

STATES OF JERSEY



COMPOSITION OF THE STATES: REVISED STRUCTURE AND REFERENDUM

**Lodged au Greffe on 5th June 2007
by the Privileges and Procedures Committee**

STATES GREFFE

PROPOSITION

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

- (a) to agree that the current composition of the States should be amended and that, from 2011, the elected membership of the States should be –
 - (i) the 12 Parish Connétables;
 - (ii) 36 other members, to be known as Deputies, elected in 6 new large electoral districts;
- (b) to agree that from 2011 all 48 members of the States should be elected on a single general election day and for a common term of office of 4 years;
- (c) to agree that the reform proposals set out in paragraphs (a) and (b) above should be submitted to the electorate in a referendum to be held as soon as practicable and that they should not be pursued unless supported by a majority of those voting in the referendum;
- (d) to charge the Privileges and Procedures Committee to bring forward for approval by the States –
 - (i) proposals regarding the precise boundaries and size of the proposed 6 large electoral districts; and
 - (ii) legislation to give effect to the changes with appropriate transitional arrangements including, in particular, reducing the term of office of the 6 Senators to be elected in 2008 from 6 years to 3 years and ensuring that the terms of office of all Parish Connétables are managed to conclude on the single general election day in 2011.
- (e) to charge the Privileges and Procedures Committee to consult as appropriate with Ministers and report to the States with recommendations on the feasibility of holding elections for the States in the Spring or early Summer;
- (f) to charge the Privileges and Procedures Committee to undertake research on the merits of alternative methods of voting to replace the current ‘first past the post’ system and to report to the States with recommendations.

PRIVILEGES AND PROCEDURES COMMITTEE

EXECUTIVE SUMMARY

- (1) The Privileges and Procedures Committee is convinced of the need for reform of the composition and election of the States and has now analysed the outcome of the work it has undertaken over the last year on this issue (1.2 and Appendix).
- (2) It is clear that there is no overall consensus on one way forward and the interaction between various aspects of reform that have been put forward is not always well understood (1.3).
- (3) There are certain key principles that emerge from the Committee's work (2.1), namely –
 - (i) the need for reform;
 - (ii) a single general election day;
 - (iii) the Parish Connétables should remain as members of the States;
 - (iv) the Island-wide mandate for some members is important although there is also considerable support for parish representation;
 - (v) there are too many members in the States;
 - (vi) a slightly longer term of office would be beneficial.
- (4) No worthwhile and workable reform option that incorporates most of the above principles can be found if the current 3 categories of elected members (Senators, Connétables and Deputies) are retained (3.1 to 3.10).
- (5) Some compromise or 'trade off' will be needed if workable reform is to be agreed (4.1).
- (6) If the Connétables are to remain in the States the Assembly must be made up of Connétables and only one other category of elected members to be able to introduce other aspects of reform such as a single general election day and a common term of office (4.2).
- (7) An Assembly of Connétables and Senators is not a workable option because of the difficulties in electing a large number of Senators at one time (5.1 to 5.5).
- (8) An Assembly of Connétables and an increased number of Deputies elected on the current parish or constituency basis is also feasible and workable reform option (6.1 to 6.9).
- (9) An Assembly of Connétables and 36 members (to be known as Deputies) elected in 6 new large electoral districts represents the best reform option available and would embody some of the desirable aspects of the current Island-wide mandate (which only applies to 12 out of 53 members at the present time anyway) (7.1 to 7.13). The advantages of this option are as follows –
 - Each elector would continue to vote for a larger number of representatives;
 - Each elector would vote for the same number of candidates;
 - There is more chance that every election would be contested;
 - Every successful candidate would have a larger mandate and the elections would have some of the characteristics of the current Senatorial elections;
 - Elections should be more clearly focussed on Island-wide issues.
- (10) Before being implemented the preferred option for reform should be placed before the electorate in a referendum (8.1 to 8.4). Transitional arrangements should be put in place to ensure that the new system can be fully implemented by 2011 (9.1 and 9.2).
- (11) Research should be undertaken into the feasibility of moving elections to the spring/early summer (10.1 and 10.2) and into the feasibility of alternative methods of voting (11.1 to 11.2).
- (12) PPC is convinced that if one of the 2 workable options set out is not selected to be put to a referendum the

only realistic alternative is for the *status quo* to continue. PPC believes that it would be extremely unfortunate if all the work that has been done on this matter came to nothing (13.1 to 13.3).

REPORT

1. Introduction

- 1.1 The Privileges and Procedures Committee has been working on proposals for the reform of the composition of the States ever since it took office in December 2005. This proposition is the culmination of that work and sets out the Committee's proposed option for reform.
- 1.2 PPC has made it clear over the last few months that it believes that it is crucial that the views of the public are taken into account in any reform proposals. Extensive public consultation has therefore taken place and a summary and analysis of the outcome of that work is set out in the Appendix. In addition, as explained below, PPC believes that the reform proposals should be put to the electorate in a referendum before being implemented.
- 1.3 Although certain clear themes emerge from the opinion surveys and the other forms of public consultation it is apparent that there is no overall consensus among members of the public or members of the States about the type of reform that should be introduced. Furthermore, and perhaps more importantly, the interaction between various aspects of possible reform is not always well understood. With hindsight PPC accepts that the interaction between different proposals could perhaps have been made clearer during the consultation process as it is apparent, as explained in greater detail below, that some of the reform options that scored highly in the opinion surveys cannot be introduced together if a workable overall solution is to be proposed.

2. Reform principles that have emerged from PPC's work

- 2.1 As mentioned above there are certain clear themes that have emerged from the Committee's work to date and that appear to have a wide measure of support. In no particular order these can be summarised as follows –
 - (i) there is a need for reform;
 - (ii) there should, if possible, be a single general election day for all members of the States;
 - (iii) the Parish Connétables should remain as members of the States;
 - (iv) many Islanders believe that the Island-wide mandate for some members is important although there is also considerable support for the Parish system and parish representation in the States;
 - (v) many feel that there are too many members in the States;
 - (vi) a slightly longer term of office for members would be beneficial.
- 2.2 Further background detail on each of the above reform principles is given in the summary of the work undertaken in the Appendix.
- 2.3 PPC believes that worthwhile reform should, if possible, incorporate as many of the above principles as possible although, as explained below, PPC has concluded that it is simply not possible for a workable package of reform to be designed that incorporates them all.

3. Retaining the current 3 categories of elected members

- 3.1 During the Committee's consultation process it has become clear that there is considerable support for each of the 3 current categories of elected members and, in their own way, the positions of Senator, Connétable and Deputy are each seen as beneficial.
- 3.2 Many Islanders expressed support in the first MORI survey during the summer of 2006 for the Island-wide mandate. It is clearly felt by some electors that, as some of the most senior positions of Executive responsibility have been held by Senators in recent years, all islanders should be able to influence the

election of the Chief Minister and other members of the Executive through the Senatorial system.

