support you today - who was unhappy with the form of words used and I am big enough to admit that, on reflection, this led to my decision to blank out certain words. My primary objective with the banners was to raise the profile of debate, as my greatest fear was that the roadshows would go round the Parish Halls and public halls, the Town Hall and there would be a very small attendance. The conclusion would then be drawn that the public are not interested, so why just not get on with it? I could not sit on my hands and do nothing. If I achieved nothing, other than raise the profile of the debate, then my efforts were not in vain. Very little is made in the report to the Proposition about the roadshow's visit to my Parish Hall, attended by at least 150 people, the vast majority of whom spoke against, although, admittedly, 2 or 3 spoke very passionately in favour of the Proposition. At the end of the meeting we had a show of hands and, even if I am generous, no more than 20 hands went up in favour of the proposals, representing some 13 per cent; a stark contrast with the opinions obtained in 4insight electronic survey and focus groups. An interesting question I would ask: how many of those, who took part in the survey and the focus groups, attended one of the roadshows and had seen P.P.C.'s unbiased video presentation? How easy it is these days to complete questionnaires and online surveys. Along with others, I regularly receive them from various organisations, but I would not put too much store by the results. You often find that people will put things in writing that they would not necessarily say in a face-to-face situation. I hold similar reservations about the results from the focus group, without knowing more detail regarding how the questions were presented, results extracted. How do you contrast the views of 47 with the hundreds who turned out to express their opinion at the roadshows? I beg to differ with the thrust of this Proposition, which suggests that a large proportion of the population do not vote, simply because they do not have equal voting rights. I ask you to consider the turnout at the P.P.C. roadshow at the Town Hall, where out of an electorate of some 36,000, allegedly disenfranchised voters, *circa* 30 were motivated enough to turn up for an opportunity to voice their support for these proposals. Why were they not queued out the door? So strong is the strength of feeling out there among the electorate. What does that really say? It is an undeniable fact that we invited the Electoral Observers Mission here to Jersey and if we are honest, in the main the report has told us exactly what we already knew. Much weight is also placed on the principles of the Venice Commission but, unfortunately, we do not live in an ideal world. But who would dispute the fact that Jersey is still a great place to live? If we wound the clock back to the start in year dot I am sure we would not have the Parish administration systems, or electoral processes that we have today. That said, I do not believe that this is reason enough to throw out one imperfect system simply to bring in another imperfect system, an unwelcomed alternative, which is also largely unevidenced and untested. In this Proposition, we are not provided with any information on the processes, or mechanics, that will make the system work any better than the one we have today. Jersey is recognised internationally as being a politically stable jurisdiction, disinclined to kneejerk reactions and is seen as a safe place for individuals and corporates are happy to place their business, something we would do well to remember. Let us not do anything today which is simply a change for change's sake and puts at risk that reputation, for if confidence was lost, it would dramatically affect the quality of Island life for everyone. I say this as a proud Jerseyman and irrespective of whether we can trace our roots back to William the Conqueror, or recently arrived, Jersey remains a great place to live and raise a family in safety, albeit with its quirks and sometimes difficult to understand customs and traditions. It is what makes this a wonderful place and I care passionately about protecting its unique character, of which the Parish structures are an important element. I, for one, do not want to see our parochial systems and cultural framework irreparably damaged. It is bad enough that we continue to chip away at the traditional values that so many Islanders hold dear. I consider this Proposition not to be chipping away, but taking a sledgehammer to it and I implore all Members to soundly reject it.

2.1.22 Deputy C.S. Alves of St. Helier:

We have heard a lot of people's views during these speeches, so I am going to stick to the facts. There is no denying that the current system is complicated. People do not engage and vote, because they do not understand the system. The Deputy of St. Mary has said that this is an assumption we have made. However, on 17th February we all received a response from our head of Statistics, who quoted the Jersey Opinions and Lifestyle Survey in 2018 and cited: "The most popular reason for not voting being that they do not understand the political system." ComRes' survey have also said this, as did our focus groups and survey results. This is a fact, not an assumption. Even changes to voting age has had no impact. When I think back to my teaching days, where I would have had to explain something like this to a class of 30 kids, maybe even adults, I would have had to have known exactly where every child lives and sometimes even what part of the street they lived in to be able to really inform them of exactly who they could vote for. How can you deny that this is a complicated system? We have the lowest civic engagement in the O.E.C.D. countries; that is another fact and not because some Members seem to think that the public are happy with the current system, because if that was the case, then why in the Better Life Index are less than 30 per cent happy with the Government? The Constable of St. John has said: "We must listen to the people, to the referendum result of 2014; this is why we have voter apathy, because we have not." OK, so let us not forget, the breakdown of the result of the Constables' referendum showed that St. Helier voted to remove the Constables, so I and all the other St. Helier Deputies do have a mandate from our electorate to support this Proposition. Yes, we do need to listen to the public, but we also need to listen to facts and to professionals who do reports and studies in areas that we do not have expertise in. But why do we bother with reports and research if we are just going to ignore the recommendations of these and do what we want, or just cherry-pick what we want? In 2007, there was a petition that reached 19,000 signatures opposing G.S.T. (Goods and Services Tax) at a time when the population was approximately 87,000; that is 22 per cent of the population. In 2014 the population was approximately 98,000, 15,000 voted for the Constables to stay; that is 15 per cent. The petition clearly showed that more of the public were against G.S.T. being implemented than those who voted to keep the Constables in, but we implemented G.S.T. anyway. Why? Because it was apparently what was best for the Island and the people, according to professional advice. What are we going to decide to follow, public voice or experts, or are we just going to pick and choose what we want? Which brings me on to the point about population figures, there have been several questions about why did we look at total population, why did we not look at registered voters or eligible voters? If you looked at page 59 of our report accompanying the Proposition you will see that there is a table there showing the estimated figures of those who would be eligible to vote. You will see that this is in proportion to the population of those areas, so therefore it would not make a difference on what we are proposing. On top of that, we have a registration process which is not user-friendly. It is not an automatic system. We live on an Island that has a 3-tier system; you have 2 years to be eligible to vote, 5 years to be fully eligible for employment and 10 years for housing qualifications. People are still not aware that after 2 years they are eligible to vote. How can we justify going by those numbers, going by registered voters? Total population makes sense, change affects us all and, as has been previously covered by some other speakers, the voice of the child; we often talk about the voice of the child. I am just going to quote a tweet that Senator Moore sent out during our Parish roadshows in St. Peter. This was tweeted on 11th June, you can all look it up: "The system is broken, says a 25 year-old father, for the good of the Island we need to move forward. My children will suffer if change does not happen. Younger people don't vote because their vote does not bring change." The Constable of St. Ouen and others have criticised the 4insight data, in particular their sample size. Like Deputy Wickenden stated earlier, this is the same company that the Government use and the same sample sizes when they undertake research for them. Does the Constable criticise them on the points he had when they do studies and research for the Government that he is part of, or is this another case of picking and choosing what is convenient? I observed all of the focus groups and I asked the company running it

