

**REVIEW OF THE MACHINERY OF GOVERNMENT:  
TERMS OF REFERENCE AND MEMBERSHIP**

---

**Lodged au Greffe on 19th January 1999  
by the Policy and Resources Committee**

---

**STATES OF JERSEY**

**STATES GREFFE**

175

1999

P.13

Price code: C

## PROPOSITION

### THE STATES are asked to decide whether they are of opinion -

to refer to their Act dated 1st September 1998, in which they approved in principle the appointment of a body to undertake a review of all aspects of the machinery of government in Jersey and -

(a) to approve the terms of reference of the review as follows -

to consider whether the present machinery of government in Jersey is appropriate to the task of determining, co-ordinating, effecting and monitoring all States policies and the delivery of all public services;

including -

- the composition, operation and effectiveness of the States Assembly;
- the composition, operation and effectiveness of the Committees of the States;
- the role and respective responsibilities of the States, the Committees and the Departments in achieving an efficient and effective strategic and business planning and resource allocation process; and
- the role of the Bailiff;

but excluding -

- the constitutional relationship between the Bailiwick and the United Kingdom; and
- the constitutional relationship between the Bailiwick and the European Union;

and to make recommendations to the Committee on how the present machinery of government could be improved;

(b)(i) to agree that the membership of the Review Body should comprise five local residents and four persons resident outside the Island, with an independent chairman; and

(ii) to appoint the following as chairman and members of the Review Body -

#### *Non-Local*

Sir Cecil Clothier - Chairman  
Sir Kenneth Percy Bloomfield  
Professor Vernon Bernard Bogdanor  
Professor Michael Gilbert Clarke

#### *Local*

Mr. John Henwood, MBE.  
Mr. David Oswald Moon  
Mrs. Anne Elizabeth Perchard  
Mr. Geoffrey Colin Powell, OBE.  
Mr. Jack Roche

## REPORT

On 1st September 1998 the States, adopting a proposition of the Policy and Resources Committee approved, in principle, the appointment of an independent body to undertake a review of all aspects of the machinery of government in Jersey, and requested the Committee to present to the States for approval the terms of reference, and the names of the Chairman and members, of that body.

Prior to the States' consideration of the proposition, the Committee had considered the likely terms of reference of the review, as members will have seen from the minutes of the Committee that have been circulated. Since the States debate, the Committee has been ascertaining whether those that it believes would give the Island community confidence that the review will be carried out in an impartial and competent way were prepared to accept the invitation to join the Review Body, if invited to do so.

### Terms of reference

The Committee, in recommending the following terms of reference, has sought to ensure that the scope of the Review is as wide as possible, covering the whole range of matters for which the States is responsible, while at the same time not taking the review into detailed areas of government administration and service delivery which would duplicate the service reviews of States Departments that have been undertaken, and also present the Review Body with an indigestible task.

The Committee recommends that the Review Body be asked,

to consider whether the present machinery of government in Jersey is appropriate to the task of determining, co-ordinating, effecting and monitoring all States policies and the delivery of all public services;

including -

- the composition, operation and effectiveness of the States Assembly;
- the composition, operation and effectiveness of the Committees of the States;
- the role and respective responsibilities of the States, the Committees and the Departments in achieving an efficient and effective strategic and business planning and resource allocation process; and
- the role of the Bailiff;

but excluding -

- the constitutional relationship between the Bailiwick and the United Kingdom; and
- the constitutional relationship between the Bailiwick and the European Union;

and to make recommendations to the Committee on how the present machinery of government could be improved.

The Committee is of the view that the Insular Authorities' constitutional relationships with the United Kingdom and the European Union should not be included in the scope of the review. However, it is envisaged that the Review Body will want to have regard for how the machinery of government copes with the issues that arise from these relationships.

The Committee however considers that the Review should consider the role of the Bailiff. The Committee recognises that the role and responsibilities of the Bailiff derive from the Island's constitutional relationship with the United Kingdom and the Crown which, as is stated above, it is not proposed to include within the scope of the Review. However, the Committee believes that it is right and proper that those roles and responsibilities of the Bailiff which significantly impact on the internal machinery of government should be addressed by the review.