- 3.3 From the first MORI survey and the views expressed during the 'in Committee' debate it is clear that there is very significant support for the position of the Connétables as members of the States. The link that they provide between the Parishes and the States is considered by many to be vital and, in addition, many members expressed the view during the 'in Committee' debate that it would possibly deal a very severe blow to the whole Parish system if the Connétables lost their right to sit in the States.
- 3.4 The position of Deputy is seen by many Islanders to provide a more 'direct' access to the political environment than the position of Senator. Many respondents during the consultation period valued the way in which Parish Deputies can be easily contacted by constituents and there was also a feeling that the election process for Deputies, with more personal contact and a small number of candidates, was more meaningful than the Senatorial election process and allowed electors to get to know candidates much better.
- 3.5 From the unusual starting point of a unicameral Assembly with 3 different categories of elected members it could be argued, because of the perceived benefits of the 3 positions as set out above, that reform should, if possible, be centred on the retention of the 3 categories. However PPC's conclusion from the work undertaken over the last year is that no workable system can be designed which incorporates other meaningful reforms whilst retaining the current 3 categories of Senators, Connétables and Deputies.
- 3.6 Although it might theoretically be possible to simply hold a general election on one day for the 3 categories of members (an option that was, of course, rejected during the debates on 1st and 2nd May 2007) PPC is in no doubt that this would not represent any improvement on the current position and would almost certainly introduce a system that was worse than the current one. There are a number of reasons for this.
- 3.7 Without the attraction of a longer term of office the position of Senator would almost certainly become unattractive and, furthermore, sitting Deputies may be reluctant to stand for a Senatorial position without the current option of being able to stand again as a Deputy if unsuccessful in the Senatorial contest. This could lead to a situation, over a period of time, where the majority of candidates standing for Senator were not already States members. This, in turn, would undermine the concept that Senators are seen as the more senior members of the Assembly and it would inevitably, as a result, become less likely that those with an Island-wide mandate would be appointed to senior positions. As a result the current perceived benefit of the office, and indeed the main rationale for retaining the Senatorial mandate, would be lost.
- 3.8 If all 12 Senatorial positions were retained in a structure with a general election and a common term of office it would obviously be necessary for electors to vote for up to 12 candidates at one time. Because of the difficulty of getting to know the policies of so many candidates, and trying to then select up to 12 candidates to vote for, many electors would almost certainly choose to vote for significantly less than that number with the consequence that candidates elected in 10th, 11th and 12th place would obtain a very low percentage of the vote. It is worth pointing out, for example, that in the 1999 Senatorial election the 6th candidate was elected with only 33% of the votes cast which represented 14% of the registered electorate and it is likely that this problem would be accentuated if more than 6 candidates needed to be elected at one time.
- 3.9 In addition to the issues above it is likely that many of the electorate, particularly those who did not normally take a close interest in local politics, would find elections with 3 categories of member at the same time somewhat confusing. There would possibly be Senatorial hustings held at the same time as hustings for Deputy and/or Connétable with, no doubt, posters and leaflets for the 3 categories all being available at the same time. It is also not clear whether it would be legally possible to restrict candidates standing for more than one of the 3 offices at the same time leading to yet further confusion and possibly even a number of bye-elections if a candidate was successful in more than one position on the same day.
- 3.10 PPC's overall conclusion is that if the 3 categories of membership are to be retained several of the underlying principles that are listed above would need to be omitted from any reform proposals. In

particular PPC is convinced that a single general election day and a common 4 year term of office are incompatible with any decision to retain the current 3 categories of membership in the Assembly. PPC does not believe that 'tinkering' with a 3 category Assembly, for example by reducing the number of Senators, would overcome these problems. PPC is convinced that the position of Senator is only a viable one in the long-term if the elections are held on a separate day from the Deputies elections and with a longer term of office. In reality this therefore makes any significant reform to address concerns about the present system almost impossible.

4. Workable reform options

- 4.1 Having concluded that a desire to retain the current 3 categories of members rules out other reforms PPC has decided that reform must be based on some 'trade off' so that really beneficial reform proposals can be agreed. Put simply it is just not possible to accommodate all the desirable reform options in one package.
- 4.2 On the basis that there is clearly overwhelming support in the current Assembly for the retention of the Connétables as members of the States PPC has concluded that the only workable reform options that accommodate the views expressed by the public and that might be acceptable to the States involve a composition consisting of the Connétables and only one other category of member. With this structure PPC is satisfied that all the other underlying reform principles set out above could be accommodated and that it would, in particular, with only 2 categories of member, be possible to hold the election for both on one single day.
- 4.3 In an Assembly comprised of the Connétables and one other category of members there are only 3 realistic options. The Assembly would need to be comprised of –
 1. Connétables and Senators; or
 2. Connétables and Deputies; or
 3. Connétables and members elected in new large electoral districts.

Each of these options is now analysed in turn.

5. An Assembly comprising Connétables and Senators

- 5.1 As mentioned above there is clear evidence that a large number of members of the public believe that the Island-wide mandate is important. In the first MORI poll 46% of respondents believed that all members should be selected on an Island-wide basis and a further 32% of respondents believed that at least some members should continue to be elected for the whole Island. During the public meetings held by the then Policy and Resources Committee in early 2002 there was also significant support for the retention of the Senatorial mandate. Those who favour the retention of the Island-wide mandate often refer to the need for those in senior positions, particularly the Chief Minister, to have a mandate from the whole Island.
- 5.2 The obvious difficulty with electing all members apart from the Connétables on an Island-wide basis is the logistical problem of electing some 35 to 40 members in this way. Although some jurisdictions do hold elections with large numbers of candidates these are almost without exception in the context of a party political system where electors can simply choose the name of their preferred party without needing to be concerned about the names of individual candidates. It is clear that, notwithstanding the emergence of some political parties in recent years, no new system for reform in Jersey can be based on the need for a party political structure to make it workable. There is much evidence that many members of the electorate are not aware of the names and policies of members of the States and it is almost impossible to imagine a successful outcome if electors were faced with choosing some 35 to 40 names from a possible list of up to 100 candidates, or even more. PPC cannot conceive any workable way in which the electorate could be informed of the policies of the candidates. Personal canvassing with an Island-wide election is, in practice, impossible and, even if candidates undertook it, would only cover a very small proportion of

households. There could clearly be no hustings meetings in the traditional way as there is already criticism about the number of candidates on the Senatorial hustings platform and it would obviously be impossible to hold hustings with possibly some 70 to 100 candidates. Even if all candidates were obliged to produce a full policy manifesto it is probably unrealistic to expect many electors to take the trouble to read and analyse them all so that they could identify some 35 names to vote for on polling day. In reality it is likely that electors would almost certainly vote for a very small number of candidates out of the possible total of some 35 to 40 meaning that certain candidates would be elected with an extremely small proportion of votes cast.

5.3 PPC is conscious that Option 1 of its own options put forward for discussion in the leaflet circulated to households involved a States consisting solely of Senators and Parish Connétables because this option appeared to meet the aspirations of the public as expressed in the MORI poll most closely. Others, in particular Deputy P.V.F. Le Claire in his recent proposition (P.64/2007), have also put forward this option.

5.4 Having received and considered many comments on the feasibility of this composition over the last few months PPC has concluded that it is, unfortunately, simply unworkable and might, if introduced, simply cause chaos and bring the entire electoral process into disrepute. PPC's overall conclusion is that if the Island-wide mandate is to be retained the inevitable consequence is that there must be a small number of such representatives, which in turn means that a third form of representation (which in practice would need to be constituency based), would be necessary as well. PPC has already concluded, as mentioned above, that no workable system can be designed with 3 categories of members unless many other of the worthwhile reform principles, such as a general election, are abandoned.

5.5 If members wish to move from the status quo to an improved system PPC believes that an Assembly comprising solely of Connétables and Senators is not therefore a viable and workable option for reform and must be rejected.

