

STATES OF JERSEY



COMPOSITION AND ELECTION OF THE STATES ASSEMBLY

**Lodged au Greffe on 15th June 2004
by the Deputy of St. Martin**

STATES GREFFE

PROPOSITION

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

- (a) to agree that –
 - (i) the rôle of Senator in its present form shall be abolished from December 2005;
 - (ii) the 12 Parish Connétables shall cease to be members of the States by virtue of their office from December 2005;
 - (iii) the number of members shall be reduced from 53 to 42 with effect from December 2005;
 - (iv) all members of the States shall be known by the same title, namely ‘Senator’, with effect from December 2005;
 - (v) the 42 Senators shall, from December 2005, be elected in the following constituencies –
 - (A) St. Helier– 12 Senators (4 for each of the present electoral districts);
 - (B) St. Saviour – 6 Senators (2 for each of the current electoral districts);
 - (C) St. Brelade – 4 Senators;
 - (D) St. Clement – 4 Senators;
 - (E) All other Parishes – 2 Senators each;
 - (vi) all members of the States and the 12 Parish Connétables shall be elected on a single general election day;
 - (vii) the term of office for members of the States and Parish Connétables shall be 4 years with exception of the first term, which shall run until May 2009;
 - (viii) the first general election shall be in November 2005 but thereafter it will be held during the third week in May.
- (b) to charge the Privileges and Procedures Committee to bring forward for approval the necessary legislation to give effect to the proposals.

DEPUTY OF ST. MARTIN

REPORT

On 16th January 2001 the Policy and Resources Committee presented to the States the Report of the Review of the Machinery of Government in Jersey. A distinguished Panel under the Chairmanship of Sir Cecil Clothier had undertaken the Review. The volume of evidence from the people of Jersey calling for change in the way things are done surprised the Panel.

The Report contained a number of Recommendations, which in the Panel's opinion would improve the efficiency of our Government. Whilst it was appreciated that some Recommendations would be controversial, I do not believe it was envisaged that 3½ years later so few would have been implemented.

Whilst some Recommendations have been implemented, the difficult issues regarding the composition of the States with a reduction in the number of Members, the role of the Senators and Connétables and other issues as outlined in my Proposition have not been addressed.

Although 3 Special Committees on the Composition and Election of the States Assembly have been elected and suggested various options, none have been advanced. It has been apparent ever since the Review was presented that if the Recommendations were to be adopted they would have an effect on States Members, however Members should not use the difficulty of the decisions to be made as an excuse to do nothing. The next round of the Senators and Deputies elections will take place at the end of 2005, unless steps are taken soon it will be too late to implement the Recommendations before the next round of elections. As the States have agreed to reduce the number of Committees and introduce Ministerial Government, there is no longer a need for the States to be represented by so many Members. The Clothier Panel supported this view. My Proposition seeks Members' support to reduce the present number and with a few minor alterations, endorse other Recommendations.

(i) The rôle of Senator in its present form shall be abolished

The Clothier Panel received no convincing evidence that there was a significant difference between the nature and content of the Senator's role and that of the Deputies. They have no special privileges, moreover with one General Election and the same tenure of office for all Members of the States; the distinction will become even less sustainable. In an Assembly intended to govern the whole Island, every topic of debate should be of island-wide interest, not merely parochial, and should be the concern of every Member. But it is sensible that each representative should have a constituency of voters whose opinions may easily be sampled and judged over a small area than a large one. And of course a constituency gives easy access to a representative for every citizen with something to say. This not to say that there is any reason why members of the public cannot continue approach any Member of the States if they see that as more appropriate for their particular concerns.

(ii) Connétables should cease to be ex officio Members of the States

It is accepted that the office of Connétable is an ancient one and has served the Parishes and the Island well in the past. However the role of both Connétable in his/her Parish and the role of States Member have changed considerably and are likely to become more onerous. The Clothier Panel were impressed by the evidence of many of the Connétables to the effect that they placed their work in the Parishes at the head of their priorities and the Panel was left with the impression that some of them felt somewhat uncomfortable with their position in the States. Indeed an analysis showed that in general the Connétables asked fewer questions, introduced fewer propositions and spoke on fewer occasions than the Deputies for their respective Parishes.

