

# STATES OF JERSEY



## RE-INSTATEMENT OF SENATORS (P.2/2025): SECOND AMENDMENT

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Lodged au Greffe on 5th March 2025  
by Deputy S.Y. Mézec of St. Helier South  
Earliest date for debate: 18th March 2025

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STATES GREFFE

RE-INSTATEMENT OF SENTATORS (P.2/2025): SECOND  
AMENDMENT

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**1 PAGE 2, PARAGRAPH (a) –**

Delete the words “by removing one Deputy from each of the nine electoral constituencies and substituting nine Senators in their place; and”.

**2 PAGE 2, PARAGRAPH (a) –**

After paragraph (a) insert a new paragraph (b) as follows and re-designate the subsequent paragraphs accordingly –

“(b) that an Independent Boundaries Commission, as approved by the Assembly under P.139/2020, should be established to produce an analysis of the impact of reintroduction of Senators on voter equity and the Island’s compliance with the Venice Commission’s Code of Good Practice in Electoral Matters; and”

**3 PAGE 2, PARAGRAPH (b) –**

After the words “to bring forward the” insert the words “findings of the Independent Boundaries Commission to the Assembly prior to implementation of the”.

After the words “to give effect to” insert the words “part (a) of”.

Delete the words “in time for the General Election in 2026”.

**DEPUTY S.Y. MÉZEC OF ST. HELIER SOUTH**

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

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

(a) that the office of Senator, elected on an Island-wide basis, should sit alongside the offices of Connétable and Deputy in the States Assembly, and should be re-instated;

(b) that an Independent Boundaries Commission, as approved by the Assembly under P.139/2020, should be established to produce an analysis of the impact of reintroduction of Senators on voter equity and the Island’s compliance with the Venice Commission’s Code of Good Practice in Electoral Matters; and

(c) to request the Privileges and Procedures Committee to bring forward the findings of the Independent Boundaries Commission to the Assembly prior

to implementation of the necessary legislative amendments to give effect to part (a) of this proposition.

**Re-issue Note**

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The proposition has been re-issued to include the word ‘Venice’ in part 2 of the amendment, that had been removed in error.

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## REPORT

### Summary

If adopted, this amendment will require independent and objective analyses on the effect of any proposed changes to our electoral system to be produced for consideration before States Members have an opportunity to enact any legislation which finalises those changes.

This will enable States Members to make an informed decision on what impact any proposed changes may have on the rights to equal suffrage for Islanders, rather than relying on inaccurate suppositions.

### Voter Equity

On 10th March 2020, the States Assembly agreed the following proposition<sup>1</sup> –

*“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”*

The Assembly is bound by this decision, until a rescindment motion is successfully proposed and adopted.

The motion was important because equal suffrage is fundamental to democracy. Fair elections are the lifeblood of democracy, and equitable representation is the heart that keeps it alive.

The point of elections is to provide a population with an opportunity to elect a parliament that is reflective of their desires and aspirations as a community and will therefore work in accordance with the overall wishes of that population. It will also provide voices to minority perspectives in proportion to which they exist in the community.

In order to do this fairly, the voting system must accord as much as possible with the principle of “one person, one vote”. If parts of a population are given greater voting rights than others, then the membership of the parliament will ultimately be skewed and unrepresentative. This is corrosive and inevitably leads to reduced confidence and, eventually, consent by the governed who recognise that the system does not work for them.

Whilst a system electing a parliament at-large, where every voter has the same voting power, would be the purest way of achieving this, it can be impractical to do this where there are geographic obstacles or a risk of no minority representation. To get around this, sub-jurisdiction territories (i.e. constituencies) can be used to elect representatives in a fair and proportionate way, so long as their size takes into account population density and does not deviate too far from the average.

The Venice Commission’s [Code of Good Practice on Electoral Matters](#) provides clear criteria that voting systems must meet to ensure fair representation. This includes

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<sup>1</sup> <https://statesassembly.je/vote-detail?id=14575>

stipulating that a constituency size should not deviate more than 10% (or 15% at most) from the average population of constituencies, to ensure that it is not unduly over-represented or under-represented. This deviation is known as “malapportionment” and is meant to be mitigated as much as possible in a voting system.

The Venice Commission is a body of the Council of Europe<sup>2</sup>, which oversees the Human Rights treaties and organisations of Europe, which applies to Jersey through our association with the United Kingdom.

### Jersey’s context

Jersey has never had a single moment of complete overhaul in our voting system to deliver something pure. Our system of representation in the States Assembly has evolved over centuries, from when the Parishes, Court and Church were represented, to the three-tier system that existed from 1948 to 2022, to that which we have now which reflects the result of the 2013 electoral reform referendum and Electoral Commission process.