6. An Assembly comprising Connétables and Deputies

6.1 Despite the anecdotal evidence from the 2002 Parish meetings and the findings of the MORI poll relating to Island-wide mandates, PPC noted the strength of feeling in a number of the letters received during the consultation period in favour of Parish-based constituency representation. Many respondents pointed out that despite the perceived benefits of the Island-wide mandate there was, in practice, little opportunity for the electorate to make meaningful decisions during the Senatorial election because of the large number of candidates and the consequential unsatisfactory nature of the hustings process with each candidate answering perhaps only 4 or 5 questions for one minute at a time. Respondents felt that Parish-based elections, with more meaningful hustings meetings and the real opportunity for candidates to become known through personal canvassing, actually gave the public better access to their elected representatives. In addition many respondents pointed out that their first port of call on any Parish or political matter was their Parish Deputy and not one of the 12 Senators.

6.2 It is clear to PPC that an Assembly comprising solely of Connétables and Deputies would be a workable option for reform. Elections for both categories could take place every 4 years on a single day or, if there was severe resistance to one single election, in 2 elections, one shortly after the other. PPC does not favour this latter option as it believes that the benefits of one single general election day outweigh any disadvantages. In practice the issues in an election for Connétable will be somewhat different from those in an election for Deputy and, because of the relatively small number of candidates likely to be involved in the elections, the confusion referred to earlier in a general election with 3 categories of members would not arise in the same way.

6.3 A further advantage of introducing this form of reform would be that the opportunity could be taken to correct some of the imbalance in Parish representation. In an Assembly of, say, 48 or 49 members a revised allocation of Deputies could be introduced which would give a much closer correlation between population and representation. Deputy Southern put forward the following option for an increased number of 37 Deputies in his amendment to the proposition of Senator B.E. Shenton (P.145/2006) and this gives

an indication of one possible revised allocation of Deputies' seats.

Parish	Population 2001 Census	Proposed representation	Ratio reps/popn.
St. Helier	28,310	12	1:2360
St. Saviour	12,491	5	1:2500
St. Brelade	10,134	4	1:2530
St. Clement	8,196	3	1:2730
Grouville	4,702	2	1:2350
St. Lawrence	4,702	2	1:2350
St. Peter	4,293	2	1:2150
St. Ouen	3,803	2	1:1900
St. Martin	3,628	2	1:1810
Trinity	2,718	1	1:2720
St. John	2,618	1	1:2620
St. Mary	1,591	1	1:1590
JERSEY	87,186	37	

- 6.4 If this structure was adopted there could be some merit in abolishing electoral districts in all Parishes except St. Helier so that Deputies would have a larger constituency and be able to represent the interests of Parishioners as a whole rather than being restricted to a division of the Parish only.
- 6.5 PPC is well aware of the criticism that some will level at this option, namely that the abolition of the Island-wide mandate would mean that senior office holders such as the Chief Minister would only be elected for a small constituency and by a small proportion of the Island's electorate with remaining electors unable to influence the election. PPC has to accept and respect this criticism but would point out that the many other benefits of a single election day, such as the fact that all members would be elected before the Assembly was reconstituted, would be lost if the Island-wide mandate is retained in a meaningful way. PPC is conscious that there is some public concern that, for example, 6 Senators do not currently face an election before the new States are constituted and a decision to abolish the position of Senator would, of course, resolve this difficulty.
- 6.6 PPC mentioned in its first consultation report in December 2006 (R.97/2006) that some compromise would be necessary if reform is to be agreed and this is one such situation. Members must decide whether the introduction of a general election and the attraction of a common term of office is a worthwhile "trade off" for the loss of the Island-wide mandate.
- 6.7 If the Island-wide mandate was to be abolished and replaced by further Deputies PPC believes it is inevitable that elections for Deputy would concentrate more on important Island-wide issues such as taxation and the future of social policy rather than purely parochial issues. There may currently be a perception that important Island-wide issues are discussed during Senatorial elections with more parochial issues dealt with in the Deputies elections. There could therefore be a significant opportunity to enhance the position of Parish Deputy if all members of the States with the exception of the Connétables were elected in this way.
- 6.8 Although under this system the post of Chief Minister would be held by a person with only a Parish-based constituency PPC believes it is important to remember that the Chief Minister, despite his important rôle as Jersey's political "leader", is only one member of the Executive team and, furthermore, that the entire

Executive cannot exist or operate without the support of a majority in the States Assembly. Electors would therefore still be able to influence Government policy through the elections in their own constituency. In addition it is likely that electors would be able to make much more meaningful choices than may be the case during the Senatorial elections where electors can, realistically, learn very little of a candidates' policies. During the consultation period one respondent wrote to PPC that *"It is clear from recent years that the Senatorial hustings are verging on being a waste of time, with the potential voters being given a very small glimpse of each candidate and the end result being choice by the most charismatic"*.

6.9 PPC's overall conclusion is that an Assembly of Connétables and Deputies would be a realistic option for reform and the benefits of a single general election day and a common term of office must be considered against the loss of the Island-wide mandate. As explained below this option is not, by a majority, PPC's preferred option for reform but Deputy G.C.L. Baudains will be bringing this option forward through a minority amendment to PPC's proposition and States members will therefore have the opportunity to debate this option alongside PPC's preferred option. If adopted by the States PPC accepts that it would certainly represent a feasible and workable way forward for reform.

7. An Assembly comprising Connétables and members elected in new large electoral districts

7.1 Having concluded that the only workable reform options are for an Assembly comprised of the Connétables and one other category of member, and having discounted the option of Connétables and Senators, PPC has decided that the option that most closely meets the views expressed by the public is an Assembly comprised of the Parish Connétables and a number of other members elected in new large electoral districts. As with the previous option a single general election day for all members would take place every 4 years and, once again, PPC is confident that this would be manageable, particularly because there are likely to be different candidates attracted to the 2 different categories of membership.

7.2 PPC is, of course, conscious that the option of larger constituencies was rejected when put forward by the former Special Committee in 2004 in P.151/2004 but, at that stage, the important difference in the proposals was that the Connétables would no longer have remained in the Assembly.

7.3 The disadvantage of introducing new large electoral districts is clearly that it would be a concept that is currently unknown in the Island and many have expressed concern about the loss of a direct link between Parishes and electoral districts. Although it is, of course, true that a system of large districts would break this direct link PPC believes that, in the absence of an Island-wide mandate, large constituencies would go some considerable way towards meeting the aspirations of the electorate to be involved with the election of a number of members.

7.4 Voting trends across the Island in every recent Senatorial election show that candidates attract similar percentages of support across the 12 Parishes and, at the last Senatorial election in 2005, the 6 successful candidates were the top 6 candidates in every single Parish. Although, therefore, electors would no longer have the option of voting for the same candidates across the Island as at present it is likely that an extremely unpopular candidate, who would not be successful in one district, would have been equally unsuccessful if he or she had stood in another district.

7.5 Having concluded that the retention of the Island-wide mandate is not a feasible option for reform if other desirable changes are to be introduced, PPC therefore believes that the establishment of a number of large electoral districts represents the best way to retain some of the desirable characteristics of the current Senatorial system. Electors would choose a number of candidates, as happens at present with the Senatorial election, and, because of the size of the districts, each candidate would receive a mandate from a reasonably significant number of electors, particularly if the new structure improved overall voter turnout. It is worth recalling that, although the 12 Senators currently obtain a mandate from the entire Island, they are significantly outnumbered in voting in the Assembly by the 29 Deputies and 12 Connétables who have much smaller mandates. With the establishment of larger constituencies each of the members elected in the new districts would have a significantly greater mandate than current Deputies and it is likely that all elections would be contested. In addition all residents in the Island would have the same number of representatives in the Assembly, overcoming the current anomaly that an elector in a small country Parish

only votes for one Deputy whereas an elector in St. Helier Nos. 3 and 4 votes for four.