It is envisaged that the new States structure will place a heavier workload on States Members. Therefore is also likely that Connétables may well have difficulty in discharging both offices satisfactorily. There was evidence of excellent work being carried out by Connétables in their Parish and the Panel believed that the role of Connétable could be developed and its dignity enhanced if the position no longer carried with it the requirement to be part of the States Assembly. It was also believed that more candidates for the post of Connétable could well come forward.

I do have some sympathy for those Connétables who feel they would be in a position to discharge both roles. To allow for this eventuality I am of the opinion that each Parish, irrespective of its population, should have at least 2

representatives in the States. There will be a twin benefit because it will allow a Connétable if he/she so chooses to contest for the Office of Connétable and States Member at the General Election. It also allows for the electorate to decide whether it wants its Connétable to have a dual function.

(iii) The number of Members shall reduce from 53 to 42

The Panel recommended that the Assembly should consist of between 42 and 44 Members. I am mindful of Deputy Troy's amendment whereby the Executive will always be in the minority; however I believe that 42 Members will more than enough to ensure that the function of the Executive and Scrutiny are not compromised. As the role of Senators will end and with Connétables no longer being ex officio Members of the States, this will be an ideal opportunity to create one class of States Member.

(iv) All members shall be known by the same title, namely 'Senator'

The Clothier Panel was of the opinion that the title of Deputy was inappropriate and confusing to the outside world with which Jersey must now deal. These members do not deputise for anyone. The Panel recommended that a better and more readily understood title would be "Member of the States of Jersey" conveniently abbreviated to "MSJ." This is one area where I part company with the Panel. I accept that not everyone knows of the States of Jersey but with the abbreviations MSJ after one's name will be of little help. The title of Deputy is the English version of *Deputé* which is the title given to Members of the French Parliament. Until recent times the French version was the formal title for Jersey Deputies. However I accept that, as we now use the English version as opposed to the French version it could be confusing.

The Assembly of the States of Jersey is the Island's supreme legislative and administrative Assembly. It is our Senate and people who are elected as Members of a Senate usually assume the title of Senator. The title of Senator is a known and accepted one in the outside world. The title of Senator has been part of Jersey's political framework since 1948; therefore I do not think it to be inappropriate for all Members of the States of Jersey to assume that title.

(v) Each Parish will be represented with at least 2 Senators

To ensure that there are at least 2 Senators per Parish, the Parish of St. Helier will see the present number of 10 Deputies increased to 12, four for each of the 3 Districts. St. Saviour will increase to 6, two for each of the 3 Districts. St. Brelade and St. Clement will both have their representation increased to 4 Senators each. This is slight variation from the Panel's recommendation and I accept there could be some debate regarding my proposal for St. Mary, St. John and Trinity to have 2 representatives each. These Parishes have had 2 representatives in the States since the introduction of the Deputies in 1856 and I see no reason for a reduction. As will be seen in Appendix A, 7 Parishes have less than the average residents per member of 2,076. In most jurisdictions this ratio is very generous. The fact that the size of the electorate is below the average figure does not mean that the elected Members are of below average ability. It is the quality of candidate and their percentage of the electorate's vote that is of paramount importance, not the quantity of the electorate. Recent voting patterns show that although Deputies elected in the larger constituencies may have received a higher number of votes, their percentage of the electorate's vote was lower than many if not most of the constituencies with a smaller electorate (see Appendix B). In St. Mary, for instance, at the last election the losing candidate received 28.5% of the registered electorate's vote which was only bettered in 2 other Parishes and Districts in the Island.

In the 1999 Senatorial elections (see Appendix C) it is of note that the candidate placed 6th only received votes from 33% of those voting, representing only 14% of registered electors in the Island.

Much is made of the discrepancies in the existing constituencies, and my proposal may well add to it. However as Jersey still has strong Parish links, my proposal will not diminish, but will strengthen, that link. The removal of the Senatorial elections, which many people have seen as a dry run or opportunity for publicity for the Deputies election, will concentrate the minds of the candidates who will have to ensure that they are closer to their electorate than is currently perceived. This should also lead to a greater turnout at the elections.

(vi) All Members of the States and the 12 Connétables shall be elected on a single election day

I believe the term of Office for both Connétable and States Member should be of equal length. I also believe that both Offices should be contested on the same day. It should not be too difficult for the electorate to be given 2 voting papers at the same time, one to elect a Connétable and the other to elect their States' representative. In the event of persons contesting both offices, their names will be included on both ballot forms.

