

10.05.16

3.3 (9424) The Connétable of St. Helier of the Chairman of the Privileges and Procedures Committee regarding changes to the composition of the States Assembly:

Will the Chairman explain what changes to the composition of the States Assembly he anticipates may be achievable before the next election?

Connétable L. Norman of St. Clement (Chairman, Privileges and Procedures Committee):

As Members, and indeed the Constable, will be aware the Reform Sub-Committee has held a number of lunchtime workshops to investigate reform options. We have taken into account views expressed by Members thus far and have drawn up 4 potential options for change, which will address voter inequality and equality in actual voting powers. However, before presenting these to the Assembly we have asked a senior research fellow in politics at Oxford University to verify the statistics upon which these options have been based. Once these have been confirmed a presentation to all Members will be arranged to gauge their views and hopefully identify one of the options to take forward as a proposition for debate. Our intended timeline has slipped slightly but we are still optimistic that if an option is acceptable to Members changes could well be implemented before the next election in 2018.

3.3.1 The Connétable of St. Helier:

The timetable published on a States website says that by now, April/May 2016, we would be debating the necessary amendments so that they could be taken to Privy Council in June. Is the chairman still convinced that we can get these amendments debated even though the timetable appears to have slipped by a considerable period?

The Connétable of St. Clement:

As I said in my opening remarks, the timetable has slipped because this is quite a complex issue and we have been trying to find a solution to the inequality and proportionality of voting for some 16, 17 years. It was not helped by the proposition a couple of years ago by the then Privileges and Procedures Committee to have a debate or to have a referendum on the Clothier proposals and we ended up with a referendum on the role of the Constables, which makes the proportionality and equality of voting very difficult if Constables are to remain in the States, and that was the view of the public, because we had a referendum on that. So the reason we have fallen behind is because of the complexity of the situation. But we are getting there and hopefully within the next 4 to 6 weeks we will have something to put before Members.

3.3.2 Deputy A.D. Lewis:

If I may say, I have been impressed so far with the Connétable and his committee's attempts to inform and involve States Members with this process. However, the public also want to be as involved with this as possible. They have made that very clear in the past. Could the Constable answer whether there is any intention to have any further referendum on this aspect of change within the States of Jersey, particularly in relation to the Senators, as consistently asked by constituents as to why we lost 4 Senators and what is the future of the Senators?

The Connétable of St. Clement:

Whether there will be another referendum will be a matter for the States to decide but I think would depend on the level of change that the States wanted to have. Secondly, I would not support a referendum unless the States were already committed to the change. The last time

we had a major referendum on this, not the Constables one, the one before that, the States had not committed to the change, we had the referendum, got the result and then did not go along with the result. I really think if we are going to have a referendum we have to make the decision ourselves first.

3.3.3 Deputy M. Tadier:

I am sure the chairman is familiar with the old line: “How many P.P.C. (Privileges and Procedures Committee) members does it take to change a lightbulb?” and the answer to which is there is nothing wrong with the lightbulb. I would ask the chairman, how many of the 4 options that have been put forward currently have voter equity and voter power, in particular, so the amount of representation that any one constituent in the district gets? How many have that as its central tenet?

The Connétable of St. Clement:

We are seeking voter equity and power equity also.

[10:00]

But while you have Constables in the States, elected by considerably different numbers of electors, it is almost impossible to achieve both. We are going to get as close as we possibly can and bring the possibly potential changes to the States very shortly.

3.3.4 Deputy M. Tadier:

Does the chairman agree that with having the Constables in this Assembly really only gives one option if one does want to achieve equality of voter power, and that is to rejig the Deputorial districts, as was put forward by the former manifestation of P.P.C., so that some Parishes which are over represented would lose their Deputies because they are adequately represented by Constables, at least in terms of numbers, and that other Parishes and Districts would be allocated more Deputies? Is this not the only solution if we are to achieve both voter equity and keep the Constables in the Assembly?

The Connétable of St. Clement:

If we are going to be successful in finding a sensible way to reform the constitution of the States we have to have a consensus in the States and, even more important, a consensus of voters in the Parishes and in the Island. I think to suggest that the only way forward would be to remove the Deputies from some Parishes would immediately undermine any potential reform. There are a number of ways in which we can improve voter equity and, as I said, we will be bringing those forward very shortly. But I do not want to commit to one particular option at this moment in time.

3.3.5 Deputy G.P. Southern:

What consideration, if any, has this Committee given to the removal of the requirements to be a British citizen from those wishing to present themselves as candidates for election to the States?

The Connétable of St. Clement:

That is not a matter we have given any consideration to at all.

3.3.6 Deputy M.R. Higgins:

Has the chairman and his committee given any thought to the idea of a bicameral system whereby the Constables could remain in the States and deal with parochial matters in a second chamber and that the main chamber be used by Senators and Deputies?

The Connétable of St. Clement:

No, we have not. Less than 2 years ago the public of Jersey voted overwhelmingly to keep the Constables in the States. The States have already once overturned the view of the public at a referendum. My committee is not about to do that again.

3.3.7 Deputy M.R. Higgins:

The suggestion was not to remove the Constables from the States. It was changing the nature of the States as a unicameral body to a bicameral body, in which case the Constables could be in the States and represent their Parishes and equally the Deputies and Senators can be in the States.

The Connétable of St. Clement:

The Constables are already in the States. There is no need to make a change. If you remove them into another chamber to discuss, as the Deputy said, Parish affairs you are effectively removing them from the States and that is not what the public said they wanted.

Senator P.M. Bailhache:

I have had my light on for a long time waiting for your eye.

The Bailiff:

Senator, I certainly did not see either your light or your eye, but I am very pleased to give you the opportunity of asking a question.

3.3.8 Senator P.M. Bailhache:

Would the chairman agree that with our employees being told to face the possibility of redundancy it would be a scandal if the States failed to apply the same principle to the number of Members, which almost everybody agrees is too high?

The Connétable of St. Clement:

I have great sympathy with the sentiments expressed in that question. [Laughter]

3.3.9 The Connétable of St. Helier:

Deputy Higgins has taken the one I wanted to talk about - a bicameral system - but perhaps I could just ask the chairman what lessons has he learned, and his committee learned, from the recent elections in Guernsey, particularly the high turnout, the fact that more women have been elected, and there is voter equity in Guernsey and a smaller number of States Members?

The Connétable of St. Clement:

I will never admit or confess to learning anything at all from Guernsey. [Laughter] However, Guernsey did grasp the nettle of removing the Island-wide mandate, reducing the number of States Members and having equal-sized constituencies. We have tried that. The number of propositions that have come before this Assembly in its different form since the year 2000 to achieve precisely that have been numerous. But every time, somehow, they have been derailed and not acceptable to this Assembly. Unless a change is acceptable to this Assembly then there is going to be no significant change whatsoever. What I have learnt ... and of course the turnout, I do not think it was particularly higher than we normally have because they have a lot fewer people on their electoral register. So once you take that into account I think the turnout was probably very similar. As far as I am concerned, when I go to vote I do not go to vote for a woman or a man, I vote for the person who I think is the best candidate that will represent me the best. I am not sure if there was another question in there, but ...

The Connétable of St. Helier:

Just the achievement of voter equity.

The Connétable of St. Clement:

The achievement of voter equity, absolutely. We have tried that. Many times. We have what we call super-constituencies where we have constituents with a similar number of voters in it, who will elect the same number of people. That has been rejected quite a number of times. But hopefully we will be able to achieve voter equity and the equality and the power of voting will get an improved situation than we have now for the 2018 election.