- 7.6 PPC is, of course, extremely conscious that some will view the establishment of large electoral districts as a severe blow to the continuation of the Parish system in the Island. PPC does not share this view. The proposals of the former Special Committee (P.151/2004) clearly failed because there was no longer any direct Parish representation in the States. Under these present proposals the 12 Connétables would remain in the States and would provide a very important and direct link between each Parish and the Assembly. PPC believes that the rôle of the Connétable would, in fact, be significantly enhanced under this system as the current confusion that can exist between the rôle of the Connétable and the Parish Deputy in representing a Parish would be removed.
- 7.7 During the consultation period some have expressed concern that some Parishes might have no representation of their own under the large constituency model but PPC believes this is a misunderstanding of how such a system would work. In practice any members elected across several Parishes would be responsible for the representation of all electors in that large district. An elector living in, say, St. John currently only has one Connétable and one Deputy (in addition to the 12 Senators) as his or her representatives whereas under the new system the same resident would have a number of States members directly responsible for representing the Parish of St. John along with other parts of the electoral district even if none actually lived in that Parish.
- 7.8 A further benefit of this option is that it is likely that the elections would not be dominated by parochial issues but would involve discussion on policies relating to all-Island issues. This would hopefully enable greater political discussion at election time on important issues and the candidates would be able to hold a number of hustings meetings across the large constituencies during the election period which would hopefully increase interest and turnout in the elections.
- 7.9 There are a number of different divisions of the Island that are possible under this option. If the option is approved in principle detailed work will need to be undertaken, with the assistance of the Statistics Unit and the Parishes, to find the fairest possible division of the Island, taking account of the most accurate information currently available about population numbers and the number of potential electors across the Parishes. The results of this work will, if the proposition is approved, be brought back to the States for approval.
- 7.10 The Committee is recommending that the Island should be divided into 6 large electoral districts with a total 36 members, to be known as Deputies, being elected to the States in this way. The creation of the areas can hopefully be designed so that 6 members are elected in each area thereby retaining the concept of choosing up to 6 representatives on one ballot paper that is familiar to electors in the current Senatorial election. The new electoral districts would be made up of adjoining parishes or districts within those parishes and PPC sees some merit in placing some parts of St. Helier with other parishes so that all of the 6 districts span more than one parish.
- 7.11 PPC recommends that the resulting size of the Assembly, namely 48 elected members, is an appropriate way to respond to the clear view expressed during the consultation period that there should be some reduction in the number of members. PPC noted the views expressed during the in Committee debate that no significant reduction was appropriate at this time as there was concern that the scrutiny function would become less effective (some of the Committee's original consultation options referred to an Assembly of only 42 elected members). PPC is convinced that a reduction of 5 members is a workable option that will not diminish the overall effectiveness of the Assembly. If this reduction is approved PPC will bring forward proposals during the transition period that the total number of Ministers and Assistant Ministers allowed under the new reduced membership should be limited to 20 (a reduction of 3) which would leave 28 members (a reduction of 2) to serve in scrutiny and other non-Executive roles. This would widen the 'gap' between the Executive and non-Executive beyond the strict '10% rule' originally agreed in 2001 and, with a gap of 8 compared to the current gap of 7, PPC believes that fears about a reduction in the effectiveness of the scrutiny function with a reduced membership can be allayed.
- 7.12 PPC is conscious that some members may take the view this option is such a significant change from the

present structure that it is too radical a reform. As mentioned in the previous section PPC accepts that the option of an Assembly of Connétables and Deputies elected on the current basis is also a workable option and that would, of course, represent a less radical shift. It is nevertheless, in the Committee's view, worth summarising the advantages of the large electoral district option to show why this more radical change is preferable –

- Each elector would continue to vote for a larger number of representatives;
- Each elector would vote for the same number of candidates;
- There is more chance that every election would be contested;
- Turnout should be improved with a single general election day and to mirror the fact that turnout is currently greater in the Senatorial election than in the Deputies elections;
- Every successful candidate would have a larger mandate and the elections would have some of the characteristics of the current Senatorial elections;
- Elections should be more clearly focussed on Island-wide issues.

7.13 The Committee is happy to admit that its own members were not all initially supportive of the proposal but were, by a majority, convinced that it represents the best way forward when all the advantages and disadvantages of other options have been carefully weighed up. PPC therefore urges all members to undertake a similar exercise and assess the benefits of this option very carefully for themselves rather than simply rejecting it out of hand.

8. The need for a referendum

8.1 PPC has always made it clear that the reform of the States is a matter that affects Islanders in such a fundamental way that any reform proposals should be put to the electorate in a referendum before being implemented. Although there have, of course, been 2 opinion surveys, public meetings and other discussions on this matter a referendum would be the only “official” way to test public opinion on these important issues. Following the introduction of the Referendum (Jersey) Law 2002 it is difficult to see what more important issue there could be to justify the holding of a referendum. PPC has therefore included the requirement for a referendum in this proposition.

8.2 Although no referendum is legally binding under the terms of the Referendum (Jersey) Law 2002 PPC has proposed in this proposition that the States should agree in advance that no proposals agreed ‘in principle’ by the States will be implemented unless they are supported by a majority of those voting in a referendum. The Committee believes that this will send out a clear signal to the electorate that the result of the referendum will be the deciding factor on whether or not reform takes place. If the agreed reform package is supported by a majority in the referendum PPC will then bring forward the necessary legislation to give effect to the proposals but if the package is rejected in the referendum PPC will take no steps to implement the package, even though it had been agreed ‘in principle’ by the States. If that happens PPC will need to reassess the way forward to see if alternative options should be pursued or if the whole idea of reform should be abandoned.

8.3 Under the terms of the Referendum (Jersey) Law 2002 the States must approve an Act to fix the date of the referendum and to set out the question and if this proposition is approved the Act will be brought forward for approval as soon as possible. PPC envisages that one question with a yes/no answer could be asked along the lines of –

“Do you agree that the present composition of the elected membership of the States should be amended and replaced with an Assembly of 48 members, namely 12 Connétables and 36 members, elected in 6 new large electoral districts, with all members elected on a single general election day for a 4 year term of office?”.

- 8.4 Efforts would need to be made to ensure that the issues were clearly explained to the electorate so that voters could take an informed decision on the reasons for and against the proposed option for reform.

9. Transitional arrangements and timescale for introduction of changes

- 9.1 Unfortunately PPC considers that, realistically, the revised system cannot now be introduced until 2011 particularly because of the position of the 6 Senators elected for 6 years in 2005. Subject to a satisfactory outcome in the referendum, the Committee proposes introducing legislation to provide appropriate transitional arrangements for 2008 so that, for example, the 6 Senators elected next year would only serve for 3 years. In this way the entire new system could be put in place for 2011.
- 9.2 In order to achieve one single general election day by 2011 PPC would also ensure that appropriate transitional arrangements were put in place for the election of Connétables so that, by 2011, all terms of office would end at the same time to enable a full single election day for all members to take place.