various questions. One of my questions was: have you had any new participants that are not on your books? The answer to that was: “Yes.” In addition to this, they also did street interviews. Just to clarify, this company is a professionally-regulated research company. They are regulated by the Market Research Society, the European Society for Opinion and Marketing Research, the Association of Qualitative Researchers and they abide by strict codes of conduct and European and U.K. professional bodies. I am disgusted by the comments in this Assembly attacking the methodology and integrity of a fully professional qualified research company, because some Members do not like the facts. Picking and choosing is exactly what I have observed over the last 21 months and I struggle to understand the logic of it. Various Members talked about the Senators, in our original Proposition when we spoke to Members we did have the Senators. We did have the Senators. In fact, we approached the Comité and we had a meeting on 4th March last year where 6 out of the 8 Connétables that were present said that they would vote for something if it was a single Member. Where are those votes now? On this point, does the Chief Minister honestly expect to achieve some kind of consensus if, when we have tried, we had people say one thing and then people do a complete U-turn when we get in this Assembly? The Constable of St. Ouen also stated various reasons for standing, which were completely valid. However, there are individuals out there, who could do just as good a job as a Constable, but do not want to be politicians and I have had many of these approach me. Can I just remind Members that there is nothing to stop a Constable from standing for one of the 5 seats, or 6 seats, depending on the district, that we are proposing? This premise that parishioners will not have representation purely because the Members elected will not be living in that Parish is simply untrue. Deputies Wickenden and Martin stated earlier, the current District 1 St. Helier Deputies, none of them are St. Helier residents and yet they defend and stand up for their constituents. Deputy Labey in fact has brought forward Propositions which directly impact his district, because he listened to his constituents. If he did not, I am sure his constituents would simply not vote him back in. Last year, during the celebrations of 100 years of women getting the vote in Jersey, all women in this Assembly agreed to the following pledge; we pledge to keep fighting for equal rights and opportunities for all, whether you are male or female, black or white, straight or L.G.B.T. (Lesbian, Gay, Bisexual and Transgender), young or elderly, no matter where you are from, or what your background is. By not voting in favour of this Proposition, they are condoning a system which does precisely the opposite of what they have pledged. Do these pledges mean anything to those who sign up to them?

[16:45]

In conclusion, simply put, what we have here is a case of postcode discrimination. We want to pay somebody in a same job differently, dependent on where they live. Why do we tolerate this type of discrimination? The simple fact of the matter is Members who choose to vote against this are essentially condoning this discrimination to continue to exist; that is unacceptable. Let us prove the public wrong when they make comments that this Assembly is not capable of making real change, as has been proven in the past by the rejection of all electoral reform Propositions. Let us really make this the year of action. I urge Members to vote in favour of this Proposition.

2.1.23 Connétable M.K. Jackson of St. Brelade:

I am grateful to the Chairman of P.P.C., his members and the States Greffe for using their talents in producing the very professional film which was taken round the Parishes last year. “You will never get a better deal”, said the Chairman of P.P.C. in his speech earlier in the debate. I am not sure whether in reality I agree with him. My simple advice would be to drop it and move on. Its popularity seems to lie purely with a few and I say to them, thanks for your efforts, but no thanks. Reality, in my corner of Jersey, is about listening to my parishioners, my electorate, engaging with them and pooling ideas so that I can convey their thoughts to this Assembly and vote accordingly. I would suggest to Deputy Ash and to Deputy Maçon that I and my Connétable colleagues have regular communications from parishioners. We reach out, we receive their views on Propositions tabled here and we will be influenced when voting accordingly. Traditionally, Propositions are lodged *au Greffe*