The previous electoral system, which was devised by the British Home Office in a post-war exercise in 1947, was overly complicated, contained vast malapportionment, and showed no signs of being popular with the electorate.

After decades of fruitless debates on reforming the voting system, eventually a referendum was held in 2013, in which 80% of those who voted opposed the three-tier system and opted for simpler and fairer systems.

Eventually, out of respect for that referendum result and painstaking political compromise among States Members with deeply held alternative views, the composition of the States was altered to be the Parish Connétables and Deputies elected in districts from the 2022 election.

By virtue of the fact that Jersey’s Parishes vary greatly in population size, the presence of the Connétables in the States Assembly causes severe malapportionment. A voter voting in a contest for Connétable of St Mary is casting a vote which is worth 20 times as much as someone voting in a contest for Connétable of St Helier. But by carefully distributing Deputies seats across districts, this malapportionment can be severely mitigated.

Whether or not the current voting system is universally popular or not, it is a mathematical fact that it is the most representative system we have ever had and provides for far greater voter equity than the previous system.

### **P.2/2025**

So far in this term of office, three propositions have been lodged to amend the composition of the States Assembly by re-introducing a category of membership elected in an Island-wide constituency. In the reports accompanying those propositions, one made no reference to voter equity at all, whereas two made false representations about their impact on voter equity.

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<sup>2</sup> Not to be confused with the European Union, which is an entirely separate organisation.

Most recently, the report to P.2/2025 states –

*“Under this arrangement, the voting system would maintain its existing level of equity.”*

This is false.

The proposition makes this claim without providing any analysis of the data to confirm whether it is accurate or not, despite the population figures being easily available in Statistics Jersey’s publications, and the formula for calculating malapportionment being easy to find online.

In fact, the reforms proposed in P.2/2025 would create greater malapportionment for a majority of Islanders. This is proven in the Appendix.

It is clear that this misrepresentation of the impact on voter equity comes from a lack of understanding about how malapportionment is affected by the redistribution of Deputy seats whilst leaving the Connétable seats intact. This is why it is important that the truth is obtained by experts who understand how to measure these things accurately.

Without knowing that this claim is false, States Members could inadvertently adopt changes to our electoral system which are worse for voter equity under a mistaken belief that it has no effect.

It must also be noted that P.2 resembles the old system, which in the 2013 electoral reform referendum was rejected by voters by a margin 4 to 1.

### **Independent Boundaries Commission**

The States Assembly has already voted for the establishment of an independent Boundaries Commission, in adopting P.139/2020. This proposition proposed this alongside the electoral reforms that led to our current system. The Commission has not yet been established.

Many countries use independent Boundaries Commissions to determine their constituency make up because they will be impartial and guided by the data. It is a vital safeguard against gerrymandering, where constituencies are drawn up by politicians in order to engineer particular results.

### **Financial and staffing implications**

In P.126/2019, the Privileges and Procedures Committee said, *“The cost of establishing a Boundary Commission is estimated to be comparable to that of the Referendum Commission, which has an annual budget of £10,000 to meet training and expenses, although this sum could be higher if members are based outside the Island and the cost of travel/ accommodation for meetings is added.”*

### **Children’s Rights Impact Assessment**

A Children’s Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.

## Appendix

District	Population	Current system	Residents per representative	Deviation	P.2 proposed system	Residents per representative	Deviation
Electoral District	Persons	Number of representatives			Number of representatives		
1. Grouville and St Martin	9,349	5	1869.80	12.71%	4	2337.25	10.46%
2. St Brelade	11,012	5	2202.40	-4.31%	4	2753.00	-6.22%
3. St Clement	9,925	5	1985.00	6.17%	4	2481.25	4.05%
4. St Helier Central	12,506	5.3	2359.62	-10.69%	4.3	2886.00	-10.54%
5. St Helier North	12,135	4.3	2822.09	-25.32%	3.3	3640.50	-29.08%
6. St Helier South	11,181	4.3	2600.23	-18.95%	3.3	3354.30	-23.03%
7. St John, St Lawrence and Trinity	11,967	7	1709.57	23.28%	6	1994.50	29.44%
8. St Mary, St Ouen and St Peter	11,288	7	1612.57	30.69%	6	1881.33	37.23%
9. St Saviour	13,904	6	2317.33	-9.06%	5	2780.80	-7.16%
All	103,267	49	2107.49		40	2581.68	

Plus 9 Senators

Positive percentage = Overrepresentation

Negative percentage = Underrepresentation