10. A possible move to spring/early summer elections

- 10.1 During the debate on the proposition of Senator Shenton and associated amendments on 1st and 2nd May 2008 views both for and against a move to Spring/early Summer elections were expressed. Many members referred to the difficulties associated with canvassing on dark, cold evenings in the late autumn and to the uninviting nature of setting out to vote on a November evening. Other members, including the Minister for Treasury and Resources, referred to some of the practical problems associated with a move to another period in the year including, in particular, the impact on the timing of the Annual Business Plan.
- 10.2 PPC believes that further research is needed into this issue before asking members to make a final decision on it. The problems associated with the timing of the Annual Business Plan cannot be insurmountable but may require, for example, different provisions in an election year. It is only right that the full implications of any change are set out in full after further research before asking members to make a decision on this matter.

11. Alternative voting systems

- 11.1 Concern has been expressed by some in the past that the present 'first past the post' system leads to distorted results in an election where voters are asked to cast a number of votes on one ballot paper. For example, as mentioned earlier, candidates can be elected with significantly less than 50% of votes cast.
- 11.2 There would no doubt be a number of potential problems to introduce an alternative method of voting in a largely non-party political environment where methods that are commonly used in other jurisdictions, such as party lists, cannot apply. There are nevertheless forms of preferential voting that might possibly be suitable for Jersey and the Committee believes that these should be researched in greater detail. A full report could then be presented to members setting out the full advantages and disadvantages of moving from the current tried and tested, and relatively simple, method to a more complex, but possibly fairer, system.

12. Financial and manpower implications

- 12.1 Any proposition must give details of the financial and manpower consequences and PPC is therefore obliged to specify that a reduction in membership in the Assembly to 48 as recommended would, at 2007 rates, produce an annual saving of £210,460. The Committee nevertheless wishes to make it very clear that the proposed reduction in membership is not being put forward for financial reasons.
- 12.2 A referendum would be similar to a current Senatorial election and is estimated to cost some £15,000.
- 12.3 There are no additional manpower implications.

13. Conclusion

- 13.1 The reform of the composition of the States is one of the most important issues that the States will be asked to discuss in the foreseeable future. The future reputation of the Island as a stable democratic society is dependent on making the right decision and the Island's whole prosperity may well be linked to that reputation. Any reform must therefore be carefully thought through and all possible consequences of change analysed in detail. The States cannot afford to make the wrong decision.
- 13.2 PPC is nevertheless convinced that the current low electoral turnouts cannot simply be ignored by those who argue that the present system works well and that no reform is needed. As set out in this report PPC has spent a considerable amount of time analysing reform options and is now convinced that, taking account of public opinion and the views expressed by States members, there are only 2 workable options that might be acceptable. The Committee believes that the States are therefore faced with a simple choice – they must either decide to support one of these options or decide that the *status quo* should continue. PPC sees no merit in continuing to undertake yet more research or seek yet further options – the Committee genuinely believes that there are no other workable options that would be acceptable at the present time. If these reform proposals are rejected PPC will have to take that decision as a signal to stop work on this issue for the foreseeable future. The Committee hopes very much that will not happen.
- 13.3 Very strong views about the need for reform have been expressed by the public during the consultation phase and the Committee believes that there would be severe disappointment in the Island if all the work on reform came to nothing. The Committee believes that members should consider the following quotes submitted from members of the public during the consultation period very carefully before deciding to reject the calls for reform –

“We are totally disillusioned with the way the States is being run. We have voted in every election for 40 years but we have vowed we will never vote again unless the system is changed.”

“Until something drastic is undertaken to change the present method of electing States members, I am afraid that the present apathy at election time will prevail”.

Summary of work undertaken by PPC since 2006

Background

Ever since the publication of the report of the Review Panel on the Machinery of Government (the 'Clothier' Report) in December 2000 there have been numerous unsuccessful attempts to bring forward reform of the composition of the States.

The former Policy and Resources Committee lodged a proposition on the matter (P.179/2001) in November 2001 recommending the abolition of the office of Senator and the removal of the Connétables from the States but withdrew the proposition after a series of parish meetings in early 2002.

Following the withdrawal of P.179/2001 the States agreed to set up a Special Committee under the Presidency of then Deputy M.E. Vibert to look into this issue and that Committee lodged a proposition (P.186/2002) in October 2002 with a minority report by Senator Norman. The proposition was not debated before the 2002 elections and the reconstituted Special Committee under the Presidency of then Senator Lakeman that took office after those elections did not support the proposals in P.186/2002 which was therefore withdrawn in 2003.

After the resignation from the States of Senator Lakeman the Special Committee, under the Presidency of Deputy Le Hérissier, brought forward proposals in September 2004 (P.151/2004) for the replacement of the present 3 categories of member with 47 members elected in 6 new large constituencies, all elected on one general election day in the Spring every 4 years. The proposals were heavily defeated when they were debated in November 2004.

In addition to the proposals above there have, since 2001, also been a number of propositions on the subject of reform of the composition lodged by private members including, of course, the recent proposition of Senator B.E. Shenton (P.145/2006) which, together with all associated amendments, was rejected on 1st and 2nd May 2007.

Shortly after taking office the present PPC decided that there was a need, some 6½ years after the publication of the Clothier Report, for the States to take a definite decision on the issue of reform. This Appendix to the Committee's report on its preferred option summarises the outcome of the work that PPC has been undertaking on this subject since it took office. Some material from earlier reports is reproduced in this report so that the full background to the present proposals can be set out in one place for convenience.

The need for change

During the 'in Committee' debate in March 2007 and during the debate on P.145/2006 in May 2006 some members questioned the need for reform and argued that the present composition of the Assembly had served the Island well for many years. Although PPC agrees that the Island has prospered since the reforms of 1948 it does not accept the argument that reform is unnecessary.

PPC set out its reasons for proposing changes in its initial consultation document on this subject in December 2006 and it is worthwhile to repeat those reasons again.

PPC, in common with many others, is extremely concerned by the current low turnouts in elections to the States. The table below gives a summary of the percentage turnout in recent Senatorial and Deputies elections.

Election	Overall Island average turnout
Senatorial 2002	48.6%
Deputies 2002 (contested seats)	39.2%
Senatorial by election 2003	25.99%
Senatorial by election 2004	23.34%

Senatorial 2005	42.55%
Deputies 2005 (contested seats)	33.8%

It is perhaps of note that the turnout in the 2004 general election in Guernsey, with a revised electoral structure based on 7 large electoral districts, was as follows –

District	Turnout
South East	69%
Vale	68%
Castel	65%
St. Sampson	64%
West	64%
St. Peter Port South	59%
St. Peter Port North	58%
Guernsey Total	64%

Although the turnout in the 2006 elections to the House of Keys in the Isle of Man, with 49,855 registered voters in the contested seats, was marginally lower than the 2004 Guernsey figures it was still considerably higher than the recent Jersey figures –

Constituency	Turnout
Castletown	62%
Douglas East	51%
Douglas North	54%
Douglas South	57%
Douglas West	57%
Garff	64%
Glenfaba	74%
Malew and Santon	60%
Michael	64%
Middle	58%
Onchan	62%
Peel	63%
Ramsey	66%
Rushen	65%
Isle of Man total	61%

It is apparent that there is no one single reason for declining turnouts and it is, of course, a feature of many western democracies that turnout is falling although the experience of the recent French Presidential elections shows that voters will turn out in large numbers when presented with clear choices from candidates with significantly different policies.

