

# **STATES OF JERSEY**



## **REFORM OF THE COMPOSITION OF THE STATES ASSEMBLY (P.7/2020): SECOND AMENDMENT**

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**Lodged au Greffe on 3rd March 2020  
by Senator S.Y. Mézec**

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**STATES GREFFE**

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**PAGE 2, PARAGRAPH (c) –**

For the number “49” substitute the number “52”, and for the table substitute the following table –

<i>Constituencies</i>	<i>Number of Deputies to be returned</i>
<b>District 1: St. Helier South</b> Vingtaines de Bas et de Haut de la Ville, St. Helier	5
<b>District 2: St. Helier Central</b> Vingtaine de Rouge Bouillon, St. Helier Vingtaine de Bas du Mont au Prêtre, St. Helier	5
<b>District 3: St. Helier North</b> Vingtaine du Mont Cochon, St. Helier Vingtaine du Mont à l’Abbé, St. Helier Vingtaine du Haut du Mont au Prêtre, St. Helier	5
<b>District 4: St. Saviour</b> Parish of St. Saviour	5
<b>District 5: St. Clement</b> Parish of St. Clement	4
<b>District 6: St. Brelade</b> Parish of St. Brelade	4
<b>District 7: St. Mary, St. Ouen and St. Peter</b> Parish of St. Mary Parish of St. Ouen Parish of St. Peter	4
<b>District 8: St. John, St. Lawrence and Trinity</b> Parish of St. John Parish of St. Lawrence Parish of Trinity	4
<b>District 9: Grouville and St. Martin</b> Parish of Grouville Parish of St. Martin	4

SENATOR S.Y. MÉZEC

**Note:** After this amendment, the proposition would read as follows –

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

- (a) to agree that fair representation and equality in voting weight and power across the whole population should be the basis for any reform of the composition and election of the States;
- (b) notwithstanding the objective set out in paragraph (a), to agree that the States should respect and implement the outcome of the 2014 referendum on the role of the Connétables as States Members and that, accordingly, the office of Connétable should entitle the holder to full membership of the States as an automatic right, including full voting rights;
- (c) to agree that it should establish an Assembly of 52 Members, elected from 9 districts, each choosing a number of representatives based on population, plus the 12 Parish Connétables, and to replace the current Schedule 1 to the States of Jersey Law 2005 as follows –

<i>Constituencies</i>	<i>Number of Deputies to be returned</i>
<b>District 1: St. Helier South</b> Vingtaines de Bas et de Haut de la Ville, St. Helier	5
<b>District 2: St. Helier Central</b> Vingtaine de Rouge Bouillon, St. Helier Vingtaine de Bas du Mont au Prêtre, St. Helier	5
<b>District 3: St. Helier North</b> Vingtaine du Mont Cochon, St. Helier Vingtaine du Mont à l'Abbé, St. Helier Vingtaine du Haut du Mont au Prêtre, St. Helier	5
<b>District 4: St. Saviour</b> Parish of St. Saviour	5
<b>District 5: St. Clement</b> Parish of St. Clement	4
<b>District 6: St. Brelade</b> Parish of St. Brelade	4
<b>District 7: St. Mary, St. Ouen and St. Peter</b> Parish of St. Mary Parish of St. Ouen Parish of St. Peter	4

<b>District 8: St. John, St. Lawrence and Trinity</b> Parish of St. John Parish of St. Lawrence Parish of Trinity	4
<b>District 9: Grouville and St. Martin</b> Parish of Grouville Parish of St. Martin	4

- (d) that an independent Boundaries Commission should be established to begin work after the 2022 elections to make recommendations to ensure that the 9 districts remain compliant with the principles cited in paragraph (a), comprised of a Chair and 3 other members from outside the Island and of 3 Jersey residents, all with relevant skills and experience, and to request the Privileges and Procedures Committee to take the necessary steps to identify, through a process overseen by the Appointments Commission, the proposed membership of the Commission for subsequent approval by the Assembly; and
- (e) to request the Privileges and Procedures Committee to bring forward for debate the necessary legislative changes to alter the composition of the Assembly and create an independent Boundaries Commission in time for the 2022 elections.

## REPORT

Whilst PPC's [P.126/2019](#) objectively remains the most sensible option for electoral reform, in that it delivers a fairer and simpler voting system, Senator I.J. Gorst's [P.7/2020](#) attempts to provide a compromise option which delivers some reform, whilst maintaining the position of the Parish Constables as voting members of the Assembly. However, in doing so, Senator Gorst has proposed a distribution of Deputies which is not only at odds with the principle of 'equal votes' (which is distorted by the presence of the Constables in the Assembly), but actually provides for worse voter equity than exists under the current unreformed system.

Senator Gorst has notably not provided any statistics in the report to his amendment to demonstrate the effect his proposals have on voter equity.

In Jersey, the power of your vote in elections is determined by where you live. Voters in urban Parishes have votes which are worth substantially less than those in some of the country Parishes. This is undemocratic, and provides the source for the inspiration for the calls for electoral reform which have been made in various guises since 1769. These calls will not be silenced until all Islanders have an equal vote. Anything less than that is not democracy, no matter what straws the defenders of the status quo clutch at.

