

SPECIAL COMMITTEE ON THE COMPOSITION AND ELECTION OF THE
STATES ASSEMBLY

(9th Meeting)

28th April 2004

PART A

All members were present.

Senator P.V.F. Le Claire
Connétable D.F. Gray
Deputy P.N. Troy
Deputy C.J. Scott-Warren
Deputy R.G. Le Hérisier
Deputy J-A. Bridge
Deputy J.A. Bernstein

In attendance -

M.N. de la Haye, Greffier of the States
Mrs. S. Stoten, Committee Clerk
Deputy R.C. Duhamel
Deputy G.W.J. De Faye
Deputy M.F. Dubras
Connétable K.A. Le Brun
Senator J.A. Le Maistre
Senator M.E. Vibert
Senator E.P. Vibert
Constable R.E.N. Dupré
Deputy J.B. Fox (for a time)

Note: The Minutes of this meeting comprise Part A only.

Minutes

A1. The Committee noted that the minutes of its meeting held on 21st April 2004, having been previously circulated, required some minor amendments and would be approved at a future meeting subject to amendment.

Proposals for reform of the existing composition and election of the States assembly.
1240/22/1(13)

A2. The Committee, with reference to Act No. A5 of its meeting held on 21st April 2004, considered its draft proposals as laid out in an undated draft report prepared by the Greffier of the States.

The Committee finalised its proposals for reform of the composition and election of the States Assembly and agreed that it would bring forward a report and proposition to the States in the near future on this matter. The Committee was aware that its proposals were far-reaching and likely to be controversial, but had reached the conclusion that discussions on these issues had been continuing for well over two years and that it was time for the States and the public to be given the opportunity to debate firm recommendations.

The Committee's proposals were as follows –

- (a) All members of the States should be elected on a single general election day. Whilst issues were raised regarding practicalities of unwieldy ballot papers and spoilt papers, the Committee agreed that the logistics of a single general election would be addressed at a later stage of the debate;

- (b) the first general election should be held in the Spring of 2008;
- (c) all members of the States should serve for a fixed 4 year term of office from 2008 onwards.

The positions of Senator and Deputy in their present form should be abolished and a new category of States member should be created. These members should be elected in 6 or 7 'super constituencies' across the Island; **Senator P.V.F. Le Claire expressed his dissent in respect of the proposal to abolish the role of Senator and the creation of 6 or 7 'super constituencies';**

- (d) The 12 Parish Connétables should remain as ex-officio members of the States and they should all be elected on the same general election day as other members from 2008 onwards. **The Committee recognised Deputy Troy's strongly held view that the Connétables should not remain as ex-officio members of the States he recorded his dissent together with Senator Le Claire and Deputy Le Hérissier. These members did not deny the rights of all members to hold a seat in the States but in the interests of fairness, the mandate and electoral procedures for Connétables should be the same as their political counterparts;**
- (e) the total number of members should remain at 53 for the time being until it had been possible to assess how the ministerial system would operate, for example, 12 Connétables and 41 members elected in the new constituencies;
- (f) the proposals should be considered by the electorate in a referendum before any final decisions were taken by the States;
- (g) the new system should be fully implemented in 2008 with appropriate transitional arrangements being put in place from 2005 onwards.

The Committee was not unanimous in its recommendations, with the proposed abolition of the island-wide mandate and the position of the Connétables as ex-officio members of the States causing the most significant differences of opinion among Committee members. The Committee agreed that it would ensure that all viewpoints were accurately reflected in the report so that a transparent and well informed debate could take place on these important issues.

With regard to a referendum, the Committee was of the opinion that it was not appropriate to second guess what the current opinion of the electorate was on these issues and was convinced that the only way to obtain an accurate assessment of the public's views was to put the proposals to the vote in a referendum. Although the referendum would not, of course, be binding on the States it would enable members to make a final decision against the backdrop of an accurate indication of public opinion. **Connétable Gray also dissented on the proposed referendum believing it would further delay the Committee's proposals being considered and adopted by the States.**

The Committee recognised the need to move relatively quickly on arrangements for the 2005 transitional provisions whilst also conscious that it should to allow adequate time for consultation and debate before any final decisions were taken.

Clothier Report

A3. The Committee considered the recommendations of the Clothier report not covered by its own proposals such as the position of the Bailiff and agreed it would be in a position to address these issues at a future meeting once its primary proposals were finalised.

The Committee agreed that it would be necessary for research to be carried out with regard to the Bailiff, Crown Officers and the Dean in preparation for introductory discussion at a later date.

Next Meeting

A4. The Committee agreed it would hold its next public meeting on Wednesday 13th May 2004 between 1pm and 3pm in the Cappelain Room in the Sates Building; Public notification would appear in the Jersey Gazette.