Although PPC accepts that there are no doubt very many reasons why voters in Jersey do not vote in large numbers the Committee's conclusion is nevertheless that the complex and relatively frequent nature of elections in Jersey, with Connétables' elections happening on an annual basis and separate elections for Senators and Deputies, is one of the most significant factors that cause lower turnouts. In addition it has become clear from the consultation undertaken that many people in Jersey are frustrated by the fact that there is no single opportunity to change the entire membership of the Assembly at one time and, as a result, a feeling that voting does not make any real difference.

In addition to the frequency of elections concern has frequently been expressed about the imbalance in representation in the Island particularly in relation to the Deputies seats where changes in population have not been reflected in the allocation of seats that has remained unchanged for many years. The following tables give an

indication of the breakdown between population and representation in the Island (the 2001 census figures are the last available accurate statistics on the population of each parish).

	Population 2001 Census	Current Deputies	Residents per Deputy
Grouville	4,702	1	4,702
St. Peter	4,293	1	4,293
St. Clement	8,196	2	4,098
St. Ouen	3,803	1	3,803
St. Martin	3,628	1	3,628
St. Brelade	10,134	3	3,378
St. Helier	28,310	10	2,831
Trinity	2,718	1	2,718
St. John	2,618	1	2,618
St. Saviour	12,491	5	2,498
St. Lawrence	4,702	2	2,351
St. Mary	1,591	1	1,591
TOTALS	87,186	29	
Average			3,006

If the Parish Connétable is counted as part of the parish's representation the imbalance between the parishes is accentuated –

	Population 2001 Census	Current Deputies & Connétable	Residents per Parish representatives
St. Clement	8,196	3	2,732
St. Helier	28,310	11	2,574
St. Brelade	10,134	4	2,534
Grouville	4,702	2	2,351
St. Peter	4,293	2	2,147
St. Saviour	12,491	6	2,082
St. Ouen	3,803	2	1,902
St. Martin	3,628	2	1,814
St. Lawrence	4,702	3	1,567
Trinity	2,718	2	1,359
St. John	2,618	2	1,309
St. Mary	1,591	2	796
TOTALS	87,186	41	
Average			2,126

PPC does not believe that the above imbalance in membership can simply be ignored and, furthermore, is seriously concerned that the present low turnouts place Jersey near the bottom of any international 'league table' of voter turnout in free parliamentary elections across the world. The well respected International Institute for Democracy and Electoral Assistance (International IDEA) estimates that the average turnout across the globe post 1990 in democratic societies is 64%, considerably higher, of course, than the averages in Jersey (see <http://www.idea.int>).

There is, of course, no guarantee that a revised electoral system would necessarily lead to greater turnout. PPC's assessment is nevertheless that a simplified system with one single 'general election' would almost certainly

ensure that turnouts were at least as good as in the current Senatorial elections (which are significantly higher than in the Deputies elections some weeks later). In addition it would be easier for efforts to be made, through advertising and other campaigns, to encourage participation and there would be a greater chance that voters felt they could influence the entire make-up of the Assembly at one time.

In conclusion PPC does not believe that the *status quo* is an acceptable option and rejects the view that moves to make any changes are a waste of time. The Committee accepts that there is no evidence of any significant groundswell of public pressure for reform but the fact that 66.2% of registered electors did not bother to vote in the 2005 Deputies' elections should, the Committee believes, be a cause for serious concern in an Island that is rightly proud of its democratic tradition.

Process followed to date

On taking office in December 2005 the present Privileges and Procedures Committee agreed that the reform of the composition and election of the Assembly was a matter that it wished to prioritise in its work programme.

The Committee initially reviewed the work that had been undertaken on this issue since the publication of the Clothier Report and soon came to the conclusion that it would be extremely difficult to obtain any consensus in the Assembly on proposed changes. The Committee noted that previous attempts at reform had often stalled either in the face of public opposition (as in the case of the 2001 Policy and Resources Committee proposals) or because some members claimed that proposals being put forward did not have public support. PPC therefore concluded in early 2006 that it was essential to ensure that the public's views were sought and taken account of before any firm proposals were put forward. As a result PPC commissioned Ipsos-MORI to undertake a major telephone survey in Jersey through the summer of 2006 to assess public opinion on the key issues in the reform debate.

PPC appreciates that some members of the public and members of the States have been critical and sceptical about the published findings of the opinion survey and PPC agrees that any such survey will clearly be subject to some margin of error. The Committee nevertheless believes very strongly that a scientifically conducted opinion survey of this kind is, in fact, the most effective way to gauge public opinion. (Some of the key outcomes of the survey are referred to in the following section.)

After the publication of the first opinion survey the Committee put together 4 options for reform that attempted to draw on the results of the opinion survey so that the interaction between the various responses could be clearly set out. It was clear from the results of the survey that no one workable set of measures could be found that met all the aspirations of the public and the publication of the Options Paper (R.97/2006) was intended to draw attention to the difficulties that could arise from some of the alternatives. The disadvantages and advantages of each option were clearly set out.

The Committee consulted widely on the options put forward through the distribution to every domestic household of a brief leaflet summarising the choices which was followed by 3 public meetings and a second MORI poll to gauge the public's views on the options put forward. Throughout this process, which took place in December 2006 and January 2007, the Committee involved both Senator B.E. Shenton and Deputy G.P. Southern who had put forward alternative reform options.

PPC received some 124 detailed e-mails and letters in response to the leaflet and although it is, of course, right to point out that this number of letters and e-mails represents only a very small proportion of the Island's population it is nevertheless, for a consultation of this nature, encouraging that so many people took the trouble to write at considerable length to give their views. Many of the responses were critical of PPC for only putting forward a restricted number of options and, in particular, the lack of the inclusion of the original "Clothier" option of 42 members elected on a constituency basis with no Senators or Connétables was criticised by a large number of respondents. In addition there was some criticism that the Committee's own 4 options all included the retention of the Connétables as members of the States and many respondents had strongly held views that this had restricted choice.

Following the publication of the results of the 2nd opinion survey in March 2007 and the subsequent 'in Committee' debate where members gave their views, the Committee agreed to conclude its deliberations and put

forward final proposals although this work was temporarily held up as the debate on Senator B.E. Shenton's proposals and associated amendments was listed for debate on 1st and 2nd May 2007.

Conclusions drawn from consultation and research

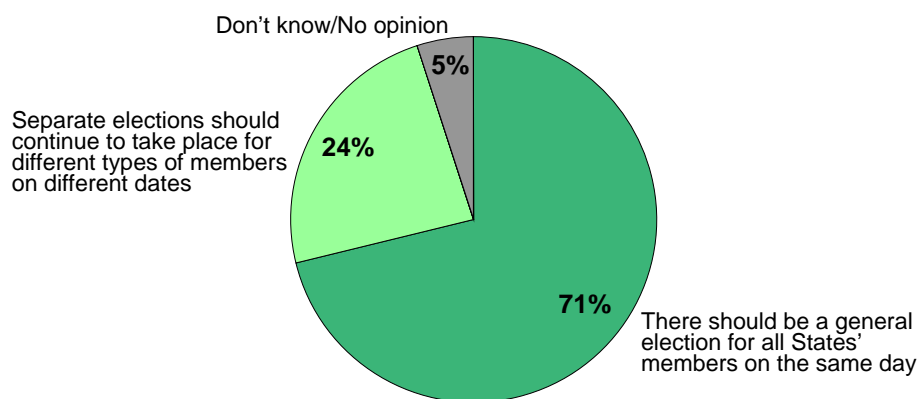
PPC summarised the main outcomes of the first opinion survey in its report presented to the States in December 2006 (R.97/2006). Those findings have been discussed during subsequent consultation, during the 2nd opinion survey and during debates in the States in March and May this year. The Committee believes that the position can therefore be updated and summarised as set out below.

