

STATES OF JERSEY



COMPOSITION AND ELECTION OF THE STATES – SUMMARY OF RESPONSES TO CONSULTATION

**Presented to the States on 7th March 2007
by the Privileges and Procedures Committee**

STATES GREFFE

COMPOSITION AND ELECTION OF THE STATES – SUMMARY OF RESPONSES TO CONSULTATION

Introduction

The Privileges and Procedures Committee made it clear when it published its consultation document on Options for the Reform of the Composition of the States in December 2006 that it wished to stimulate a wide public debate on this important issue.

The Committee is pleased that the topic has been given significant coverage in the local media since December and the Committee itself engaged in a massive exercise in public engagement by circulating the leaflet “Reform of the States – Next Steps” to every household in the Island. Three public meetings were held and, although the Committee was disappointed at the level of attendance at the first two meetings, they nevertheless gave the opportunity for some members of the public to give their views. In addition the Committee commissioned Ipsos/MORI to undertake a second opinion survey relating to the Options.

The purpose of this document is to summarize the results of the various forms of consultation and feedback that have taken place (the results of the second MORI poll are being published separately). The Committee will be giving detailed consideration to all comments received as further proposals are developed and, for the avoidance of doubt, the purpose of this report is simply to summarise the various comments and not to give the Committee’s views on them.

The Committee recognizes that there has been some criticism since December that a restricted number of options were put forward for consultation. The Committee accepts that some people found this restrictive but, as can be seen from this report, this approach did not, in itself, prevent comments on alternative options or variations of the options being put forward. PPC believes it is important to stress that the consultation that has taken place over the last 2 months is part of an ongoing process that began in 2006. It is clear that there is a wide-range of opinions on this very important issue and it would be extremely naive for anyone to think that a wide consensus can be reached either among the public or among members of the States. Whatever options are put forward it is almost inevitable that further alternatives could always be proposed and the Committee believes that Members of the States must accept that there is a need to narrow the proposed options down if a final decision is ever to be reached. If, at every stage in the process, criticism is put forward that other options are not being considered the matter will never be concluded.

The various methods of consultation and feedback over the last 2 months

The Committee is delighted that there has been a significant response from the public to the consultation exercise. A dedicated e-mail address (reform@gov.je) was established and some 124 detailed e-mails and letters were received many setting out in great detail comments on the proposals. Although it is, of course, right to point out that this number of letters and e-mails represents only a very small proportion of the Island’s population it is nevertheless, for a consultation exercise of this nature, extremely encouraging particularly as there is no indication at all that any organized “lobbying” occurred or that interest groups combined to send multiple responses as can happen on occasions. Many people took the trouble to write at considerable length to give their views.

The Committee, as mentioned above, held 3 public meetings and a full summary of the points raised during these meetings is included at Appendix 2. The Committee was particularly pleased with the encouraging turnout at St. Martin’s Public Hall on 1st February 2007. With hindsight the Committee accepts the criticism that it might have been better for the public meetings to have been held following the complete distribution of the Reform leaflet as, unfortunately, some households had not yet received the delivery when the public meetings were held. The Committee wishes to reassure members and the public that there will be further opportunities for public engagement before any final decisions are taken.

SUMMARY OF OPINIONS PUT FORWARD

Introduction

As mentioned above the Committee was extremely encouraged by the number and length of the various written responses received from members of the public. The Committee has analysed these carefully alongside the results of comments from other forms of consultation and a summary of the views put forward is set out below.

PPC has received advice from the office of the Data Protection Commissioner that it would not be appropriate to identify individuals in summarizing the comments received in written submissions without their consent but can assure members of the States and members of the public that the extracts quoted throughout this report are taken without amendment from the responses received. Detailed extracts are given in Appendix 1 and these are cross referenced as appropriate below. It will be appreciated that it is not possible to reproduce every single comment forwarded to the Committee but the Committee has made every attempt to present the quotes in an objective manner setting out the views both for and against the various matters put forward.