### Composition of the Review Body

One of the principal aims for the review of the machinery of government is that it should be carried out in a totally impartial way with the widest possible consultation.

The Committee, in considering the make-up of the Review Body, has had regard for those who have already expressed strong views on the subject of the machinery of government, and has reached the conclusion that such persons are better making

representations to the Review Body than being members of the Review Body itself. A number of the names that were put to the Committee as possible members of the Review Body fall into this category, and it is for that reason, and in many cases for that reason alone, that their names are not included in the membership recommended below.

The Committee is of the opinion that the Review Body should be made up of non-locals who have wider experience of the machinery of government with particular reference to experience of United Kingdom central and local government, and that these members should be balanced with local residents of long-standing who can be said to have a sufficient knowledge of the machinery of government in the Island to appreciate the complex and sometimes conflicting issues involved.

The Committee is also of the opinion that the membership of the Review Body should draw upon a wide range of personal experiences and attitudes, and for this reason has proposed a total of nine members including the Chairman. Of the total members, the Committee is proposing four non-local members including the Chairman and five local members.

The Committee recommends that the Review Body be made up of the following, whose curricula vitae are attached as an Appendix to this report -

*Non-Local*

- Sir Cecil Clothier - Chairman  
Sir Kenneth Percy Bloomfield  
Professor Vernon Bernard Bogdanor  
Professor Michael Gilbert Clarke

*Local*

- Mr. John Henwood, MBE.  
Mr. David Oswald Moon  
Mrs. Anne Elizabeth Perchard  
Mr. Geoffrey Colin Powell, OBE.  
Mr. Jack Roche

The Review Body will be expected to carry out a wide consultation process through a general invitation for oral or written submissions from appropriate individuals or bodies. The Review Body may also wish to commission some research to be undertaken on its behalf by States Committees or by external agencies.

The Committee is of the opinion that the administrative support for the Review Body should be independent of the States, and that the Review Body should appoint a secretary from the private sector who would be employed on a part-time basis.

The Committee would propose that on receiving the Review Body's report, this would be presented to the States and published, and time allowed for comment by members of the public.

7th January 1999

**Sir Cecil Clothier**

- Born 28th August 1919;
- Education: Stonyhurst College;
- Lincoln College, Oxford (Bachelor of Civil Law, Master of Arts; Honorary Fellow 1984);
- Knight Commander of the Bath 1982;
- Queen's Counsel 1965;
- Chairman, Council on Tribunals, 1989-1992;
- Served 1939-46, 51 (Highland) Division;
- British Army Staff, Washington, DC;
- Honorary Lieutenant Colonel Royal Signals;
- Called to Bar, Inner Temple, 1950, Bencher 1973;
- Recorder of Blackpool, later of the Crown Court, 1965-1978;
- Judge of Appeal, Isle of Man, 1972-78;
- A Legal Assessor to General Medical and General Dental Councils, 1972-78;
- Member of the Royal Commission on NHS, 1976-78;
- Parliamentary Commissioner for Administration, and Health Service Commissioner for England, Wales and Scotland, 1979-84;
- Chairman, Police Complaints Authority, 1985-89;
- Member, Senior (formerly Top) Salaries Review Body, 1989-95;
- Vice President, Interception of Communications Tribunal, 1986-96;
- Chairman: Committee on Ethics of Gene Therapy, 1990-92;
- Allitt Inquiry, 1993-94;
- Member, Adviser Council, British Library, 1993-;
- John Snow Memorial Lecturer (Association of Anaesthetists of Great Britain and Ireland/America. Association of Anaesthesiologists), 1981;
- Honorary Member of Association of Anaesthetists of Great Britain and Ireland, 1987;
- Honorary Fellow of the Royal Pharmaceutical Society 1990;
- Rock Carling Fellow, Nuffield Provincial Hospitals Trust, 1987;
- Honorary Doctor of Laws Hull, 1982.