General election

A very significant majority of respondents in the first MORI poll, 71%, stated that there should be a general election for all States members on the same day.

Chart 21 – Attitudes towards a 'General Election'

Q States' members are elected at various times for varying terms of office. Do you think ...



Base: 1,295 Jersey residents aged 18+, interviewed by telephone, 20 July – 24 September 2006 Source: Ipsos MORI

This finding was reflected in the written responses to the consultation leaflet with almost all respondents referring directly to the need for a general election. A significant number of States members also supported this concept during the 'in Committee' debate in March 2007.

It has been pointed out by States members and others that other jurisdictions do, of course, have a number of elections at different times for different tiers of government (for example parliamentary elections, council elections, European elections etc) and that no single election therefore takes place in these jurisdictions. Jersey is, however, reasonably unique in having different election days for different members sitting in the same unicameral parliamentary Assembly. It has often been pointed out that it would take a significant number of years to renew the entire membership of the Assembly even if the public wished to do so. During 2007 and 2008, under the current electoral system, there will be 7 elections for Connétables, 1 election for Senators and 1 election for Deputies in a period of only 2 years.

Some members claimed during the 'in Committee' debate that the lack of a general election leads to greater political stability and avoids the sudden changes in representation that can be seen in other jurisdictions. PPC nevertheless believes that this must be seen against the basic democratic principle, common in most parliamentary democracies, that the public can influence the entire membership of a legislature at one time. Under the current system Connétables can be elected and re-elected at any time during the normal 3 year life of the Council of

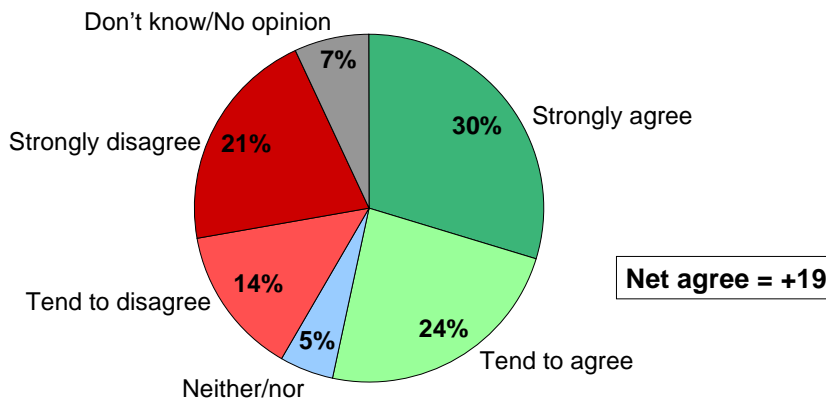
Ministers and the various panels and Committees, and this can, particularly shortly after the election of a new Connétable, make it more difficult for the Connétables to play as active a rôle as they may wish in the government of the Island. A further disadvantage of the lack of a general election is the concern of some about candidates standing in multiple elections with unsuccessful candidates in an Island-wide election being able to stand for election some 4 to 5 weeks later as Deputies.

The rôle of the Connétables as members of the States

Although some have claimed that the finding of the MORI poll was not clear on the rôle of the Connétables PPC would point out that there was, in fact, a clear majority in favour of allowing the Connétables to remain as members of the States. A total of 54% of respondents agreed that the Connétables should remain with only 35% disagreeing. There was therefore a 19% difference between the 2 categories of respondents. (12% of respondent did not have an opinion on this subject).

Chart 23 – Parish constables

Q To what extent do you agree or disagree that Parish Constables should remain as members of the States?



Base: 1,295 Jersey residents aged 18+, interviewed by telephone, 20 July – 24 September 2006 Source: Ipsos MORI

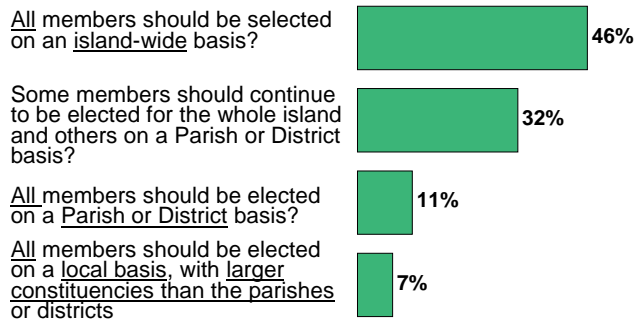
During the consultation period that followed the issue of the leaflet responses on this matter were less favourable to the retention of the Connétables with just over half of respondents feeling that the Connétables should lose their current automatic right to sit in the States.

PPC has no doubt that the current membership of the Assembly is extremely supportive of the position of the Connétables as members of the States by virtue of their office. This became clear during the ‘in Committee’ debate and again during debate on the amendment of Deputy G.P. Southern on 1st May 2007. PPC was criticised during the consultation period by some respondents for not putting forward a further option without the Connétables as members of the States but PPC has not changed its view first expressed in December 2006 in R.97/2006, that there is no possibility that a proposal to remove the Connétables from the States would receive support from the present Assembly.

Type of constituencies

Chart 20 - Constituencies

Q At present, some members are elected by the whole island, while others are elected on a Parish or District basis. Do you think that:



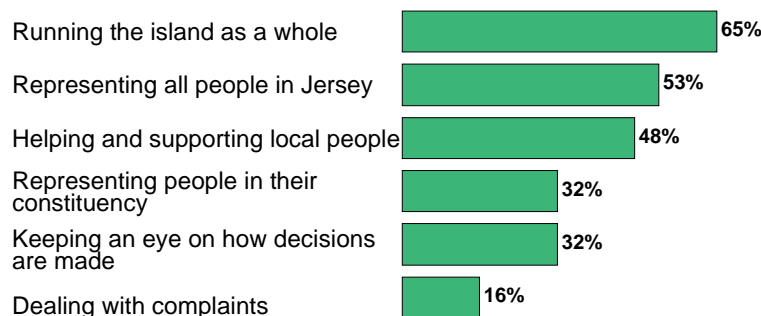
Base: 1,295 Jersey residents aged 18+, interviewed by telephone, 20 July – 24 September 2006 Source: Ipsos MORI

The findings of the MORI poll confirmed earlier anecdotal evidence that some electors in Jersey consider that the current Island-wide mandate is important. This is undoubtedly an indication that many electors consider that it is important that all voters have the ability to influence the election of certain members. This may be linked to the fact that, in recent years, some of the most senior positions of executive responsibility, such as the Presidency of the Policy and Resources or Finance and Economics Committee, and now the Chief Minister and 8 other Ministers, have always been held by a member with a Senatorial mandate.

The findings on the importance of the Island-wide mandate appear to be reflected in the MORI question on the rôle of members where the most significant issue identified was that members should run the Island as a whole with the 2nd most significant rôle being ‘representing all people in Jersey’. The number of respondents who believed that the most important thing for States members to do was run the Island as a whole was over double the number who believed that a member’s most important rôle was representing people in their constituency, with only 32% of respondents choosing this latter response.