The need for reform (see Appendix 1(1))

The majority of the responses received by the Committee during the consultation period, and the views expressed at the public meetings, did not refer specifically to the need or otherwise to reform. It appears that the vast majority of those giving views accepted that reform was planned and their comments therefore related merely to the nature of the reform that should take place. There were, in addition, a few responses indicating significant dissatisfaction with the current system and even some voters stating that they would not vote again unless reform took place.

These strong views in favour of reform are counterbalanced by some comments as can be seen in Appendix 1(1) that reform was not necessary and the present system should be allowed to “bed down” before any change was made to the system of government. Some may also interpret the relatively low turnout at the first 2 of the 3 public meetings as an indication that there is no significant public appetite for reform.

General election (see Appendix 1(2))

A very significant number of respondents referred to the need for a general election, and those indicating direct support for any of Options 1, 2, 3 or 5 also, by implication, supported this concept. Several respondents referred to their dissatisfaction with the present ability of a candidate who fails to be elected in the Senatorial elections standing in the subsequent elections for Deputy.

There were nevertheless a number of respondents who did not support the concept of a general election as can be seen from the extracts in Appendix 1(2). Reasons for this included the fact that if different categories of members were to be retained they served in different capacities and it was therefore logical to separate elections. Some felt that staggered elections allowed an element of continuity and avoided the significant political swings that could occur in other jurisdictions. Another respondent expressed the view that, with a general election, one single current issue could dominate the election and determine who was elected leaving the States members with no significant mandate for their term of office. A number of respondents referred to concerns that electing large numbers of members on one day could be impractical and some form of annual or biannual election to renew membership on a rolling basis would therefore be preferable.

The number of members (see Appendix 1(3))

The majority of respondents expressed the view that there was a need to reduce the number of members in the States and the figure suggested in the original Clothier proposals of some 42 to 44 members (mirrored in Options 1 and 2 put forward) was the number supported by a majority of respondents.

Concern was nevertheless expressed that difficulties could arise if the current number of members was reduced. This was an issue at the public meetings where there was concern that scrutiny might lose out and not be able to operate properly if the number was significantly reduced. Several respondents during the consultation period

stressed the importance of ensuring that there were sufficient members not in the Executive to provide an adequate counterbalance to Ministers and Assistant Ministers.

Although, as mentioned above, the vast majority of respondents considered that it was possible to reduce the numbers to some 42 or 44 there were a number of respondents, (see Appendix 1(3)) who supported a much more significant reduction. The most usual reason for making this suggestion was either that Jersey was simply over represented for the size of its population or that reducing the number of States members would save the States money.

The rôle of the Connétables as members of the States (see Appendix 1(4))

In view of the results of the first MORI poll it is perhaps not surprising that the responses received during the consultation period show extremely strongly held views for or against the position of the Connétables as members of the States by virtue of their office. In the written responses approximately three quarters of respondents referred directly to this issue and, of these, just over 56% of respondents felt that the Connétables should lose their current automatic right to sit in the States although, almost without exception, these respondents felt that Connétables should be free to stand for the States alongside other candidates. Some 43% of written responses felt that the Connétables should remain. As can be seen from the extensive extracts quoted in Appendix 1(4) the views on both sides of this question are very strongly held. The summaries of the 3 public meetings in Appendix 2 show that views were also divided among those at the meetings although at St. Martin's Public Hall there were a number of those present who spoke very strongly in favour of retaining the Connétables in the States. The Connétable of St. Peter gave a very strong defence of the position at St. Mary's Parish Hall and, similarly, the Connétables of St. Martin and St. Mary stressed why they viewed the rôle as members of the States as important during the public meeting at St. Martin.