(vii) The term of office for Connétables and Senators will be 4 years with the exception of the first term which shall be until May 2009

It is generally accepted that the 3-year term of office is too short and that 6 years is too long. The Clothier Panel were of the view that voter apathy was caused by an electoral system which calls upon voters to record their votes at different times, for various offices, and at irregular intervals. The Panel was of the belief that in addition to having one General Election for both the Office of Connétable and States Member that the intervals between elections should not be not less than 4 years, nor more than 5 years. I believe that a 4-year term of office is appropriate and consistent with many other jurisdictions.

(viii) The first General Election shall be held at the end of November but thereafter during the third week of May

The term of office for 6 Senators and all 29 Deputies terminates in December 2005. To enable the new Assembly of 42 Members to commence at the same time, it will be necessary to hold the first General Election before the life of the existing Assembly ends. If it is agreed that the number be reduced to 42, the present 6 Senators whose term of office expires at the end of 2008 will be required to seek election in the 2005 election. The term of Office for all the 12 Connétables will also cease, whereby they too will be required to seek re-election as Connétable and/or Parish Representative in the new States Assembly.

There has been a long-held view that elections held in the Spring are more likely to encourage more of the electorate to vote. It will also be more conducive for canvassing. Therefore to accommodate this, the term of office for those elected in November 2005 will be reduced by approximately 6 months to enable the General election in 2009 to be held during the third week of May.

Financial and manpower implications

It is difficult to assess the overall implications of these proposals at this stage. The change to one general election would save cost by avoiding the necessity of holding separate elections as at present for Connétables, Senators and Deputies. In addition, the longer term of office would mean that election costs are incurred every 4 years instead of every 3. There are likely to be savings if the overall number of members is reduced from 53 to 42 (potentially up to some £429,000 per annum). If implemented in full, the proposals would be likely to lead to a saving rather than additional expenditure.

NUMBER OF RESIDENTS AND ELECTORS IN PROPOSED CONSTITUENCIES

	Population 2001 Census	Electors March 2004	Proposed members	Residents per member	Electors per member
Belier	28,310	13,750	12	2,359	1,146
Lawrence	4,702	3,001	2	2,351	1,501
Peter	4,293	2,538	2	2,147	1,269
Belade	10,134	6,268	4	2,534	1,567
Duen	3,803	2,261	2	1,902	1,131
Mary	1,591	1,096	2	796	548
John	2,618	1,664	2	1,309	832
ty	2,718	1,733	2	1,359	867
Martin	3,628	2,348	2	1,814	1,174
ville	4,702	2,933	2	2,351	1,467
aviour	12,491	6,548	6	2,082	1,091
lement	8,196	4,621	4	2,049	1,155
TOTALS	87,186	48,761	42		
Average				2,076	1,161