to enable Connétables going back to get the views of parishioners prior to casting their votes and that is really why it is there. Many will say that the States Assembly is divorced from the needs of many Islanders. It is, of course, a challenge to identify what those needs are and I would suggest that the Connétables are, in fact, best placed to do this. We accept that the democracy of the Parishes has already been compromised by Government with the forming of the various citizens' panels we hear of. This, I feel, is rather the thin end of the wedge, given that we already have 12 Parish Assemblies at our disposal. The Chairman of P.P.C. has used these methods, albeit facilitated by apparently a reputable company about whom we know very little, apart from, I think, probably was elaborated by Deputy Alves just now, but some might say, with all due respect, that it has been designed to achieve the ends of P.P.C., with all due respect. My simple observation is that previous changes, such as the reduction in the number of Senators, alignments of Connétable election dates, single election days, have, in truth, failed to deliver the anticipated results. I would differ with the views of the Connétable of St. Helier and suggest that we perhaps should revisit these areas before embarking on a further path of change with a questionable outcome. We all want better turnouts and there are areas which must be explored first. Technology moves a pace and the C.P.A. has produced much information as to how that can be incorporated in the election process. We must progress the ability for electors to vote electronically, wherever they happen to be in the Island. The popular pre-poll voting has paved the way for this and, hopefully, in 2022 we will see this rolled out in every polling station. Others have spoken of the Connétables' role and I do not intend to repeat that. However, I would simply remind Members that we are, by default, very close to parishioners' needs and we will react generally without undue delay, due to our having influence here in the States Chamber through our votes. This is what I believe parishioners want and it is unlikely to be achieved by Government at higher levels. I would suggest that due to the broad roles that Connétables undertake in the States and Government, that the malapportionment argument is much weakened, as we are regularly dealing with matters outside our geographic constituencies. Progress in electoral matters is acceptable, provided it achieves the aspirations of the electorate. I do not believe that what P.P.C. proposes is aligned with Jersey's electorate's wishes today. I believe very much in evolution and our system has changed over the years to adapt to modern societal needs. One wonders that given the imbalance with the populations of several Parishes, should we be looking to create more Parishes? Should we be splitting St. Helier perhaps into 4? I am pleased that the Connétable of St. Helier is not present. During the course of last year I had the opportunity of attending the C.P.A. training mission in London, together with the Chairman and others and I was keen to establish the views from the C.P.A. on our situation. It came over quite clearly that the Venice Commission says that it is the people that have to decide what is acceptable. It was mentioned by a technical officer that perhaps a bicameral Chamber would suit Jersey. In another breath, the Election Observers Mission wrote to P.P.C. in paragraph 12.3 of their report indicating that they did not consider a 2-Chamber administration appropriate for the Island's size. I consider that paragraph (c) of the Proposition would, in practice, be a complete waste of time and money. I do not believe the Boundaries Commission can really tell us anything that we do not know already. In conclusion and having listened to those who have spoken today and read the extensive documentation, I am not persuaded to support this Proposition and urge Members to reject it.

2.1.24 Deputy G.P. Southern:

I stand today recognising that I stood for election 7 times and twice for Senator and it seems to me this argument has not gone away in that 18 years that I have been in this Chamber but, in fact, things have got worse. What we have to recognise is very straightforward about what is happening here on pages 8 and 9: "The Election Observers Mission (E.O.M.) was an important event for Jersey. It was independent in its composition, findings and conclusions." It shone a bright light on what we do around elections and it had much that was good to say. It says, for example and I quote: "The 2018 Jersey election was well executed, competitive and enabled the electorate to cast their votes in secret and express their will in a transparent, peaceful and orderly manner." Well done us, we have got

some of it right: “We commend the election officials, who were professional in carrying out their functions meticulously and impartially.” Thank you to all those officers in the Parishes, the volunteers who run the system and they ran it well: “In particular, the efforts by the States Greffe to educate and engage all segments of the population in the electoral process.” Well done to the Greffe, who has tried new things; each election that comes round they try something new, very successfully: “However, their work was hindered by an electoral system which remains overly complicated and cumbersome.” We have seen lots of evidence of that: “Further areas of concern relate to the number of uncontested elections.” That has been a focus today and there are too many of them, one-third of people in this Chamber getting in without an election: “The disparity in the equality of the vote across districts and Parishes and the low voter turnout, which arguably undermines the principle that the elections in Jersey are fully genuine.” That is a serious criticism. That suggests we are bordering on the undemocratic, because of those failings. Here we are 41st out of 41, bottom of the league in terms of political engagement. It is no good. People around this Chamber frowning, rubbing their chin and wondering what they can do about it. Because one of the things they can do about it, to mend some of those serious defects, is before us today. It is up, in particular, to the Constables who have rallied very well today and I was very impressed by the number of speeches using more or less similar phrasing, they have got themselves well organised today and have presented a united front in terms of what their commentary is, but provided nothing at all to do with this low voter turnout. Not a single idea have I heard today that could do anything about that sad position. I ask myself, why not? What is the problem? I would argue that the system we have with those low turnouts means that the system is broken. When I first got into this House, nearly 17 years ago, I talked about checking one of my blocks of flats in my district, my district where we have got lots of blocks of flats newly built, we have got at least 500, perhaps towards 1,000 potential extra voters this time around, compared to last time and we need to do some work on our district in order that those 5 seats now, not 3 as previously, a fair representation should be justified. When I first stood I did that, I went round blocks of flats and I knocked on the doors and what I found was one-third of people I spoke to were not registered and did not want to register: “I have got no interest in your system, no connection with it, no understanding of it and I do not want to vote.” Around one-third, as I knocked, were registered and interested in voting, but many of those were registered at the wrong address. They had not filled in their form in the last 2 years and they had been wiped off the register. If I can do something about that, then I certainly attempted to register them. Then one-third and that is one-third, one-third of one-third, were registered at the right place and knew what they were doing and were happy to vote; that is one-ninth of the population. I do wonder why we get such low turnouts. Shameful. What I would finish with is the words, I think it was Albert Einstein who said: “To repeat an experiment and expect a different result is complete madness.” Yet, if we do not do something here, we are simply doing that, we are repeating and repeating the same system and we will get the same result. I have no doubt about it, we will continue with these low, pitiful, shameful turnouts and we will be barely able to hold our heads up high next time we are in a C.P.A. meeting and shaking hands and saying, how do you make the system work? The answer is we do not.

