

STATES OF JERSEY



COMPOSITION AND ELECTION OF THE STATES: PROPOSED CHANGES (P.139/2020) – FIFTH AMENDMENT

Lodged au Greffe on 17th November 2020
by Senator L.J. Farnham

STATES GREFFE

COMPOSITION AND ELECTION OF THE STATES: PROPOSED CHANGES
(P.139/2020) – FIFTH AMENDMENT

1 PAGE 2, PARAGRAPH (a) –

Delete paragraph (a) and substitute with the following paragraph –

“(a) to agree that it should establish an Assembly of 48 Members comprising 12 Parish Connétables elected from within the current Parish boundaries, 8 Senators elected on an Island-wide basis and 28 Deputies elected from 6 large districts, 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>
District 1: St. Helier North Vingtaine du Mont Cochon, Vingtaine du Mont à l’Abbé, Vingtaine du Haut du Mont au Prêtre, and Vingtaine du Rouge Bouillon, in the Parish of St. Helier.	6
District 2: St. Helier South Cantons de Bas et de Haut de la Vingtaine de la Ville, and Vingtaine de Bas du Mont au Prêtre, in the Parish of St. Helier.	6
District 3: South-East District Parish of St. Clement, and Parish of Grouville.	4
District 4: East Central District Parish of St. Martin, and Parish of St. Saviour.	4
District 5: North Central District Parish of St. John, Parish of St. Lawrence, Parish of St. Mary, and Parish of Trinity.	4
District 6: West District Parish of St. Brelade, Parish of St. Ouen, and Parish of St. Peter.	4

2 PAGE 3, PARAGRAPH (b) –

Delete paragraph (b).

3 PAGE 3, PARAGRAPH (c) –

Delete the words: “...and create an independent Boundaries Commission in time for the 2022 elections”.

SENATOR L.J. FARNHAM

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 it should establish an Assembly of 48 Members, comprising 12 Parish Connétables elected from within the current Parish boundaries, 8 Senators elected on an Island-wide basis and 28 Deputies elected from 6 large districts, 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>
District 1: St. Helier North Vingtaine du Mont Cochon, Vingtaine du Mont à l'Abbé, Vingtaine du Haut du Mont au Prêtre, and Vingtaine du Rouge Bouillon, in the Parish of St. Helier.	6
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District 3: South-East District Parish of St. Clement, and Parish of Grouville.	4
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District 5: North Central District Parish of St. John, Parish of St. Lawrence, Parish of St. Mary, and Parish of Trinity.	4
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Parish of St. Peter.	
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- (b) to request the Privileges and Procedures Committee to bring forward for debate the necessary legislative changes to alter the composition of the Assembly.

REPORT

The current electoral system is deemed, by some, to be inequitable in terms of representation due to the varying sizes of constituencies, mandates and different classes of States Member.

Following previous reductions from 53 Members to 49, the people of Jersey remain well represented in their States Assembly. Jersey should retain the 3 classes of States Member, namely Senator, Connétable and Deputy; and that electoral districts should be redrawn for the election of Deputies for the purpose of creating more equitable representation. Connétables should continue to be elected by Parish, and Senators by Island-wide mandate.

As recommended in the Clothier Review, all (classes of) States Member(s) should be permitted (by protocol) to follow their titles and names with the letters “MSJ” (Member of the States of Jersey), thus providing a single or united term of reference for all States Members.

The classes of States Member

Senator: One cannot ignore the fact that a majority of Islanders wish to retain the Island-wide mandate as represented in the office of Senator. It is also widely, and quite correctly, recognised that of the 3 classes of States Member the office of Senator is, by virtue of its Island-wide mandate, the most democratic and therefore the most accountable.

Importantly, the holders of senatorial office are well placed to take unprejudiced and impartial views of all Island issues without being conflicted by Parish or constituency pressures. This I believe to be a vital component of the office and a key reason for maintaining it. This will also prevent elections being dominated by local or single constituency issues.

A previous States Assembly took the decision to reduce the number of Senators from 12 to 8. Importantly, this decision was taken without the knowledge, endorsement or permission of the electorate.

I do believe this influenced the work of the Electoral Commission, on the grounds that the States Assembly had already imposed a reduction in one category of States Member (Senators). It could therefore be argued that the Electoral Commission were reluctant to recommend a reversal of such a recent decision.

In addition, the States had also previously voted for a single true election day, prior to agreeing the make-up of the Assembly. This has had a lasting impact on the number of Members elected by Island-wide mandate, as it could be argued that electing more than 8 Senators on the same day presents a number of challenges.

Connétable: The Parishes must retain a voice in the States Assembly, especially if electoral districts are redrawn. Failure to maintain Parish representation in the States would undoubtedly lead to a loss of stimulus within the Parishes and disconnect the Parishes from any influence and participation in the government of the Island. Consequently, Parishes may well only become concerned with a diminished administrative role and the provision of some public services.

The Connétables have made a reliable, sensible and balanced contribution to the States Assembly and its associated responsibilities. I therefore firmly recommend that Connétables should remain as legitimately elected Members of the States of Jersey. Members should understand that, should Senators be removed from the States then Connétables would surely follow, as without an Island-wide mandate, the argument for an Assembly with a single type of Member would be enhanced.

Deputy: The office of Deputy is important, as it is the office that most closely represents the welfare, care and interests of their constituencies and constituents. The Deputy is often the first port of call for a member of the Public with a specific issue or problem relating directly to their constituency.

The majority of Islanders wish to see a reduction in the number of Deputies and an equalisation of representation for this class of States Member. There have been many examples over the years of Deputies being elected with vastly differing mandates, and in many cases being elected to the States, for the first time, completely unopposed.

Larger constituencies with fewer places available would provide for contested elections in all districts and improved voter equity.

Increased voter influence: If Senators are retained, all voters will be able to elect an additional 8 Members to the Assembly, significantly increasing voter influence.

Financial and manpower implications.

On the basis of the annual cost of a States Member, a reduction to 48 Members would lead to reduced expenditure from current levels of approximately £50,000 per annum.

