

STATES OF JERSEY



DRAFT REFERENDUM (COMPOSITION OF THE STATES ASSEMBLY) (JERSEY) ACT 201- (P.118/2014): SECOND AMENDMENT (P.118/2014 Amd.(2)) – AMENDMENT

**Lodged au Greffe on 14th July 2014
by Deputy G.P. Southern of St. Helier**

STATES GREFFE

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PAGE 2 –

In the substituted ballot paper, for the words “remain as members of the States as an automatic right” substitute the words “no longer be entitled to sit in the States simply because they are Constables; should they seek election to the States if they wish, like everyone else”.

DEPUTY G.P. SOUTHERN OF ST. HELIER

REPORT

It is late in the day to be giving consideration to an amendment to PPC's proposals; however, in reviewing my position collectively on the proposition and its sundry amendments, I realised that should any of the amendments be accepted by the States, I would have no position to support. The PPC proposals are worthy of support, but I am unsure whether such wholesale change would be seen positively across the Island at this stage.

I am therefore drawn to Deputy A.K.F. Green of St. Helier's second amendment, which has the attraction of drawing attention to that part of the Clothier proposals which is simplest to understand, and yet contains the core of the defect from which we suffer as an Assembly: that is, the presence of more than one type of member. However, the wording of the second amendment is incorrect on 2 counts –

“Should the Constables remain as members of the States as an automatic right?”

- The use of the word “remain” is leading, in that it draws attention to the status quo, and invites the response “yes”.
- The phrase also directly contradicts the relevant recommendation of the Clothier Panel, which states –

“The Constables should cease to be ex-officio members of the States.”

The case for this action was clearly laid out in the summary report of December 2000.

- Constables have no role in the States distinguishable from that of the Deputies.
- Constables are busy in their parishes doing useful work; they are, in general, less active in the States than the Deputies for their respective parishes.
- Those Constables with the time and inclination could stand for election to the States; there being no conflict in the roles of Parish Constable and States member.

My wording is that used elsewhere in the summary report to avoid the use of the Latin phrase “*ex officio*.” I believe it expresses the change proposed in a simple and understandable way. The relevant arguments from the main body of the full report are given below.

“A few of our witnesses maintained that the Connétables were in the States because their parishioners elected them in the knowledge that this would automatically confer upon them a seat in the States. The concomitant belief was that the Connétables were there to represent the particular interests of their Parishes on any topic coming before the States. Our firm conclusion is that these comfortable beliefs are not borne out by the evidence. In the first place, the election to the office of Connétable is rarely contested. During the period of our review four new Connétables have been elected and a fifth re-elected, all of them unopposed. A respected individual who has held a post

in the Parish administration, perhaps in the Honorary Police, emerges and it is not well-regarded in the Parish to oppose his (less frequently her) election.

We were impressed by the evidence of many of the Connétables to the effect that they placed their work in the Parishes at the head of their priorities and we were left with the impression that some of them felt somewhat with their position in the States. Indeed, an analysis showed that in general the Connétables asked fewer questions, introduced fewer propositions and spoke on fewer occasions than the Deputies for their respective Parishes.

In view of the new structure which we propose for the States the Connétables would, if they were to remain, have a heavier workload in the States than they do at present and might well have difficulty in discharging both offices satisfactorily. Many witnesses told us how busy the Connétables are in their Parishes and how excellent and useful was their work there. We believe that this role could be developed and its dignity enhanced. If it were, and if the position no longer carried with it the requirement to be part of the States Assembly, we believe that more candidates for the post of Connétable could well come forward.

Because they have no role in the States distinguishable from that of the Deputies, we **recommend** that the Connétables should cease to be ex officio members of the States. Of course, those Connétables who have the time and inclination could stand for election to the States, there being no conflict in the dual roles. **They would then be truly elected by their parishioners to represent them in the States.**"

Financial and manpower implications

There are no additional financial or manpower implications arising from this amendment; the referendum would still have the same resource implications as set out in PPC's draft Referendum Act.