2.1.25 Deputy R.J. Ward:

So much has been said and so much has been repeated, I would say and I will try not to do that. But there is one very clear ... let us go back to the basics here, which is this about an equal vote for each elector on this Island. This is about fairness in our elections, so that everybody who goes to the polling station knows that the vote they put, a cross they put on that piece of paper, is equal to everybody else on this Island. Currently it is not and unless we do something about that, we cannot stand here and say we are a truly democratic Assembly that represents the people. We have too many uncontested elections. There is something very humbling about walking around, knocking on doors and speaking to people about why you should be elected to represent them in the States Assembly. It certainly makes you think about what you are, what you stand for, who you are and why you did it. Without doing that, I do not believe that we have the same level of democratic involvement as

everybody else. There are a number of interesting things, there is something called the Jersey Performance Framework and I urge everybody to look at it, because it is full of statistics about this Island. It is a great source of data that has been researched, which, hopefully, a form of research perhaps we can all agree on. One of the statistics I have found is that the percentage of Islanders - and there is only one bit of research on that so far, I am sure it will come around again - who believe that they can influence decisions that affect Jersey; only 25 per cent of Islanders believe they can have any influence in decisions in Jersey.

[17:00]

The reason for low voter turnout is complex and I would agree it is not simply down to one thing. The lack of the value of a vote, I believe, is one important ingredient to that. The way that we vote is one important ingredient. The fact there is one polling station and it is on a Thursday, when everybody is at work and they have to get back after 6 o'clock, feed their families and they might be at the other end of the Island and perhaps they do not have a car or they cannot get there and so you just do not go out to vote and that is particularly true in some areas. There are ingredients there which we have to think about, how we encourage to do that, it is great. I will say a number of things that have come from the Constables today, lots and lots of criticism, lots and lots of ideas, but not a single thing has been brought to this Assembly to improve our electoral system from the Comité des Connétables; only criticisms. When there was a compromise from Senator Gorst, which has now been withdrawn, that has kept the Constables in the States, even the comments paper on that was: we will not vote for it. It is not about voter equity that you are talking about and these are very empty words that are being used, when people talk about voter equity and then vote against everything that brings any form of voter equity to this Assembly. We have to address that. I feel slightly insulted, as a Deputy in St. Helier, that I am not part of my Parish, or that I am not as part of my Parish. I have been really pleased to be involved in my Parish with my Constable in St. Helier, from the Christmas lunches to all the other events that we get involved in that we go to all of the time and it has been great. We meet regularly with the Constable and the staff in the municipality and we represent the constituents, of my constituents, but I do not turn somebody away from my drop-in sessions twice a month because they might not quite live in my Parish. I will sit and help them because they are a St. Helier resident, just as I am. It is not about that. I do not say, or should I have a checklist: "OK, yes, sit down. Are you in my Parish? Yes. Did you vote for me? Will you vote for me in the future? Can you sign that disclaimer?" I would not do that, because that is not our role. Our role is to support people, because we have come here in order to take on that role. I would also point to one thing, it was mentioned, I am not sure by who, that being a Connétable is a 24-hour a day job. How on earth do you perform the dual role of the role in this Assembly, which is a separate role, or are you assuming that we, as Deputies, do not have a role at all? Because we do and, I tell you, my role is 24 hours a day. That is why the role of the Constable will be strengthened by giving it a focus, away from this Assembly, with the option of a Constable being able to stand for election to this Assembly anyway. As has been said, most Constables, if not all, would probably be elected and facing that election is a very healthy thing for us all. I think it is very important that we remember the language that we use around this Proposition. This is not getting rid of the Constables; they still exist, the role is different. But this is about the simplification and, therefore, the clarification of our system, a single Member, in equal-sized constituencies, everybody knows how to vote, everybody knows who they will vote for and there will be a greater representation across the Island of people's votes. Therefore, I would urge you to vote for this Proposition, particularly Deputies in this Assembly, think about this, think about your role, think about how your role is so important and the value you must give it as well. I will say in St. Helier we cannot, as a Deputy in St. Helier, continue to accept the underrepresentation; it just goes against the grain. Because we will be perhaps knocking on doors in a couple of years' time and trying to say to people: "What are you going to do about my representation?" Say: "Well, we tried, but you know what it is like." That is not good enough. We need to raise the profile of this Assembly. We need to raise the profile of the work that we do and the hard work that we do, be

proud of what we do and be proud of representation. We cannot do that without a proper, properly democratic, electoral system. I urge you to vote for this Proposition in all its parts.

