

# STATES OF JERSEY



## CHIEF MINISTER: ELECTION BY AN OPEN BALLOT

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Lodged au Greffe on 27th July 2011  
by Deputy T.M. Pitman of St. Helier

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STATES GREFFE

## **PROPOSITION**

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

- (a) to agree that the election of Chief Minister should be undertaken by way of an open ballot and no longer by a secret ballot for States Members;
- (b) to charge the Privileges and Procedures Committee to bring forward for approval the necessary Regulations to give effect to the proposal so that it can be in place for the election of autumn 2011.

DEPUTY T.M. PITMAN OF ST. HELIER

## REPORT

Whilst I fully support this Assembly's majority decision to initiate a fully independent Electoral Commission to examine much-needed electoral reform of the States, I believe that one area that we can, and certainly should move forward on ourselves is the rescindment of the secret ballot vote for the position of Chief Minister.

This year has seen significant and seemingly ever-growing concerns voiced amongst the public regarding a lack of both openness and accountability within our present system of ministerial government. As a States Member now in my third year of Office, I believe that the evidence for moving to a fully open and transparent ballot for the role of our Island's political leader has never been more necessary to help offset these concerns.

This situation has only been compounded, in my opinion, by a perceived ministerial reluctance to push ahead with finally implementing Jersey's long overdue Freedom of Information Law; further still, the about-turn in removing support for the Electoral Commission itself by both the Chief Minister and his Deputy, Senator P.F.C. Ozouf.

I certainly concur with the view that within the course of a usual public election the long-established secrecy of the voting booth and, indeed, our postal voting system – a system that has always, of course, ensured that a ballot slip arrives long after any candidate or agent assisting in completion of the registration application form has long since departed – is and should remain without doubt sacrosanct. The revelation of who a member of the public has chosen to vote for should remain wholly at the individual's discretion.

However, in the case of retaining a secret ballot for Chief Minister, any justification for such secrecy is clearly negated by the following reality. Promises to support a particular candidate for Chief Minister can be used as a strong political lever to influence the public's vote: i.e. this secrecy allows for candidates to state to the electorate – both at hustings and in canvassing on the doorstep – that if elected they will vote one way for Chief Minister; yet behind the veil of the secret ballot then vote for another.

It has been and continues to be noted by observers that there are many less than perfect aspects resulting from Jersey adopting a ministerial form of government that really needed a party political system to make it work. A prime example of this I would suggest is that, unlike the system within the UK where the electorate know full well who will be the Prime Minister depending upon which party should gain a majority, Jersey's public can have no such transparent certainty. Adoption of this proposition will clearly go some considerable way to alleviating these concerns.

I fully accept that some Members may well say that if we are to take this step, then surely *every* vote for a position; whether it is on the Executive, Scrutiny, PAC or PPC should also be by an open ballot. This is actually a position that I also fully support, believing that such moves can lead only to increased confidence from the public in the democratic process. It is obviously also open for any Member feeling strongly about such measures to amend this proposition as they see fit.

Ultimately, I genuinely believe that we must work to find a means by which we can eventually move to a system where the election of the man or woman who leads the Island's government is placed firmly directly in the hands of the general public. Be this as it may, I believe that starting with a fully open and transparent vote for the next Chief Minister is an ideal way to compliment our decision to hold our first so-called 'General Election' this coming October.

As such, I hope that a majority of Members will give the proposition their full support.

**Financial and manpower implications**

There are no additional financial or manpower implications for the States arising from this proposition, other than those negligible ones relating to putting the Regulations in place.