RESULTS OF DEPUTIES ELECTIONS 2002

Candidate	District	Votes	% of voters voting	% of registered electors	
Alton	St. Helier No. 3	1,359	62.1	20.8	Elected
Allet	St. Helier No. 3	1,289	58.9	19.8	Elected
Alexander	St. Helier No. 3	1,233	56.4	18.9	Elected
Alfred Faye	St. Helier No. 3	1,191	54.4	18.3	Elected
Alford	St. Clement	1,024	63.1	22.0	Elected
Alroy	St. Brelade No. 2	961	61.2	22.7	Elected
Alvin	St. Lawrence	877	70.9	30.3	Elected
Alvains	St. Clement	811	50.0	17.4	Elected
Arnold	St. Helier No. 3	793	36.3	12.2	
Arledge	St. Helier No. 2	785	68.7	22.3	Elected
Arbey	Grouville	774	65.9	27.1	Elected
Arbras	St. Lawrence	743	60.1	25.7	Elected
Arll	St. Martin	725	57.1	32.3	Elected
Arholls	St. Helier No. 3	724	33.1	11.1	
Arnan	St. Helier No. 1	720	69.9	20.7	Elected
Arné	St. Peter	711	67.5	28.5	Elected
Arntin	St. Helier No. 1	660	64.1	18.9	Elected
Armain	St. Helier No. 2	658	57.6	18.7	Elected
Arnstein	St. Brelade No. 2	640	40.8	15.1	Elected
Arthern	St. Helier No. 2	609	53.3	17.3	Elected
Arkeham	St. Brelade No. 2	599	38.2	14.1	
Arred	St. Ouen	598	42.9	23.0	Elected
AricFirbhisigh	St. Helier No. 2	577	50.5	16.4	
Arlyte	St. Clement	561	34.6	12.1	
Arzbourian	St. Lawrence	550	44.5	19.0	
Arackstone	St. Martin	539	42.4	24.0	
Arrott Warren	St. Saviour No. 1	531	57.3	22.5	Elected
Arthamel	St. Saviour No. 1	519	56.0	22.0	Elected
ArHérissier	St. Saviour No. 3	500	82.8	27.4	Elected
Arrguson	St. Brelade No. 1	489	51.4	24.8	Elected
Arrey	St. Helier No. 1	488	47.4	14.0	Elected
Arnings	St. Helier No. 3	486	22.2	7.5	
Aryzell	St. Brelade No. 1	455	47.8	23.1	
Arouet	St. Clement	425	26.2	9.1	
Arrot	Grouville	397	33.8	13.9	
Arutanche	St. Brelade No. 2	397	25.3	9.4	
Arwis	St. Saviour No. 1	374	40.3	15.9	

ce	St. Helier No. 1	352	34.2	10.1	
Maistre	St. Ouen	340	28.1	15.1	
t	St. Ouen	340	28.1	15.1	
my	St. Peter	338	32.1	13.6	
ne	St. Mary	300	50.3	28.8	Elected
ichan	St. Mary	296	49.6	28.5	
tworth	St. Helier No. 1	252	24.5	7.2	
on	St. Saviour No. 1	240	25.9	10.2	
gh	St. Brelade No. 2	193	12.3	4.6	
n	St. Clement	163	10.0	3.5	
ens	St. Saviour No. 3	104	17.2	5.7	
ridge	St. Brelade No. 2	92	5.9	2.1	
rral	St. Lawrence	66	5.3	2.3	
kon	St. Saviour No. 2	Unopposed			Elected
ipel	Trinity	Unopposed			Elected
ham	St. Saviour No. 2	Unopposed			Elected
del	St. John	Unopposed			Elected

SENATORIAL ELECTION RESULTS

1999 ELECTION

Candidate	Votes received	Registered Electors	Voters voting	% of voters voting	% of registered electors
Syvret	15,212	51,414	21,879	70	30
Lakeman	12,806	51,414	21,879	59	25
Le Sueur	10,471	51,414	21,879	48	20
Le Claire	8,287	51,414	21,879	38	16
Le Maistre	7,796	51,414	21,879	36	15
Bailhache	7,295	51,414	21,879	33	14
Dorey	6,529	51,414	21,879	30	13
Le Hérisssier	5,206	51,414	21,879	24	10
Bernard	4,679	51,414	21,879	21	9
Rothwell	4,458	51,414	21,879	20	9
Walsh	4,082	51,414	21,879	19	8
de Carteret	3,834	51,414	21,879	18	7
Baudains	3,715	51,414	21,879	17	7
Richardson	3,208	51,414	21,879	15	6
Pitman	2,844	51,414	21,879	13	6
Thornhill	1,809	51,414	21,879	8	4
Leach	1,713	51,414	21,879	8	3
Cole	1,598	51,414	21,879	7	3
Walton	1,527	51,414	21,879	7	3

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2002 ELECTION
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2002	Votes received	Registered Electors	Voters voting	% of voters voting	% of registered electors
Ozouf	14,442	33,655	16,355	88	43
Kinnard	12,230	33,655	16,355	75	36
Routier	11,687	33,655	16,355	71	35
Vibert M.	10,624	33,655	16,355	65	32
Norman	10,192	33,655	16,355	62	30
Walker	9,377	33,655	16,355	57	28
de Faye	7,576	33,655	16,355	46	23
McDonald	7,488	33,655	16,355	46	22
Stein	7,303	33,655	16,355	45	22
Jennings	4,667	33,655	16,355	29	14
Whitworth	1,982	33,655	16,355	12	6
Walsh	1,846	33,655	16,355	11	5
Partridge	1,201	33,655	16,355	7	4

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