2.1.26 Senator J.A.N. Le Fondré:

I was listening to a number of the comments and I will try and keep it as quick as possible. We know we do not have a perfect system, but we do have a system that we are not pariahs of the international community. I think that is what we have got to remember. It should be a system that ... it has evolved over time, it supports the communities we live in. If we are going to say we are going to focus very much on the representation levels, shall we say, the U.S., for example, or the U.K., or France, all have significant variations in their representations between areas that vote. The U.K., I cannot remember, I have lost who said what during the course of today, but I believe the classic is somewhere up by the Orkneys, or the Shetlands, has got something like 20,000 people, if I remember correctly and I think the Isle of Wight has got 100,000. I have seen worse variations in French departments as well. Interestingly enough - and it is frustrating, because we all talk about low turnouts and I think we were on 43 point something turnout for the last elections - the second round in one of the French national elections, which I think was for the national legislature, was fractionally lower; I will just put that into the context. In other words, it is not only small island jurisdictions that are struggling with turnout. But I think there are 2 things I wanted to comment on, one is the actual Proposition and one is the referendum. The referendum on the Connétables, surely one cannot ignore it; that is the point. It does not matter whether you agree with it, or not. It was a referendum, it was held legitimately, it was approved by this Assembly and it was held at a time when most people come out to vote who are going to vote. We can have all sorts of arguments around it, but it was a legitimate ... the question is, without going into the conversations, whether it was approved by this Assembly and it was done in accordance with whatever was required at that time. It was a yes/no referendum and that was important, is that the recommendations of the, I think, the Venice Commission, whoever make comments about referenda, are that it should be a simple and a yes/no question. That was the problem in the earlier referenda, it was an A, B or C kind of territory, but let us not get too involved in that. What disappointed me slightly, and I will not try and find the page, but on the actual Proposition and the Chair of P.P.C. has made great play, obviously, of the electoral observers' comments, but part (a) is obviously to essentially do the basis for calculation on total population. The electoral observers' report says: "Jersey is an exception and that total population is not an appropriate measure to be applied for the calculation of representation." I can dig out the references if one wants; it is on page 4 of their report. What disappointed me is that from the very start, the premise that this is all to do with the electoral observers and following their recommendations to me feels flawed on the basis of that comment that they had specifically said that a whole population, or a total population, is not the appropriate measure for Jersey. I think the other ones, just to go through the Proposition itself, it is all very well and I know Deputy Young - we would disagree on this - has said: "This is a step forward." I am very much in the evolution *versus* revolution approach. But you have also got to be happy for what you are voting for because there is nothing more permanent than a temporary measure; I think a number of us would have probably heard that in the past. We are putting in 46 Members, so that is a reduction of 3. Under the way the Troy Rule presently works, those 3 people would come off the Scrutiny, the non-executive side. In terms of the calculations of the way the Troy Rule has applied, the Executive would stay at 21 and that is identified in the Report and Proposition. I say and think that one of the things - and it has been alluded to in the past - is that I do not see too many idle hands in this Assembly; I think everybody is very busy. I will not go into too many other remarks, I think the comments around having non-voting Connétables as being part of the Assembly I think, I am sorry, is just unworkable. You are either in, or you are out. If you are in, you are fully part of the Assembly, if you are out you are not. Then I think I just wanted to make 2 or 3 other observations, I was running through very quickly on the report itself, without going too much into a whole load of data, because I am going to try and keep my remarks very short. On page 7 of the report it says: "This Proposition represents the closest thing to Clothier." I would disagree

with that and, funny enough, I can remember the Comité coming before us some time ago when this was looked at, Clothier respected the Parish boundaries. To go into super-constituencies and to argue that this is representative of what Clothier did, Clothier was very clear around the Parish system and the respect for that system, *et cetera*. From that basis I think to say that this is close to Clothier, I do not think is correct. On page 15, yes, sorry, that was just a disagreement. It talks about that this is, effectively, sensitive, or sensitivity, being applied to the historical and parochial borders. I think we have heard enough about that today. I agree entirely with the comments that I do not think it is sensitive to Parish boundaries. You say you are going to change everything, in which case you do change everything, or you do not. You do not try and say by super-constituencies this respects the principles of the Parish political system, which I do not think you can argue that. Let us put it this way, I do disagree. We have heard a lot about the ComRes side and, sorry, the 4insight side and the focus group. I did find that I got a little bit confused, I think we have covered that; that ComRes only was a survey of 1,000 people; it was purely why people did not want to vote. It was nothing around the views of this particular system. I think at least 2 of the Connétables, both the Connétable of St. Peter and the Connétable of St. Lawrence, have very ably addressed that area and I do not intend to repeat. I think, to an extent, I fully accept and I like all the members of P.P.C. and particularly the Sub-Committee; it has got nothing to do with this, unfortunately. For me, I have got to be happy that what we are doing is going to be an improvement. I do not see this as an improvement. If I see something that we can work together on and bring together and push forward, I will vote for it. At this stage, I do not see something that I think represents an improvement on this Assembly and for that basis and in very short order I am going to be voting against this, all of it.

The Deputy Bailiff:

If no other Members wishes to speak, I call upon the Chairman of P.P.C. to reply. Chairman.

