

STATES OF JERSEY



COMPOSITION AND ELECTION OF THE STATES ASSEMBLY: REFORM – PROPOSAL 2 (P.94/2013) – SECOND AMENDMENT

Lodged au Greffe on 22nd October 2013
by the Connétable of St. Mary

STATES GREFFE

COMPOSITION AND ELECTION OF THE STATES ASSEMBLY: REFORM –
PROPOSAL 2 (P.94/2013) – SECOND AMENDMENT

1 PAGE 2, PARAGRAPH (a) –

Delete paragraph (a) and substitute the following –

“(a) that the Assembly should be comprised of 47 members, comprising 12 Connétables and 35 Deputies;”.

2 PAGE 2, PARAGRAPH (d) –

Delete paragraph (d) and substitute the following –

“(d) that the proposed new 5 large areas will replace the current Schedule 1 to the States of Jersey Law 2005, as follows –

DEPUTIES’ CONSTITUENCIES

<i>Constituencies</i>	<i>Number of Deputies to be returned</i>
District 1: St. Brelade St. Peter St. Ouen	7
District 2: St. Mary St. John St. Lawrence St. Helier – Mont Cochon and Mont à l’Abbé	7
District 3: St. Saviour – Sous l’Eglise, Sous La Hougue and Pigneaux St. Martin St. Helier – Haut de la Ville and Bas de la Ville	7
District 4: St. Clement St. Saviour – Petite Longueville and Grande Longueville Grouville	7
District 5: St. Saviour – Maufant Trinity St. Helier – Haut du Mont au Prêtre, Bas du Mont au Prêtre and Rouge Bouillon	7

3 PAGE 3, PARAGRAPH (f) –

For the words “46 members” substitute the words “47 members” and for the figure “20” substitute the figure “21”.

4 PAGE 3, PARAGRAPH (g) –

For the words “46 members” substitute the words “47 members”.

CONNÉTABLE OF ST. MARY

REPORT

Reform of the States Assembly must focus on 2 issues –

1. the number of States members, and
2. how those members are elected.

The propositions currently lodged give a range of options on the number of members – these are –

No. of States members 2013 Proposition

44	P.93; P.93 Amd.Amd.; P.94 Amd.Amd.;
45	P.93 Amd.; P.94 Amd.;
46	P.94;
47	P.116; P.117;
49	P.98.

They also propose a variety of methods for electing those members. Of these, four (P.93 Amd.; P.94 Amd.; P.116; P.117) propose the retention of Senators, which was not recommended by the Electoral Commission; and one (P.98) relates to the Clothier proposal and does not provide an equal number of votes for each elector (a principle of the Electoral Commission).

This leaves 2 propositions which are broadly in line with the Commission’s proposals, but neither provides an equal number of votes for each elector. Both these alter the representation for each district in an attempt to address perceived issues of under-representation such as –

- P.93 “ ‘Town versus Country’ divide”
- P.93 “there is a strongly held view that an unamended Option B means that St. Helier is under-represented in the new assembly”
- P.94 “give the third of the population that reside in St. Helier the equality of vote which is obviously their right”
- P.94 “democratic deficit that would be set against voters in St. Helier by retaining 12 Connétables within 6 large districts”.

But in doing so, both appear to be confusing different concepts.

Either every parish should have its own representatives – or none should.

Districts which cover several parishes do not mean that a parish has a representative or representatives. There is no reason to say that as St. Helier has a third of the population it – as a “parish” – should directly elect one-third of States members.

What is important is that every elector elects the same number of representatives.

As pointed out in the report to P.117/2013 – “most voters ... wanted to maintain some Parish traditions and direct Parish links within the States, and saw the retaining of the Parish Constable in the States as the best way of achieving this.” Further, “in attempting to correct one inequity (the under-representation of St. Helier), PPC have

created an equally unacceptable new inequity ignoring the principle of each voter being able to cast the same number of votes.”

The solution lies in the boundaries for the districts.

The propositions seem to support the principles set out by the Electoral Commission, namely –

- All electors should have the same number of votes
- Constituencies should as far as possible be of equal size
- A Candidate should generally require a significant number of votes in order to be elected to the Assembly
- The electoral system should be simple, fair and easy to understand.