In the entirely self-selecting informal internet poll run by BBC Jersey over 70% of the some 500 respondents felt that the Connétables should not be in the States by virtue of their office. This must, of course, be treated with extreme caution and set against the first MORI poll undertaken according to proper polling standards where 54% of respondents strongly agreed or tended to agree that Connétables should remain whilst only 35% strongly disagreed or tended to disagree. (12% of respondents did not express an opinion either way).

It was mentioned in the introduction to this report that it may be naive to suggest that an overall consensus can be reached on issues relating to composition of the States. It is very clear from the various forms of consultation that have taken place so far that the position of the Connétables is, almost without doubt, an issue where views are extremely divided and, in addition, where views are extremely strongly held by those in favour and by those against. One respondent suggested that this issue might need to be decided in a referendum *"I feel the place for a decision on the retention of Constables should be in the referendum you propose at a later date. On an issue as important as this it is not adequate to consult a small minority of the population either by telephone or at a Parish Hall meeting"*.

Views on the 5 Options put forward (see Appendix 1(5) (6) and (7))

During the consultation processes some respondents expressed straightforward support for one of the 5 Options put forward in the leaflet. In the written responses Options 1 and 5 gained most support with 22 people favouring Option 1 and 13 people favouring Option 5. Of the 22 favouring Option 1, 6 nevertheless wished to see a variation without Connétables sitting in the States. Of the 13 respondents supporting Option 5, 6 nevertheless wanted less than the 49 States members proposed in Deputy Southern's option. Option 2 was supported by 13 written respondents although, of these, 3 wanted a variation where the Connétables to lose their automatic right to sit in the States.

Options 3 and 4 gained virtually no support from the written respondents with no-one mentioning Option 3 and only 4 people favouring Option 4, principally because they did not feel that reform was necessary or appropriate.

Those favouring Option 1 tended to indicate that they strongly supported the Island-wide vote whilst the inclusion of Connétables would continue to give some Parish representation. Some expressed the view that it was essential that those holding Ministerial office held an Island-wide mandate. Some of those who supported Option 2 did so

because they felt that electing a large number of members Island-wide was impractical whereas they were concerned that holding all elections on a Parish basis could mean that some members were elected with a small number of votes and still be appointed to positions of significant responsibility.

Those who supported Option 5 were, unsurprisingly, keen to introduce a system where the Connétables lost their current right to sit in the Assembly. There were, as mentioned above, a number of respondents who favoured the concept of Option 5 but also felt that it would be preferable to reduce the number of members in the Assembly more significantly than the reduction to 49 proposed in the Option.

Alternative options proposed (see Appendix 1(8))

A significant proportion of respondents did not support any of the 5 options put forward in the leaflet and, of these, many queried why the option proposed in the 'Clothier' report in 2000 of a single class of member elected in parish constituencies on a single general election day had not been included. About one third of those who wrote in supported this proposal and, as can be seen in Appendix 1(8), these respondents thought that this system would be preferable to any of the 5 options proposed. Many of those supporting the 'Clothier' option stressed its simplicity and the fact that, in a parish election, it was possible for electors to get to know the views of candidates more easily than in an Island-wide election. Although the vast majority of those supporting a 'single member' option favoured elections on a parish constituency basis it can be seen from Appendix 1(8) that alternative constituency models were also proposed, namely either an Island-wide basis or a large constituency basis.

There were a number of other options put forward which, inevitably, are variations on the different options put forward in the leaflet or proposed by the Clothier Panel. Some of the proposals were as follows –

15 members elected Island-wide, 15 members on a large constituency basis with the retention of the 12 Parish Connétables in the States. All elected on one general election day.

8 Senators with an Island-wide mandate and 24 Deputies – 2 for each Parish – without the Connétables. All elected for 4 years but with separate elections for Senators and later for Deputies.

12 senior Ministers voted Island-wide to sit on ministries and 29 junior Ministers voted in Parishes allocated by population with a minimum of 2 in each Parish. No Constables. Scrutiny Panels would be open to junior Ministers, Constables and business representatives to remove the reviews by members only.