2.1.27 Deputy R. Labey:

I am grateful for the support that has been expressed thus far in the debate, because I know that if Members are prepared to support this, in doing so they are making a sacrifice, because it is likely that their constituency boundaries will be changing. I commend Members for putting aside their own self-interests and self-preservation and being prepared ... it is uncomfortable and uneasy. Once we get elected in a constituency, we do not want it to change, it is the last thing we want and this does make a lot of big changes. Those Members, who are prepared to put those discomforting things to one side and to vote for this, for the good of the Island and for the good of every voter, to give every voter that equal vote, the same as everybody else's, I think that is tremendous and I am so pleased with the level of support that has been expressed thus far in the debate and I mean that most sincerely to those people. Because, without some self-sacrifice we will never make progress, we will never, ever make progress. Senator Moore has just caught my eye and I want to address the Senator, through you, Sir. The Senator does not need to work out of any kind of self-preservation, or self-interest. You do not come second in a Senatorial poll without being indestructible in the poll. I know that is not Senator Moore's motivation. I know she is worried about the Constables. I would just like to remind Senator Moore of the election roadshow we held in St. Peter and one of the very few young people we saw in the whole 12 roadshows. She will remember this young man, who stood up in absolute desperation at the state of things, the state of politics, the state of the elections, the 3 categories confusing us, the state of everything. He was very succinct and made a big impression on all of us, so much so that Senator Moore tweeted exactly what he said, a quote from him; she tweeted that.

[17:15]

I would just like to ask her: what do we say to that young man tonight, if we do not pass this reform? What do we say to that young man and all those young people? Remember the Youth Parliament, when was it, 12 months ago, or something? I remember I was sitting there, because I had a question

from a young man sitting here on sorting out Jersey's awful electoral system and all these uncontested elections and what we have been talking about today. He drilled me and I said: "Yes, we are now looking at this, we have got this report." "You keep saying we are doing this, we are doing this, but when are you going to do it?" He really pushed me hard and I said: "We are coming back with something." What do we say to those young people, it is not just young people, but who are completely disillusioned? I want to go back to those young people, once we have given everybody in this Island a vote of equal weight of power, which they deserve. I want to go back with energy and try to convince people to re-engage and to come out and vote. We have got lots of plans for the polling stations and a big campaign on trying to get people ... once we have done our bit, we have taken the sacrifices, trying to get the voters to honour that; we honour them, they honour us and turnout and vote and really push on their civic responsibilities. That is what that Get Out and Vote campaign is all about. But we cannot do that and I have got big plans for it. The selling starts when the buyer says no and these buyers have said no to us repeatedly and they are falling. I am quite a good salesman and I am really prepared and really up for it, not fronting it, but I have got ideas for a campaign. But we cannot do that, we cannot do that until we have honoured people, each one of our citizens, with a vote of equal weight and power; that is what this is about. Never mind their personalities, because I have said at the beginning of this, I like them all, related to one of them; he is my least favourite. I am joking. I like them all. But I am going to ask the Members on this side of the House through the Chair, Sir and everyone, not the people, the personalities, do the views you have heard from this section of the Assembly, do those views you have heard today represent the future for this Island, the future for electoral reform, for what we do here and how we get here and the composition of that? Does this represent the future? Because we have had 75 years of what Senator Farnham believes is right and perhaps the Chief Minister and Deputy Guida, no disrespect, but we have tried it, this for 75 years and the figures have just gone down and down and now we are 41st out of 41 nations for civic engagement. Deputy Labey of Grouville, Deputy Southern, another long-serving one, there is one around ... Deputy Martin. I would like to know what you have been doing for the last 18 or 20 years since you have been elected here, because what on earth have you been doing? Because, according to the Constable of St. Lawrence, you have provided no meaningful representation of the Parish, no meaningful representation of the Parish. Does that chime with anyone? That is shockingly bad. There have never been better Deputies in this Assembly than the Deputy of Grouville, Deputy Martin and Deputy Southern. They work tirelessly for their Parishes and I know what the Deputy of Grouville has done in the last ... I do not know how many years it is now, I do not want to say too big a number to insult her. You want to talk about the voice of the Parish, of course Deputy Labey is the voice of the Parish and she is very vocal and I know she works extremely well with her current Constable. But there have been times when Deputy Labey has had to fight these fights in that Parish on her own, the difficult ones, the planning ones and Grouville looks very different now, better than it could have done because of the work she has done. She is a remarkable Deputy. I do think flinging around this business of you have to be a member of the municipality of a Parish to meaningfully represent it is absolute nonsense. I am not going to go through all the Connétables' comments. I mean well done to them, because they put up a good fight, sometimes a little bit naughty and sometimes a little bit nasty, but there you go, I am big enough and ugly enough to take it. Deputy Southern is right, they have not offered an alternative to this. They have not addressed, they have not; you have not. The first thing I did when I formed this Sub-Committee, the first action we took was to write to the Comité and said: "How would you address constituency boundaries not drawn within international best practice, best standards and the overly complex and cumbersome state of our processes and the uncontested elections and the disparity and the inequality of the votes?" The 4 big points from the C.P.A. E.O.M., who we all invited here on a standing vote. No Connétable stood up and said: "I do not think we should bring the C.P.A. E.O.M. here. I could guess what they are going to do, they are going to suggest that the Connétables should not be in the States. Let us not do it, let us not do it." No, everybody, it went through on a standing vote. Do you think, 20 years ago, Anne Perchard, John Henwood, Advocate

David Le Quesne, Colin Powell, Sir Cecil Clothier and the other extremely eminent people he sat with, do you not think, before they suggested one category of States Member, they really fully, thoroughly, examined it? Of course they did and unbelievably for a committee - it was about a 9 or 10-strong committee - they reached complete unanimity on it. One category of States Member 20 years ago, Deputy Guida and we have done nothing to move that. This is not revolution, but I think we should have revolution. You do not think we should have revolution, Deputy Guida. I think people want revolution. Do you hear the people sing? Singing a song of angry men, to quote Victor Hugo. They do want a revolution, of a kind. This is the only thing on the table.

