

STATES OF JERSEY



COMPOSITION AND ELECTION OF THE STATES: PROPOSED CHANGES (P.139/2020) – FOURTH AMENDMENT

Lodged au Greffe on 13th November 2020
by the Connétable of Grouville

STATES GREFFE

COMPOSITION AND ELECTION OF THE STATES: PROPOSED CHANGES
(P.139/2020) – FOURTH AMENDMENT

1 PAGE 3, PARAGRAPH (c) –

After paragraph (c), insert the following new paragraph (d) –

“(d) that the proposition is null and void and of no effect unless the majority of the people voting in a referendum on the question of the proposed changes in the composition and election of the States, held in accordance with the Referendum (Jersey) Law 2017, have voted in favour of the proposed changes”.

CONNÉTABLE OF GROUVILLE

Note: After this amendment, the proposition would read as follows –

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

- (a) to agree that it should establish an Assembly of 49 Members, 37 elected from 9 districts, each choosing a number of representatives based on population, plus the 12 Parish Connétables, and to replace the current Schedule 1 to the States of Jersey Law 2005 as follows –

<i>Constituencies</i>	<i>Number of Representatives to be returned</i>
District 1: St. Helier South Vingtaines de Bas et de Haut de la Ville, St. Helier	4
District 2: St. Helier Central Vingtaine de Rouge Bouillon, St. Helier Vingtaine de Bas du Mont au Prêtre, St. Helier	5
District 3: St. Helier North Vingtaine du Mont Cochon, St. Helier Vingtaine du Mont à l'Abbé, St. Helier Vingtaine du Haut du Mont au Prêtre, St. Helier	4
District 4: St. Saviour Parish of St. Saviour	5
District 5: St. Clement Parish of St. Clement	4
District 6: St. Brelade Parish of St. Brelade	4

District 7: St. Mary, St. Ouen and St. Peter Parish of St. Mary Parish of St. Ouen Parish of St. Peter	4
District 8: St. John, St. Lawrence and Trinity Parish of St. John Parish of St. Lawrence Parish of Trinity	4
District 9: Grouville and St. Martin Parish of Grouville Parish of St. Martin	3

- (b) that an independent Boundaries Commission should be established to begin work after the 2022 elections to make recommendations to ensure that the 9 districts remain compliant with the principles cited in paragraph (a), comprised of a Chair and 3 other members from outside the Island and of 3 Jersey residents, all with relevant skills and experience, and to request the Privileges and Procedures Committee to take the necessary steps to identify, through a process overseen by the Appointments Commission, the proposed membership of the Commission for subsequent approval by the Assembly;
- (c) to request the Privileges and Procedures Committee to bring forward for debate the necessary legislative changes to alter the composition of the Assembly and create an independent Boundaries Commission in time for the 2022 elections; and
- (d) that the proposition is null and void and of no effect unless the majority of the people voting in a referendum on the question of proposed changes in the composition and election of the States, held in accordance with the Referendum (Jersey) Law 2017, have voted in favour of the proposed changes.

REPORT

The Proposition, [P.139/2020](#), brought by the Privileges and Procedures Committee, if adopted as amended or not, will fundamentally change the way in which States Members are elected. Any major change to the composition of the States of Jersey should take into account the views of Islanders and this can be achieved by holding a referendum.

The [Referendum \(Jersey\) Law 2017](#) is a law that “*provides for the holding of referendums, for the establishment of a commission to advise on referendum questions and designate lead campaign groups, for the control of referendum expenses, and for related purposes*”.

The Referendum Commission ensures that any referendum is run in a fair and proper way with the results, therefore, being robust. Proposed changes to the composition and election of the States has been the topic of debate in the States Assembly on more than one occasion and has proved both controversial and divisive. My amendment proposes the requirement of a referendum before the proposition is adopted to allow every elector an equal vote on the proposed changes to the States Assembly. A Referendum is an example of direct democracy with the outcome providing a mandate from the general public.

P.139/2020 and the various amendments change the type of States members, the number of States Members, the size of districts they may represent all with slightly different variations.

What, however, is the current view of the general public regarding Senators, Connétables and Deputies in the States Assembly?

- Do the public want one type of States Member?
- Do they want to retain the Deputies?
- What of the Connétables? The referendum result in 2014 showed that voters wanted to retain the Connétables in the States but two of the amendments aim to remove the Connétables
- Do the general public want “super parishes” where their representatives perhaps do not understand the needs of the smaller communities?

The Corporate Services Scrutiny Panel presented at report entitled ‘[2017 Electoral Reform](#)’ (S.R.6/2017) to the States of Jersey which was a review into [P.18/2017](#) where the Panel commissioned an Ipsos MORI Poll which engaged with 1,030 members of the public. One of the key findings (No.16) of the report was in relation to referendums and at page 25, para 65 states that “*there is a clear desire from respondents to the Ipsos MORI poll, for a referendum on any constitutional change. 71% of respondents to the Panel’s poll were in favour of holding a referendum on the changes proposed, with only 21% against.*”

The people of Jersey deserve the right to vote on these important issues given that the proposed changes will alter the parochial system which is at the very heart of our culture. All members should make a commitment to honour what will be a truly democratic decision if it is made following a referendum.

Financial and Manpower Implications

The financial and manpower implications of this proposition relate to the cost of running a standalone referendum which are estimated at £70,000.