Chart 17 – The role of members

Q I am going to read out a list of things that States members do. Which two or three do you think are most important for them to be doing?

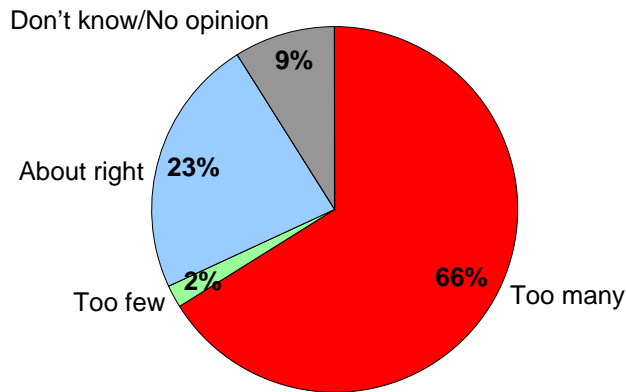


Base: 1,295 Jersey residents aged 18+, interviewed by telephone, 20 July – 24 September 2006 Source: Ipsos MORI

As set out in the main body of the report accompanying this proposition PPC believes it is important to consider the full consequences of any wish to retain the Island-wide mandate as a feature of a revised composition of the Assembly. In addition it is important to remember that only 12 out of 53 members currently have this Island-wide mandate and there is, of course, no statutory requirement for the Chief Minister or any other senior office holders to hold a Senatorial position.

Chart 18: Number of members

Q There are 53 States' members. Do you think this is:



Base: 1,295 Jersey residents aged 18+, interviewed by telephone, 20 July – 24 September 2006 Source: Ipsos MORI

As can be seen above the first MORI poll showed a very significant majority of respondents in favour of reducing the number of members. Nevertheless, as pointed out in R.97/2006, asking the public whether there should be less politicians could, in some ways, be seen as not dissimilar to asking the public whether they would like to pay less tax or work less hours per week. It is almost inevitable that the public will reply that there could be less members.

PPC's research in R.97/2006 showed how Jersey compares with other small jurisdictions in the Commonwealth and as shown in the table below Jersey does have a high number of representatives for the population although in Guernsey there are an even greater number of representatives per head of population.

	Lower House	Upper House	Total	Approximate Population	Residents per member
Australia (Norfolk Island)			9	1,534	170
Falkland Islands			8	2,913	364
Montserrat			12	5,000	417
Cook Islands			25	13,900	556
Tuvalu			15	9,043	603
Turks and Caicos			19	20,000	1,053
Guernsey			47	59,807	1,272
Bermuda	36	11	47	64,300	1,368
Canada (Nunavut)			19	26,745	1,408
British Virgin Islands			14	21,333	1,524
Jersey			53	87,186	1,645
Canada (Yukon)			18	30,256	1,681
Gibraltar			15	27,033	1,802
Canada (NW)			19	37,360	1,966

Territories)					
Kiribati			42	84,494	2,012
Isle of Man	24	11	35	76,315	2,180
Cayman Islands			18	40,100	2,228
Seychelles			34	81,000	2,382
Dominica			21	71,727	3,416

During the ‘in Committee’ debate and the debates in early May on the proposition of Senator B.E. Shenton some members expressed the view that inadequate research had been undertaken on the potential consequences of reducing membership. PPC would point out that in its December 2006 report it expressed the view that it was not feasible to suggest any reduction below 42 elected members and the Committee circulated to members a document during the ‘in Committee’ debate showing how this structure could operate as follows –

Under the 10% rule’ the maximum number in the Executive in a States of 42 would be 18 with at least 24 non-Executive members.

The non-Executive would, in percentage terms, form a slightly greater proportion of the Assembly than at the present time –

53 members, at least 30 non-Executive = 56.60%
42 members, at least 24 non-Executive = 57.14%

A possible model would therefore be as follows –

Executive

Chief Minister and 8 Ministers (2 current Departments merged) = 9
Assistant Ministers = 9

(Note that the law does not prevent one Assistant Minister from serving in 2 or more ministerial departments and an Assistant Minister serving, say, Health and Social Services and Social Security might provide a useful link between Departments that need to work closely together. There could therefore be more than 9 Assistant Minister ‘positions’ albeit filled by only 9 people.)

Non-Executive

5 scrutiny panels of 4 members = 20
PAC Chairman and, say, 2 members not also on scrutiny panel = 3
PPC Chairman = 1

In practice it is possible that less than 20 individual members would be involved in scrutiny. This is because some members might wish to serve on 2 panels. This would allow for some members to be pure ‘backbenchers’ if they wished.

Other positions, e.g. membership of PPC, PAC, Planning Applications Panel, Legislation Advisory Panel, Overseas Aid Commission, would be filled by members who also had another Executive or non-Executive rôle (as it the case with the majority of such membership at the current time). If there were some members who were not serving in the Executive or scrutiny/PAC they could, of course, fill some of the positions on bodies such as PPC, Planning Applications Panel, etc.

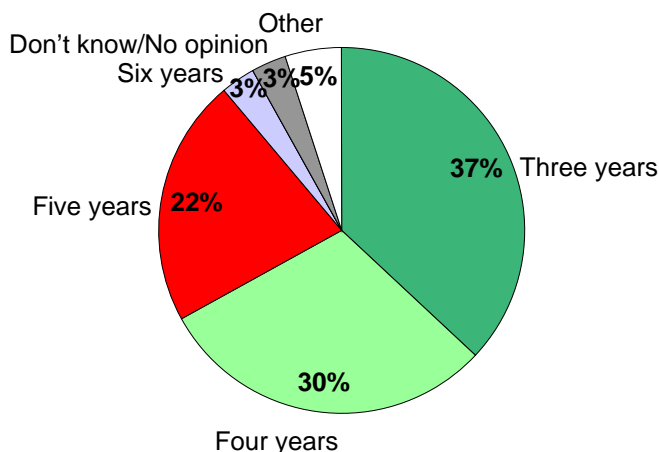
Despite the theoretical allocation of members to various roles shown above the real political impact of making a reduction to 42 is, of course, something of a subjective judgement although any reduction in membership would obviously reduce the overall “political” input into the running of the Island.

PPC's assessment of the outcome of the recent debates in the Assembly is that there is currently no strong political support for any significant reduction in the membership of the Assembly particularly as a reduction could impact on the effectiveness of the scrutiny function. The Committee has concluded that any reduction to 42, even if theoretically possible as shown above, is too large a step at this stage and the Committee does not believe it would be advisable to suggest any reduction in membership below 48 elected members at the present time.

Length of term of office

Chart 22 – Length of office

Q How long do you think the term of office of States members should be?



Base: 1,295 Jersey residents aged 18+, interviewed by telephone, 20 July – 24 September 2006 Source: Ipsos MORI

As can be seen there was no clear finding from the first MORI poll for any particular term of office although it is of interest to note that the 6 year term was only supported by 3% of respondents. During the consultation period and in particular during the States' debates, there has been significant support for the concept of a 4 year term of office for members. Many members expressed the view that a 3 year term for the majority of members is extremely short with new members taking some 12 months to find their feet and then, after a further 12 to 18 months, needing to prepare for the next election. For both the Executive and the scrutiny function a 4 year cycle would also enable a sufficient time for policies to be developed and reviewed whilst still allowing the electorate to influence the political process through the ballot box at reasonably frequent intervals.

PPC has therefore concluded that a 4 year term of office for all members would be a worthwhile step forward.