12 Senators to be elected at different times as they have been in the past, no Constables and 32 Parish deputies elected as they have been in the past with the number in each Parish calculated with regard to its population.

Hold a single general election at which between 42 and 44 individuals would be elected for a term of 4 years, two-thirds by the existing Parish constituencies and one-third by the whole Island, both to take place concurrently.

Certain respondents made reference to the possibility of linking an Island-wide mandate with Ministerial office. It was suggested by 3 respondents that it was not meaningful to retain the Island-wide mandate unless this was linked to Ministerial office with only those elected Island-wide able to sit on the Council of Ministers. One respondent went further and suggested that the person who topped the poll should automatically become Chief Minister. Others nevertheless countered this view and felt strongly that the present system of allowing the States to elect the Chief Minister and Ministers should remain unchanged.

The reform process (see Appendix 1(9))

Although many written respondents were grateful for the opportunity to contribute to the process there were also number of critical comments about the manner in which the reform process was being undertaken. Many of these criticisms centred around the first opinion poll which some felt was not an accurate or reliable way in which to gauge public opinion. Others felt that the Committee had placed too much reliance on this MORI poll when

developing options.

Former Deputy Maurice Dubras expressed concern at the first public meeting that the process being followed by the Committee was not sufficiently clear and he subsequently made a written submission to the Committee. With his consent his suggested approach to a further way to gauge public opinion on the way forward is reproduced in Appendix 3.

Voting methods

In its full Consultation document (R.97/2006) PPC mentioned that alternative methods of voting to replace the present 'first past the post system' might be necessary if large numbers of candidates were to be elected in one constituency. 2 particularly detailed comments on this point were received and these are reproduced, with the senders' consent, in Appendix 4.

Conclusion

PPC made it clear when starting this consultation process that it was keen to receive comments from as many people as possible and the Committee is very grateful to those who have taken the trouble to send in their views. Many people have written at great length and this document can do no more than summarise some of the key points in the responses received. The Committee nevertheless wishes to reassure all those who have replied that it is studying the full submissions carefully and will take account of all views submitted as proposals are developed. It is obvious from reading the many diverse views in the following pages that it will never be possible to design a system that meets everyone's expectations but, as PPC has already made it clear, it intends to involve the public at every stage in the process and take proper account of public opinion on this very important issue.

EXTRACTS FROM WRITTEN RESPONSES

APPENDIX 1

1. The need for reform

Although the vast majority of written respondents believed there was a need for reform, or took reform as a “given” some strong views were expressed that there is, in fact, no need for change at all.

“With what authority is it stated that there is public dissatisfaction with the present system? In my view, Jersey is a very well run place both as an Island and in the parishes.”

“I cannot understand why so soon after a new system is put in place at some expense and time of many public servants a change is even contemplated. The present system has been in operation for only a short time and should be allowed to “bed down”. I thought the Ministers and many members were of the opinion that the present system is working reasonably well, and if so why create a new upheaval. (...) I cannot see the point of changing the structure of government at the moment, which will cost more time and money, may or may not work, and certainly create a period of unnecessary instability.”

“I honestly believe that what you consider to be low election turnouts are a sign of general satisfaction. You are spending a small fortune in print, circulation and surveys and heavens knows what a referendum will cost. Please stop wasting our (not your) money and leave this alone.”

“Although I am not a Jerseyman or a politician, it is not at all obvious to me that there is (in any general sense) “public dissatisfaction” with the present system. If you ask the man in the street, or a group of friends eating out, “are you happy with the way in which government is working”, the chances are that you’ll get the same answer anywhere in the world, every time! I don’t think the answers to questions couched in that way carry any real weight. And certainly the poll turnouts do not appear to suggest that voters are unhappy.”

There were nevertheless strong views expressed by others who believe that reform is absolutely essential. Some of the comments made were as follows –

“I for one after 55 years will not vote again if there is still a House of 45 plus.”