If we refuse to accept that voter equity must be a guiding principle in any reform of the composition of the States Assembly, then we are guilty of gerrymandering by negligence.

Paragraph (a) of Senator Gorst's proposition asks the Assembly to accept that the principle of voter equality should be the basis of electoral reform, yet his proposal takes us backwards in achieving voter equality, hence paragraph (b) must begin with "notwithstanding the objective set out in paragraph (a)", which could easily be read as a euphemism for "ignoring the objective set out in paragraph (a)".

The greatest victim of Senator Gorst's proposal is St. Helier which, despite having 1/3 of the population living there, will be reduced to just 1/4 of the representation in the States Assembly. Voters in St. Helier do not deserve to be treated as second-class citizens in our democracy, and they have repeatedly voted in referenda to make clear they do not wish to be subordinates to voters in other Parishes.

By adding an extra Deputy to each St. Helier constituency, this under-representation is improved.

Deputy M. Tadier of St. Brelade's [amendment](#) also provides one option of a way forward. However, his increase in the representation for St. Helier is compensated for by reducing the number of Deputies in the country districts. This may be unpalatable to some, which is why my amendment provides an alternative way of achieving reform, maintaining the position of the Constables, but not leaving St. Helier voters as second-class citizens.

This amendment will see an overall increase in the membership of the Assembly. This is not ideal for me; however, with the retention of the Constables, a reduction in the membership risks maintaining enough active States Members to fully take part in the Executive and Scrutiny.

## **Venice Commission**

In his report, Senator Gorst references the Venice Commission's 'Code of Good Practice on Electoral Matters', which makes allowances for historical boundaries or administrative units. He says that these allowances must surely include Parishes. However, he has not given a direct quote from the Venice Commission, because the exact phrase used is "**weak** administrative units" (emphasis added). Senator Gorst's denigration of the Parishes to the "weak" status which would allow for voter inequity is clearly inappropriate and at odd with most Islanders' perceptions of the Parish system.

## **Financial and manpower implications**

This proposal would increase the salary burden from the 2022 elections by £150,000 per year. This would be paid from within the budget of the States Greffe.

APPENDIX

Under P.7/2020 unamended –

<b>9 Electoral Boundaries – Total Population</b>						
<b>Constituency</b>	<b>Population</b>	<b>Total Population</b>	<b>Deputies</b>	<b>Const.</b>	<b>Pop. per Rep.</b>	<b>Variance</b>
St. Brelade	11,540	11,540	4	1	2,308	6%
St. Peter	5,450	11,890	4	3	1,699	-22%
St. Ouen	4,450					
St. Mary	1,990					
St. John	3,180	12,460	4	3	1,780	-18%
St. Lawrence	5,850					
Trinity	3,430					
St. Clement	10,060	10,060	4	1	2,515	15%
Grouville	5,320	9,490	4	2	1,582	-27%
St. Martin	4,170					
St. Helier North (Le Bas de la Ville & Le Haut de la Ville)	10,920	10,920	4	0.33	2,520	16%
St. Helier Central (Le Bas du Mont au Prêtre & Le Rouge Bouillon)	13,140	13,140	4	0.33	3,032	39%
St. Helier South (Le Haut du Mont au Prêtre, Le Mont à l'Abbé, Le Mont Cochon)	12,480	12,480	4	0.33	2,880	32%
St. Saviour	14,820	14,820	5	1	2,470	13%
	<b>106,800</b>	<b>106,800</b>	<b>37</b>	<b>12</b>	<b>2,180</b>	
<b>Total:</b>	<b>Population</b>		<b>Members</b>		<b>Ideal Pop. Per Rep.</b>	
	<b>Total Members</b>		<b>49</b>			

negative = over-represented

positive = under-represented

Under P.7/2020 as amended by this amendment –

<b>9 Electoral Boundaries – Total Population</b>						
<b>Constituency</b>	<b>Population</b>	<b>Total Population</b>	<b>Deputies</b>	<b>Const.</b>	<b>Pop. per Rep.</b>	<b>Variance</b>
St. Brelade	11,540	11,540	4	1	2,308	12%
St. Peter	5,450	11,890	4	3	1,699	-17%
St. Ouen	4,450					
St. Mary	1,990					
St. John	3,180	12,460	4	3	1,780	-13%
St. Lawrence	5,850					
Trinity	3,430					
St. Clement	10,060	10,060	4	1	2,515	22%
Grouville	5,320	9,490	4	2	1,582	-23%
St. Martin	4,170					
St. Helier North (Le Bas de la Ville & Le Haut de la Ville)	10,920	10,920	5	0.33	2,048	0%
St. Helier Central (Le Bas du Mont au Prêtre & Le Rouge Bouillon)	13,140	13,140	5	0.33	2,464	20%
St. Helier South (Le Haut du Mont au Prêtre, Le Mont à l'Abbé, Le Mont Cochon)	12,480	12,480	5	0.33	2,340	14%
St. Saviour	14,820	14,820	5	1	2,470	20%
	<b>106,800</b>	<b>106,800</b>	<b>40</b>	<b>12</b>	<b>2,054</b>	
<b>Total:</b>	<b>Population</b>		<b>Members</b>		<b>Ideal Pop. Per Rep.</b>	
	<b>Total Members</b>		<b>52</b>			

negative = over-represented

positive = under-represented