

STATES OF JERSEY



COMPOSITION AND ELECTION OF THE STATES ASSEMBLY: REFORM – PROPOSAL 3

Lodged au Greffe on 19th August 2013
by Deputy G.P. Southern of St. Helier

STATES GREFFE

PROPOSITION

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

- (a) to adopt the following principles from the Report of the Review Panel on the Machinery of Government in Jersey (the ‘Clothier’ Report) of December 2000 –
 - (i) the office of Senator should be abolished;
 - (ii) the Connétables should cease to be *ex-officio* members of the States but should be free to stand for election as a member of the States if they wished;
 - (iii) all elected members should be known by the same title, namely “Member of the States of Jersey”(MSJ);
- (b) to agree that MSJs should be elected on a parish basis and to adopt, as far as possible, the principle of the 2013 Report of the Electoral Commission, that ‘constituencies should as far as possible be of equal size’ by distributing seats as set out in the Appendix;
- (c) to request the Privileges and Procedures Committee to bring forward the necessary legislation to implement the new structure in time for the general election in 2014.

DEPUTY G.P. SOUTHERN OF ST. HELIER

REPORT

There can be no doubt that one of principles highlighted by the debate around the referendum resulting from the recent report of the Electoral Commission was that of equal votes leading to equal representation.

In attempting to produce as fair a possible distribution of votes and seats, however, the Commission was led to devising larger districts with 6 or 7 representatives. In doing so, it then faced a reaction from those who wished to protect the place of the parish representative in the form of the Connétable. Its attempt to re-insert the Connétables into the equitable redistribution of votes then skewed the ratios to such an extent that it focussed attention on the unfairness of urban/country parish representation. This was made worse by the arbitrary imposition of 42 as the “magic” number of representatives (being a multiple of both 6 and 7).

The number of 42 representatives came originally from the Clothier report, which settled on the range of 42 to 44 as the possible minimum number of representatives. Experience of ministerial government, and especially of the issue of building effective scrutiny, has led many to an understanding that holding government to proper account requires a greater number of members. The case outlined here, as can be seen in the Appendix, produces a membership of 49.

This principle of “equal votes of equal weight” was also at the heart of the Clothier Review over a decade ago. That review, however, started with the principle of a single type of member. This is the system that applies almost universally throughout the world in advanced democracies, except those with a second chamber. It is the most transparent method of achieving accountable representation.

Clothier, however, chose to retain the parish as the electoral base, and this leads intrinsically, given the different sizes of parish, to variations on strict proportionality in representation. In the case presented here I have made only one adjustment to the allocation of seats, in allowing St. John a second MSJ where a single MSJ would have left the parish under-represented by over 50%. This measure leaves only St. Mary with a single MSJ. All other parishes maintain the number of their representatives in the States, or in the case of the major centres of population, see their numbers increased.

The system proposed here, I believe, combines the best of these principles in a pragmatic way. It starts with a single type of member, based on parish boundaries, and distributed proportionately according to the population. It permits the retention of the Connétables, but only if they wish to be elected as an MSJ. Thus, on general election day in many parishes there will be 2 elections, one for the Connétable, and one for MSJs as the representatives of the parishes or district in the States. A candidate for Connétable may choose to stand and decide that running the Parish, and looking after his or her parishioners, is all he or she wants to do. He or she will stand only for Connétable. He or she may face an opponent who wishes not only to be head of the parish, but also considers that this requires him or her to be active in the States, and he and she will also enter his or her name in the ballot for MSJ for the parish.

There are winners and losers in any change, but those who argued in the referendum that the retention of the parish voice was an important principle, this reform preserves that voice. If the electorate wishes that voice to be that of the constable, it will be so.

Financial and manpower implications

This proposition preserves the total number of 49 States members that has already been agreed by the States for the 2014 elections and there are therefore no new financial or manpower implications.

APPENDIX

	Population 2011 Census	Proposed MSPs	Residents per MSP	Deviation from average
St. John	2,911	2	1,456	28.6
St. Peter	5,003	2	2,502	-22.7
Grouville	4,866	2	2,433	-19.3
St. Clement	9,221	4	2,305	-13.1
St. Brelade	10,568	5	2,114	-3.7
St. Ouen	4,097	2	2,049	-0.5
St. Helier	33,522	17	1,972	3.3
St. Saviour	13,580	7	1,940	4.9
St. Martin	3,763	2	1,882	7.7
St. Lawrence	5,418	3	1,806	11.4
St. Mary	1,752	1	1,752	14.1
Trinity	3,156	2	1,578	22.6
TOTALS	97,857	49		
Average			1,997	