## Sir Kenneth Percy Bloomfield

- Born 15th April 1931;
- Education: Royal Belfast Academical Institution: St Peter's College Oxford (Master of Arts, Honorary Fellow, 1991)
- Knight Commander of the Bath 1987 (Companion of the Bath 1982);
- National Governor and Chairman of the Broadcasting Council for Northern Ireland, BBC, since 1991;
- Head of Northern Ireland Civil Service, and Second Permanent Under Secretary of State, Northern Ireland Office, 1984-91;
- Minister of Finance, Northern Ireland, 1952-56;
- Private Secretary to Ministers of Finance, 1956-60;
- Deputy Director, British Industrial Development Office, New York 1960-63;
- Assistant and later Deputy Secretary to Cabinet Northern Ireland, 1963-72;
- Under-Secretary, Northern Ireland Office, 1972-73;
- Secretary to Northern Ireland Executive, January to May 1974;
- Permanent Secretary: Office of the Executive, Northern Ireland, 1974-75;
- Department of Housing, Local Government and Planning, Northern Ireland, 1975-76; Department of the Environment, Northern Ireland, 1976-81; Department of Commerce, Northern Ireland, 1981-82; Department of Economic Development, 1982-84;
- Review of Dental Remuneration, 1992.
- Chairman: Chief Executives' Forum for Northern Ireland Public Services, 1991-1997;
- Higher Education Council for Northern Ireland, 1993-;
- Member of the Northern Ireland Advisory Board, Bank of Ireland, 1991-;
- Member of Board: Co-operation North, 1991-93;
- Opera, Northern Ireland 1992-;
- Member: Statute Law Advisory Committee, 1992-;
- National Steering Committee, Give as You Earn, 1992-93;
- Chairman, Children in Need Trust, 1992-;
- Member Board of Green Park Hospital Trust, 1993-;
- Patron, Belfast Improved Houses, 1992-.
- Senator (Crown nominee), Queen's University, Belfast, 1991-93;
- President, Ulster People's College, 1996-;
- Governor, Royal Belfast Academical Institution Bass Ireland Lecturer, University of Ulster 1991;
- Honorary Doctor of Law Queen's University, Belfast, 1991;
- Dr Ben Wilson Trophy for Individual or Corporate Excellence, Northern Ireland Chamber of Commerce and Industry, 1990.

## **Professor Vernon Bernard Bogdanor**

- Born 16th July 1943;
- Education: The Queen's College, Oxford (Bachelor of Arts 1st Class PPE 1964; Master of Arts 1968);
- Fellow of the British Academy 1997;
- Professor of Government since 1996, and fellow of Brasenose College, since 1966, Oxford University;
- Senior Tutor, Brasenose College, Oxford, 1979-85, 1996-7;
- Reader in Government, Oxford University, 1990-1996;
- Special Adviser, House of Lords Select Committee on European Communities, 1982-1983;
- Adviser on Constitutional and Electoral Matters to Czechoslovak, Hungarian and Israeli Governments, 1998-;
- Special Adviser, House of Commons Public Service Committee;
- Member, UK Delegation to CSCE Conference, Oslo, 1991;
- Member Council: Hansard Society for Parliamentary Government, 1981-;
- Institute of Jewish Affairs, 1992-;
- FRSA 1992;
- Publications -

Disraeli: Lothair, 1975, (ed);  
Devolution, 1979;  
The People and the Party System, 1981;  
Multi-Party Politics and the Constitution, 1983;  
Democracy and Elections, 1983, (ed);  
Coalition Government in Western Europe, 1983, (ed);  
What is Proportional Representation?, 1984;  
Parties and Democracy in Britain and America, 1984, (ed);  
Constitutions in Democratic Politics, 1988, (ed);  
The Blackwell Encyclopaedia of Political Science, 1992, (ed);  
Comparing Constitutions, 1995, (jointly);  
The Monarchy and the Constitution, 1995;  
Politics and the Constitution: essays on British Government, 1996;  
Power and the People: a guide to constitutional reform, 1997.