Deputy M. Tadier:

Sir, would the Deputy give way a moment? It may be a point of clarification, the Deputy mentioned the Commonwealth Parliamentary Association observers, does he find it ironic that this very evening we have got a C.P.A. **[Members: Oh!]** I am not going to be told to sit down by the Deputy of St. Lawrence and the Deputy is quite able to tell me whether or not he thinks this is a point of clarification. He has given way and I am speaking. Does he agree with me that it is ironic that we have got a C.P.A. A.G.M. (Annual General Meeting) tonight and yet we cannot even observe and endorse the recommendations of that C.P.A.?

Deputy R. Labey:

Yes, I do. I think I mentioned in my opening speech about the C.P.A. ideals and we should be up there, being an example to everybody and we could be, so easily. We can make this difference. We can go from the worst to the best in a flash. I picked on a few Members around and about, Senator Pallett came into this Assembly, a great democrat and I want to remind him of that and I want to ask where that democrat is and is he going to vote with something that is so absolutely democratic? The Constable ...

The Deputy Bailiff:

Through the Chair, through the Chair.

Deputy R. Labey:

Through the Chair. To my darling, the Constable of St. Saviour and I have avoided having this conversation with her and I dare not look at her now, I am going to keep looking at you, Sir. I say to her, why should St. Saviour continually be the Cinderella Parish, kept down, underrepresented? Why cannot St. Saviour go to the ball? The Constable of St. Saviour has the power now to get St. Saviour to the ball, to the equality ball, to the equity ball. She has the magic wand. She is the fairy godmother in this story. I hope she is here for a long time in this Assembly, but when she does decide to leave, if she does this today and votes with me today, she will do something that no other Constable of St. Saviour has ever done, or been able to do; she will bring St. Saviour up. She will make it equal to everybody else; 14,000 people, why are they kept down by this system? It is not fair. I call it Harry Potter and the Comité des Connétables' report into P.126, because it is a complete work of fiction. The meeting we held in St. Saviour, they were all sceptical, the roadshows, which was not a campaign, it was to explain. They were all like this, arms over chests, difficult crowd, as we say in the theatre, difficult crowd and it was tough. By the end of it Mr. Le Gallais and everybody, they have all come round, they are getting into it and they are saying to their representatives, the lot of them were there: "Yes, but are our Deputies going to vote for it? Are you going to vote for it?" Every single one of them said: "Yes, we will." Bravo and thank you to those Deputies of St. Saviour, because they are making a sacrifice. They could stay in their nice little constituencies, but for the good of St. Saviour, bringing it up for the good of the Island to get an equality to vote, they are going: "OK, well we will go for it, St. Saviour, one big constituency and we will go for it." By the way, the Constable would walk back in, as would St. Ouen and St. Martin, so I really do not know what they are moaning about. This is about equality. Diversity is about inviting everybody to the party.

Inclusion is about getting everybody to dance at the party. We cannot even send out the invitations, the directions are terrible on them. We cannot organise that party in the brewery and it is such a shame. Because when you do get equality and inclusivity it is such a joy. I do not think I need to say any more. This is what is on the table. This is a golden opportunity and I maintain the Proposition and I have my fingers crossed.

The Deputy Bailiff:

The *appel* has been called for. May I remind Members that in accordance with Standing Order 89A(2)(a): “A Proposition to alter the membership of the States of Jersey requires the position of a majority of the elected Members of the States.” Therefore, 25 votes or more are required for this Proposition to be adopted.

Deputy R. Labey:

Sir, I am sorry, I should have mentioned it. I am very happy to take each Article individually.

The Deputy Bailiff:

Yes, do you want to do that? It is your decision, Deputy Labey.

Deputy R. Labey:

Yes, Sir, I think I do.

The Deputy Bailiff:

Can I then indicate that in relation to (a), a simple majority of those voting will suffice? In relation to (b), 25 votes are required. If 25 votes are not achieved on (b), we may need to revisit (c), (d), (e) and (f) but it may be that they fall away but that is a matter which we will revisit when we get to the end of the voting on (b). Do you agree with that, Deputy Labey?

Deputy R. Labey:

Yes.

The Deputy Bailiff:

Thank you. We are voting on (a) of the Proposition. I invite the Greffier to open the voting.

POUR: 28		CONTRE: 18		ABSTAIN: 0
Senator T.A. Vallois		Senator L.J. Farnham		
Senator K.L. Moore		Senator J.A.N. Le Fondré		
Senator S.W. Pallett		Connétable of St. Lawrence		
Senator S.Y. Mézec		Connétable of St. Saviour		
Connétable of St. Helier		Connétable of St. Brelade		
Connétable of St. Clement		Connétable of Grouville		
Connétable of St. Martin		Connétable of St. John		
Deputy J.A. Martin (H)		Connétable of Trinity		
Deputy G.P. Southern (H)		Connétable of St. Peter		
Deputy of Grouville		Connétable of St. Mary		
Deputy M. Tadier (B)		Connétable of St. Ouen		
Deputy M.R. Higgins (H)		Deputy K.C. Lewis (S)		
Deputy J.M. Maçon (S)		Deputy of St. Martin		
Deputy L.M.C. Doublet (S)		Deputy of St. Ouen		
Deputy R. Labey (H)		Deputy G.J. Truscott (B)		
Deputy S.M. Wickenden (H)		Deputy G.C.U. Guida (L)		
Deputy of St. Mary		Deputy of St. Peter		
Deputy J.H. Young (B)		Deputy of Trinity		
Deputy L.B.E. Ash (C)				

Deputy K.F. Morel (L)				
Deputy of St. John				
Deputy M.R. Le Hegarat (H)				
Deputy S.M. Ahier (H)				
Deputy J.H. Perchard (S)				
Deputy R.J. Ward (H)				
Deputy C.S. Alves (H)				
Deputy K.G. Pamplin (S)				
Deputy I. Gardiner (H)				

[17:30]

The Deputy Bailiff:

We now move to part (b) of the Proposition and I ask the Greffier to open the voting.