“As a 44 year old Islander who has never voted, I look forward to the changes being debated. I truly hope that a streamlining of government will bring the much needed efficiencies required, which may in turn lead to an ignition of interest amongst non voters.”

“We are totally disillusioned with the way the States is being run. We have voted in every election for 40 years but we have vowed we will never vote again unless the system is changed.”

“Until something drastic is undertaken to change the present method of electing States members, I am afraid that the present apathy at election time will prevail”

“Finally I hope that the Reform is not ahem.....fudged ! There is a distinct feeling that the Ministers run the Island, whilst the remaining members err.....!! We may end up like the UK, where the House of Commons is beginning to appear to really only have a ceremonial role.”

2. The need for a general election.

The vast majority of respondents supported the need for a general election as set out in 4 of the 5 Options proposed and as referred to in many alternative Options suggested. There were nevertheless some respondents who did not support the concept of a general election.

“Separate election days for Island-wide and Parish representatives are less liable to cause confusion. (...) Separate ‘general elections’ for different categories of representatives are not an unusual or inherently objectionable feature of democratic government – see, for example the United States. In fact, given that Senators, Deputies and Connétables are elected in different capacities, it can be argued that this is a desirable reason for separate general elections. They also have the incidental advantage of providing a measure of continuity.”

“I would be very disappointed to have all members elected on the same day. The primary concern here is that a single current issue dominated the election and determines who is elected, but those States’ members are then left with no significant mandate for the rest of their term. Many Councils in the UK elect their members by thirds each year – we could do similar, perhaps by quarters if we are to have four year terms. This allows change, but reduces the tendency to overnight shifts and direct reversals of policy that electing the whole States on one day could produce.”

“Having a ‘staggered’ election system allows an element of continuity and reflection upon the first set of results.”

“We should learn from the mistakes on the Mainland: one of the most serious faults of their system is the time wasted by a new governments undoing most of the work of their predecessors for ideological reasons. By electing people a few at a time, we avoid this problem by changing in a fairly smooth and continuous manner, rather than the violent swings of the Mainland. Good government is usually the result of gentle, continuous, rather than sudden, violent and extreme change.”

“Nor do I see any advantage in one general election day, and at least one disadvantage – it would encourage the formation of political parties, and while some political parties have existed, Jersey has done very well without them. (...) Why elect Connétables at the same time as Senators and Deputies? The Connétables, unlike other States members, have a very official job outside the States – a very important job – looking after their Parishes. The present system, whereby Connétables are elected for a three year term and very often re-elected, works very well. Why change it?”

3. The number of members

The vast majority of respondents believed that there was a need to reduce the number of members in the States. There were nevertheless comments that it would be unwise to reduce the number below the current 53.

“You have also to bear in mind the number of members forming the Executive and leaving sufficient members to create an opposition. Clothier was specific on this point, and you cannot have a democracy without the possibility of opposition to the government. The government comprised of Ministers and Deputy Ministers takes up a significant number and that fact must be borne in mind when considering total number of members in the States.”

“The number of States members should remain at 53 members, to maintain an effective majority to the Council of Ministers and their Committees.”

“The apparent excess of numbers is necessary because the electoral process does not necessarily result in the most able being elected. Hopefully, the process produces enough people of sufficient ability to carry those the electorate would have been wiser not to elect.”

“I believe the current number of States members allows for a variety of viewpoints to be expressed.”

“I mention the transfer of duties and functions of the Committees because in my view it has resulted in potential overload of some Ministries and therefore the last thing we should be doing is to reduce States membership.”

“In the context of next steps towards improving government, reducing the number of States members must surely have the lowest priority. It may well be that a States with fewer members would function as well, or one day even better, but to reduce numbers this time around when the ministerial system and the balancing function of scrutiny are still to prove themselves, taking into account the far greater extent to which public servants are already seen as becoming greater conditioners of policy and arbiters of its implementation, would be risky. Time will tell, but it would be short-sighted to cut numbers of elected representatives who can keep things under control while we find out, when it could be an easy next step for a future election once sure we’ve sufficient Members to meet all developing ministerial and scrutiny needs.”