## Michael Gilbert Clarke

**Title:** Pro-Vice Chancellor and Professor of Public Policy  
University of Birmingham

**Date of Birth:** 21st May 1944

**Qualifications:**  
**1966** BA (Hons) University of Sussex  
**1967** MA University of Sussex

**Experience:**  
**1969-1975** Lecturer and Director of Studies (from 1971)  
Department of Politics, University of Edinburgh

**1975-1981** Assistant Director (1975-1977) and Deputy Director  
Policy Planning, Lothian Regional Council

**1981-1990** Director, Local Government Training Board

**1990-1993** Chief Executive, Local Government Management  
Board

**1993-** Professor of Public Policy, University of Birmingham

**1993-1998** Head of School of Public Policy, University of  
Birmingham  
(The school comprises INLOGOV, Health Services  
Management Centre, Centre for Urban and Regional  
Studies and the International Development  
Department)

**1998-** Pro-Vice Chancellor, University of Birmingham

### Outside Appointments:

**1971-1975** Member, City of Edinburgh Education Committee

**1975-1981** Honorary Fellow, University of Edinburgh

**1982-1993** Honorary Fellow, University of Birmingham

**1990-1992** Chairman, Royal Institute of Public Administration

**1991-1993** Member, National Steering Group, Opportunity 2000

**1990-93  
and 95** Member, General Synod of the Church of England  
Panel of Chairman 1996-

**1994-** Member, Worcester Diocesan Synod

**1991-** Member of Board (Trustee), Institute of Citizenship

**1992-1993** Member, Central Government - Local Government  
Working Party on the political management of local  
government

**1995-** Member, Local Government Commission for England

**1995-** Advisor - Birmingham City Pride Board

**1995-** Chairman, Worcester Civic Trust

**1995-1996** Member, Steering Committee "Competing for  
Quality"  
Cabinet Office, policy review

**1995-1996** Specialist Advisor to the House of Lords Select  
Committee on Central-Local Relations

**1998** Specialist Advisor to the House of Commons,  
Environment, Transport and Regional Affairs Select  
Committee Inquiry on Best Value

**1998-** Trustee, Civic Trust

**1998-** Member, Executive Committee, Public Management  
and Policy Association



## **John Henwood**

Group Chief Executive, Channel Islands Communications (Television) Limited

John Henwood is Jersey-born and was educated in St. Lawrence School and Victoria College. He joined the company as a trainee in August 1962, before the station went on air. After a year in operational training, he worked as a camera person prior to taking charge of the studio. Subsequent roles involved running the programme planning and presentation area and setting up the commercial production facility. Moving to programme production, he was appointed Head of News and Features in 1977, then Programme Controller and Director of Programmes. He became Managing Director and Group Chief Executive in 1987. He is a director of the Independent Television Association (ITV) and sits on the industry's principal programme policy body.

A member of the Institute of Directors, he is former Chairman of Young Enterprise in Jersey and currently serves on the Board of the Training and Employment Partnership. He is President of the Chartered Institute of Marketing - Jersey Branch.

His principal hobby is horse racing and he is a steward of the sport's ruling body, the Channel Islands Racing and Hunt Club, as well as President of the Jersey Race Club.

-

**David O. Moon**

Date of Birth: 17th October 1940

Place: St. John, Jersey

Education: Val Plaisant School, New Street School, St. Mary's School, Hautlieu School

Profession: Solicitor of the Royal Court of Jersey 1966  
Notary Public 1967

Offices: Consul for Finland for Jersey and Guernsey 1967  
Member Law Society Solicitors and Disciplinary Committee eight years  
President of Jersey Notaries ten years

Other Interests: Committee member Institute of Directors ten years  
Founding President of The Hautlians  
First Chairman of Equal Opportunities in Education  
President of Jersey Race Club six years  
President of Jersey Horse Driving Society four years  
Senior Steward Channel Islands Racing and Hunt Club 1997

Current Interests: Member International Bar Association  
Chairman Hautlieu School Governing Body  
President Les Vaux Housing Trust

**Anne E. Perchard (née Billot)**

Eldest daughter of Thomas and Eunice Billot (née de Gruchy).

Thomas George Billot was Connétable of the Parish of St. Martin, as was his father, Charles P. Billot and his maternal grandfather, Charles P. Perchard.

Educated at St. Martin's Parish School till the age of 11 years - won a States scholarship to the Jersey College for Girls in 1944.

Left school at the age of sixteen and worked on the family farm until her marriage.

First Vice-chairman of the Jersey Farmers' Club at the age of fourteen in 1946.

Married Leslie Perchard and together they bought La Ferme, St. Martin in 1957. A family of six children, five sons and one daughter.

Began farming on her own in 1970.

Member of the first Juvenile Court Panel in 1970.