However, there is one principle that should be added. There were nearly 100 responses to the Interim Report from individuals, groups or organisations. At least 47 people who signed those responses specifically reinforced the principles of this amendment, namely that if the Island is divided into districts for the election of members, then no one district should consist solely of one parish or a part of one parish.

This is what my amendment proposes.

It is worth drawing attention to the Commission’s own comments on the constituencies it proposed. The following indicates that the Commission accepts the format of its districts creates an anomaly (see final report: 5.34) –

“Both of these models would also ensure that all parishes (other than St. Helier) would be combined with at least one other parish, thereby avoiding the anomaly that would exist with some models whereby some parishes would be a single constituency while others would be combined.”

The Commission was also keen to use boundaries which are familiar (see final report: 5.31) – my amendment does this by using the district divisions in St. Helier and St. Saviour based on Vingtaines which are currently used to elect Deputies.

The Commission (see final report: 5.9) also commented on a benefit of large constituencies –

“This would seem to indicate that the creation of large constituencies moves the focus of debate, and the attention of election candidates, away from local issues towards Island-wide considerations. A States member’s key rôle is as a member of the national parliament. His or her task is to debate legislation and major policies that impact upon the whole Island.”

The make-up of the Assembly should ensure the election of members representing as wide a range of the electorate as possible – broad constituencies which are pan-Parish would remove the “unfairness of urban/country parish representation” (P.98/2013). The ‘Parish’ as a unit retains its representation through the Connétable.

To enable members to consider the size of the States Assembly, I am proposing amendments to both P.93/2013 and P.94/2013.

During discussions on P.64/2013, it became clear that some members still did not appreciate that Connétables represent their parish and not an electoral district. Whilst this is still true, those concerned about the perceived ‘democratic deficit’ for St. Helier, for example, can take comfort as this amendment means that all St. Helier electors are part of a district which is associated with either 3 or 4 Connétables.

However, the amendment still maintains the Commission’s principle of equality of votes, which is also key to P.94/2013 as in his report, Deputy T. Pitman of St. Helier states – “surely equality of vote should be guaranteed for all and have no dependence at all on where one lives; country parish or urban?”. However, Deputy T. Pitman’s proposition does not achieve the equality of votes he supports, due to the number of members and the number of districts proposed (34 Deputies does not divide equally into 6 districts). By increasing the number of Deputies by one and redefining the boundaries into 5 districts, it is possible to achieve the principle of equality of votes and enable all electors to vote for 7 Deputies. This is the number Deputy T. Pitman is proposing should be elected in 2 of his 6 districts and also the same number proposed by the Commission in Option A.

Each district covers one-fifth of the electorate and all districts cover parts of or the whole of at least 3 parishes; and one has 4 parishes.