Although the majority of respondents who supported a reduction in membership did not refer to a figure below some 41 or 42 members there were a number of responses where a more significant reduction was supported.

“Personally I would answer the questions as 30 members would sit in the House.”

“I cannot agree on any of the 5 Options as outlined in your leaflet. Firstly, 30 to 36 States members would be quite adequate considering that the Isle of Man which is about 5 times the size of Jersey and with a slightly smaller population have only about 25 to 30 members in the House of Keys or Tynwald.”

“I am certainly in favour of a significant reduction of the existing 53. Jersey has a relatively small population and I feel that we are currently ‘over represented’ together with the associated salaries/expenses.”

“There is a ludicrous number of representatives for such a small Island. A total of 30, all Deputies, would be more than adequate, with areas of representation to be decided.”

“We do have far too many States members to both represent the public and to carry out the States business whether that be by being part of the decision-making process or by scrutiny membership. 30 States members will I feel be sufficient for this purpose.”

“I am very much in favour of the reduction in numbers of States Members. Your options do not go far enough. There is no need for so many persons to run an island this size. Years ago nobody cared about the number of States Members, partly because theirs was an Honorary position. Now there exist many too many Members, some of which cannot even be found a job. (,,,) The States of Jersey should be a policy-setting body (not a hands-on body as at present) who are responsible to the Public of the Island. The Public of the Island should act as ‘Scrutineers’, expressing their opinion at elections on the performance of the Members. The Civil Service should administer the policies set and be responsible, and held responsible, to the States of Jersey.”

4. The rôle of the Connétables as members of the States

Over 90 comments on the subject of the Connétables were received in writing and the following quotations are merely a small representative sample of some of the points made by respondents.

The following comments are representative of the views of those who wished to see the Connétables lose their right to remain in the Assembly.

“Constable rôle should be separate from politician rôle. But, Constable and politician(s) remit should be close liaison in dealing with domestic and political issues in the Parish.”

“First with the ever increasing population I feel the Constables have enough to do looking after their Parishes and should not sit in the States.”

“The Connétables should lose the automatic right to a seat in the States Assembly and stand for election if they so wish, if not they could nominate a fellow member of their Parish (the Connétables have enough to do in their Parish).”

“I’m in support of the presence of Constables but I respect the widely held view that they are not elected as States members but as the ‘father’ of their Parishes and therefore I would add an additional Deputy post to each Parish, and entitle the reigning Constable to stand for it. I am confident that a majority of sitting Constables would thus become States members but would be seen as having been elected to that office and those neither suitable nor interested would be free to administer their Parishes which is their prime function.”

“I am totally dissatisfied with the Options given by the Privileges and Procedures Committee. How they have weighted 4 of the 5 Options to retain the automatic right of the Constables to remain in the States is a total disregard to democracy, when just under half those consulted wanted their removal.”

“The rôle of Constable should not be confused with that of a States member, as they are clearly two quite different jobs. I therefore do not agree that a person elected as a Constable should sit in the States by virtue of that office.”

“I am disappointed to see that there is only one Option put forward to reform/modernize the composition of the States which does not include the Constables. They do a very good job in their Parishes and their rôle should be retained there. In days gone by, I’m sure that there was need to use them as the means of communicating decisions of the States to the parochial authorities. In the 21st century with current means of communication

being almost immediate, the need of the Constable being in the States to maintain 'a link with the Parishes' (the only reason put forward to retain them) is anachronistic and unnecessary. I do not know of any local authority elsewhere whose Leader is automatically a member of the national parliament."

"I will repeat my message on the Jersey Radio phone-in and the results on their poll showing that 71% do not want the Constables in the States. As I understand it we are given 5 Options 4 of which include the Constables. We should be following Clothier and if the Constables want to stand then they should be democratically elected."