In 1980, with three sons, formed La Ferme Ltd. The company now farms 900 vergées (it grows 650 vergées of early Royal potatoes and has a herd of 350 Jersey cattle).

Founder member and first Chairman of the St. Martin's School Parent Teacher's Association.

First and only, woman director of the Jersey Milk Marketing Board (for nine years).

Twice Vice-President of the Royal Jersey Agricultural and Horticultural Society.

Council Member in 1986, then President of the Jersey World Cattle Bureau (an international association of the Jersey breed comprising 26 member countries) since 1989. Has attended international and regional conferences, judged shows and visited Jersey breeders in 24 countries.

Chairman of St Martin's Parish Church Committee and Deanery Diocesan Synod representative.

Governor of Highlands College (further education) since 1993 with special responsibilities for agricultural and horticultural at the Philip Mourant Centre.

Hobbies include music, especially singing and my fifteen grand-children, whose ages range from six months to 16 years.

**G. Colin Powell O.B.E., M.A. (Cantab)**

Date of Birth: 17th September 1937

Place of Birth: Carshalton, Surrey

Family: Married with three daughters

Educated at: Wallington Country Grammer School  
Jesus College, Cambridge  
-1961 Awarded 1st Class Honours B.A. Degree in  
Economics  
-1963 Awarded M.A.

Employment: 1961/63 in the Economic Office of the British Iron  
and Steel Federation  
1963/68 Economic Adviser with the Government  
of Northern Ireland  
1969/92 Economic Adviser to the States of Jersey  
1992/98 Chief Adviser to the States of Jersey  
1999/ Consultant to Policy and Resources  
Committee  
1999/ Adviser to Jersey Transport Authority

Other Positions: 1981/ Chairman, Offshore Group of Banking  
Supervisors  
1998/ Deputy Chairman, Jersey Financial  
Services Commission

Principal  
Interests: Gardening and historical research  
Former member of the Jersey Round Table and  
presently a member of the Rotary Club of Jersey and  
thereby involved in charitable and community projects

Publications: Economic Survey of Jersey (1971)  
Annual Report on the Jersey Economy  
Various articles on the Jersey economy, Jersey's role as  
an international finance centre, and Jersey's  
relationship with the European Union

## Jack Roche

Date of Birth: 1924

Total length of Service: as a Member of the States of Jersey - 23 years  
(elected Deputy of St. Saviour (No. 1 district) 17th December 1975)  
as Connétable of St. Saviour - six years  
on Health and Social Services Committee - 17 years (President - 11 years)  
as Member of Finance and Economics Committee - 14 years  
as States' Director, Jersey New Waterworks Company - 13 years

Past experience:

Elected Deputy of St. Saviour (No. 1 district) December 1975 - August 1992  
Elected Connétable of St. Saviour August 1992 - July 1998

States of Jersey Committees and other bodies -

|  |  |
|--|--|
| Finance and Economics Committee  | December 1984 - July 1998  |
| Health and Social Services (formerly Public Health) Public Works Committee | December 1978 - December 1984<br>(President - December 1987 - July 1998)<br>December 1975 - December 1978<br>December 1981 - December 1984 |
| Etat Civil Committee   | December 1975 - March 1983<br>(President from December 1978)   |
| Agriculture and Fisheries Committee  | December 1975 - December 1978  |
| Gambling Control Committee   | December 1975 - April 1983<br>(President from December 1981)   |
| Housing Committee  | December 1978 - December 1981<br>December 1984 - December 1987   |
| Broadcasting Committee   | January 1979 - December 1981<br>December 1993 - December 1996  |

|   |   |
|---|---|
| Fort Regent Development<br>Committee            | February 1983 - December 1987 (President)             |
| Telecommunications<br>Committee                 | December 1981 - December 1983                         |
| Prison Board                                    | May 1983 - December 1987                              |
| Establishment Committee                         | December 1987 - December 1993                         |
| Joint Advisory Council                          | December 1978 - December 1993<br>(Chairman)           |
| Executive Committee (Jersey<br>Branch)          | February 1979 - December 1982                         |
| States' Director - Jersey New<br>Waterworks Co. | April 1985 - July 1998<br>(Deputy Chairman from 1990) |
| States' Director - Oakfield<br>Industries       | 1986 - 1993   |