POUR: 20	CONTRE: 26	ABSTAIN: 0
Senator T.A. Vallois	Senator L.J. Farnham	
Senator S.Y. Mézec	Senator J.A.N. Le Fondré	
Connétable of St. Helier	Senator K.L. Moore	
Deputy J.A. Martin (H)	Senator S.W. Pallett	
Deputy G.P. Southern (H)	Connétable of St. Clement	
Deputy M. Tadier (B)	Connétable of St. Lawrence	
Deputy M.R. Higgins (H)	Connétable of St. Saviour	
Deputy J.M. Maçon (S)	Connétable of St. Brelade	
Deputy L.M.C. Doublet (S)	Connétable of Grouville	
Deputy R. Labey (H)	Connétable of St. John	
Deputy S.M. Wickenden (H)	Connétable of Trinity	
Deputy J.H. Young (B)	Connétable of St. Peter	
Deputy L.B.E. Ash (C)	Connétable of St. Mary	
Deputy of St. John	Connétable of St. Ouen	
Deputy S.M. Ahier (H)	Connétable of St. Martin	
Deputy J.H. Perchard (S)	Deputy of Grouville	
Deputy R.J. Ward (H)	Deputy K.C. Lewis (S)	
Deputy C.S. Alves (H)	Deputy of St. Martin	
Deputy K.G. Pamplin (S)	Deputy of St. Ouen	
Deputy I. Gardiner (H)	Deputy of St. Mary	
	Deputy G.J. Truscott (B)	
	Deputy K.F. Morel (L)	
	Deputy G.C.U. Guida (L)	
	Deputy of St. Peter	
	Deputy of Trinity	
	Deputy M.R. Le Hegarat (H)	

The Deputy Bailiff:

In view of the decision on (b), parts (c), (d), (e) and (f) rather depend on (b), so I do not propose to put them to the Assembly.

Deputy M. Tadier:

But I do not think that is case, is it, Sir? I mean we could quite happily vote for (d); it is not dependent, is it, Sir?

The Deputy Bailiff:

Yes, I agree, (d) does not strictly depend on (b) and the same with (c), (e) and (f), it is an expression of principle. In that case, in relation to (d), I ask the Greffier to open the voting.

Deputy R. Labey:

Could you just remind Members, Sir, what (d) is, just in case they have not got it properly?

The Deputy Bailiff:

Yes, (d) is inviting the States to decide whether they are of the opinion to agree that the office of Constable should entitle the holder to membership of the States of Jersey in a non-voting capacity with the ability to participate in debate and non-executive committee work. In relation to (d) I ask the Greffier to open the voting.

POUR: 20		CONTRE: 26		ABSTAIN: 0
Senator T.A. Vallois		Senator L.J. Farnham		
Senator S.Y. Mézec		Senator J.A.N. Le Fondré		
Connétable of St. Helier		Senator K.L. Moore		
Deputy J.A. Martin (H)		Senator S.W. Pallett		
Deputy G.P. Southern (H)		Connétable of St. Clement		
Deputy M. Tadier (B)		Connétable of St. Lawrence		
Deputy M.R. Higgins (H)		Connétable of St. Saviour		
Deputy J.M. Maçon (S)		Connétable of St. Brelade		
Deputy L.M.C. Doublet (S)		Connétable of Grouville		
Deputy R. Labey (H)		Connétable of St. John		
Deputy S.M. Wickenden (H)		Connétable of Trinity		
Deputy J.H. Young (B)		Connétable of St. Peter		
Deputy L.B.E. Ash (C)		Connétable of St. Mary		
Deputy of St. John		Connétable of St. Ouen		
Deputy S.M. Ahier (H)		Connétable of St. Martin		
Deputy J.H. Perchard (S)		Deputy of Grouville		
Deputy R.J. Ward (H)		Deputy K.C. Lewis (S)		
Deputy C.S. Alves (H)		Deputy of St. Martin		
Deputy K.G. Pamplin (S)		Deputy of St. Ouen		
Deputy I. Gardiner (H)		Deputy of St. Mary		
		Deputy G.J. Truscott (B)		
		Deputy K.F. Morel (L)		
		Deputy G.C.U. Guida (L)		
		Deputy of St. Peter		
		Deputy of Trinity		
		Deputy M.R. Le Hegarat (H)		

The Deputy Bailiff:

I note that it is now after 5.30 p.m. and, in accordance with Standing Orders, I am required to invite Members to decide whether they wish to continue or adjourn.

Senator L.J. Farnham:

I propose, Sir, we finish the ... I propose the adjournment.

The Deputy Bailiff:

Is that seconded? [**Seconded**]

Deputy M. Tadier:

Sir, it is a point of order, does (f) definitely fall away because it seems we have agreed to one part, which is to do with equality and so we could ask P.P.C. to bring forward legislative changes to give effect to part (a)?

The Deputy Bailiff:

Part (a) is simply an expression of opinion on the part of the Assembly; that is what (a) is. The States stands adjourned until 9.30 a.m. tomorrow and the A.G.M. will take place shortly.

ADJOURNMENT

[17:34]