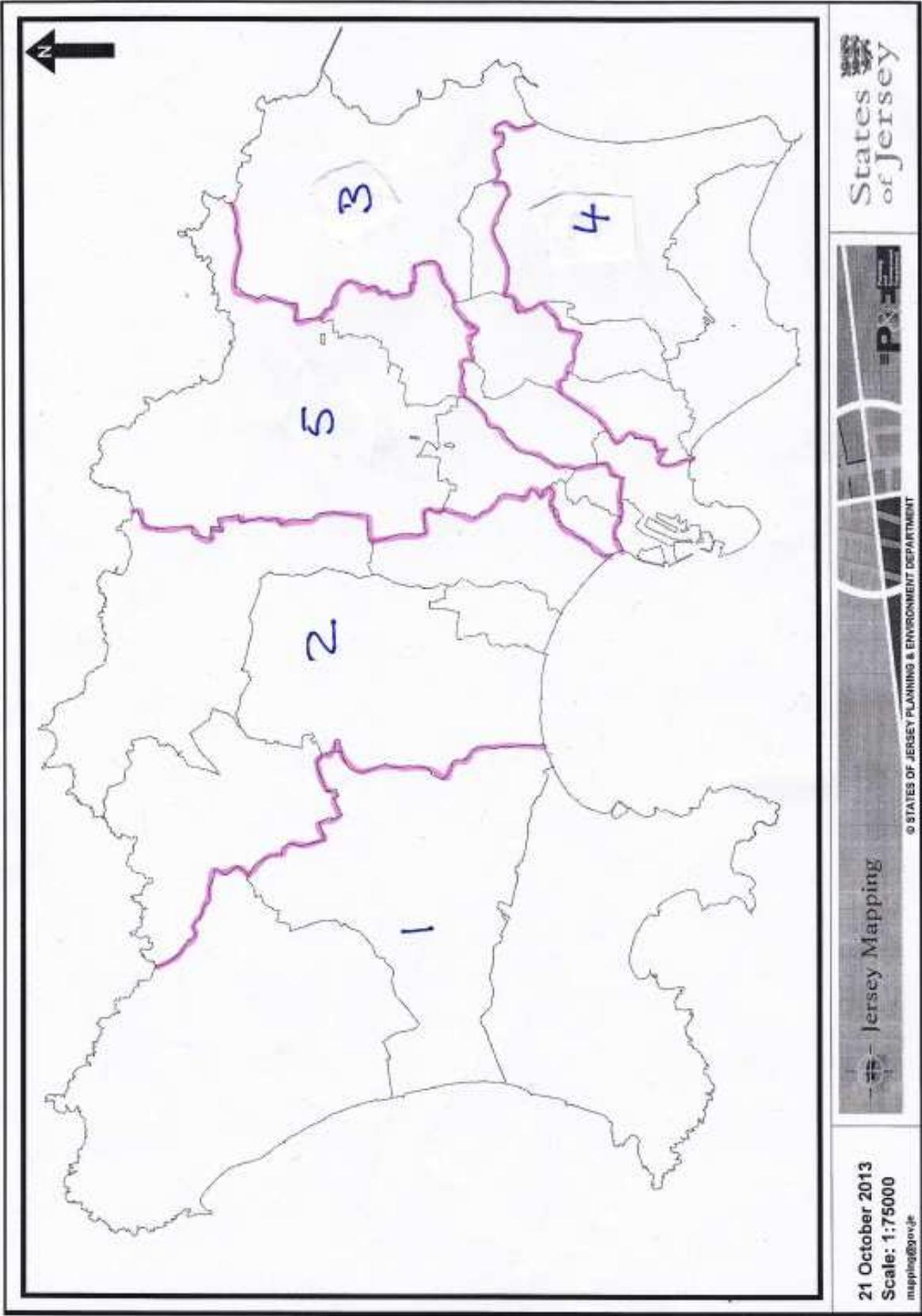
District	Parish 5 districts – elect 7 each	Eligible voters	Total eligible voters per area	% deviation from target of eligible voters
1	St. Brelade	8,590	15,800	1.86
	St. Peter	4,010		
	St. Ouen	3,200		
2	St. Mary	1,340	14,820	-4.46
	St. John	2,280		
	St. Lawrence	4,280		
	St. Helier – Mont Cochon and Mont à l'Abbé	6,920		
3	St. Saviour – Sous l'Eglise, Sous La Hougue and Pigneaux	5,390	16,380	5.6
	St. Martin	2,970		
	St. Helier – Haut de la Ville and Bas de la Ville	8,020		
4	St. Clement	7,170	15,380	-0.85
	St. Saviour – Petite Longueville and Grande Longueville	4,340		
	Grouville	3,870		
5	St. Saviour – Maufant	890	15,180	-2.14
	Trinity	2,370		
	St. Helier – Haut du Mont au Prêtre, Bas du Mont au Prêtre and Rouge Bouillon	11,920		
			77,560	Target 15,512

* small statistical variance from the figures used by the Electoral Commission

Financial and manpower implications

This amendment would result in one additional States Member over and above the 46 proposed in P.94/2013, and so would initially reduce the estimated savings made by that proposal by up to £46,600 per annum (figure subject to review by the SMRRB).

APPENDIX



Re-issue Note

This proposition is being re-issued as the Table on page 7 of the report showed incorrect numbering for Districts 3 and 5, and also contained errors in relation to the number of eligible voters in the Vingtaines of Mont Cochon and Mont à l'Abbé (St. Helier) and Sous l'Eglise, Sous La Hougue and Pigneaux (St. Saviour). In addition, the map on page 8 showed incorrect numbering for Districts 3 and 5.