"Remove constables from the States and let them be managers of their respective Parishes."

"I feel that the usefulness of having the Parish Constable sitting with the States at this time is limited, their rôle should surely be that of administration and control of issues within their respective Parishes, and they would simply make use of their Parish Deputy or States member when events made it necessary."

"The Connétables are elected, essentially, to supervise the affairs of their own Parish. In past times the population of the Island and the individual Parishes was lower than the present and the workload in the administration was less, allowing Connétables time to sit in the States Assembly. Today the workload in both Parish and States is considerably greater and it is not correct that Connétables should HAVE to devote a large part of their time to States' business when the priority should be the purpose for which they have been elected. The Connétables should not automatically be members of the States, but, if they feel that the workload in their Parish would allow time for membership of the States, then they should be eligible to stand as a Deputy in their Parish elections."

"Whilst being a strong supporter of our Parish system I feel that giving the Connétable an automatic right of a seat in the States imposes a burden on them that some would not choose to take up. I can think of a number of Connétables who perform an excellent job as 'father of the Parish' but are somewhat lacking as active and effective States members."

If a reduction of States members is voted for and the Connétables retained, by definition, the power base of the Connétable is extended. With great respect, a lot of them look not to be 'fit for purpose' and should be retired. We need to present to the outside world a legislative house that not only reflects our dynamic and forward-looking image, but is composed of people elected by universal suffrage, and not by a couple of hundred people from some small country Parish."

With regard to the Constables and whilst we very much respect the work that they carry out both in the Parishes and in the States we strongly believe that they should not automatically be members of the States. If we are to be a fully democratic society than in our opinion the Constables should stand both as Constable of their Parishes and for Deputy in the States if they wish so that every member of the States is elected to that Assembly."

"I do not believe Parish Constables should form part of the Chamber. Each Parish already elects Deputies who are supposed to have an interest in and knowledge of their Parish or district. I see the presence of Constables in the States of Jersey as an additional expense to the taxpayer and contributing to the cumbersome political process."

"No constables in the States (the honorary unpaid position of the Constable being father of the Parish should be reinstated)."

"Strongly feel that Constables should not automatically qualify for a seat by virtue of their office. Apart from any other reasons, this is a betrayal of the honorary position and dilutes their ability to perform either job."

"Constables to be elected as now – no need to change – and those who wish to stand for States may do so on the general election day. Constables who do not stand, plus those who are unsuccessful in the election, to elect a spokesperson. The spokesperson must be allowed to address the States on Island matters (but not allowed to vote) having discussed the matter and come to an agreement with the Constables Committee. For matters affecting a particular Parish, the Constable of that Parish should have the same facility."

"The Options are too limited and based on flawed information and with what appears to be a hidden agenda to keep the Connétables in the States, after all you cannot claim to be unbiased in this matter."

“The Connétables are Parish administrators – there to serve the people who live in their Parish on direct small scale daily issues that affect them. These are not Island-wide issues – and the Connétables should have no position in a future States. If they feel disenfranchised they should stand for alternative election. There needs to be distinction in government between local and Island issues – or one is better to opt for centralization of Parish functions too and absorption into the States mechanism of all of the Parish functions.”

“I do not agree with the results of your survey (of just over 1,000 people), since everyone I have spoken to bar one, and the bulk of the comments on Radio Jersey, support the removal of the Constables from the States.”

“To have the Connétables as a “Have to have” in 4 of the 5 options is not democratic and comes across as a fait accompli of the views of the committee chaired by a Connétable with obviously biased views that the Connétables should stay. The Connétables do meet on a regular basis and no doubt discuss matters that will come before the States and therefore most likely come up with a unified approach and vote. The Connétables do not have an all Island mandate and in many cases represent a small number of voters in a small Parish, but any one or indeed all of them, could possibly be Ministers or even Chief Minister without ever participating in an election. I am therefore totally against the Connétables having an automatic seat, although I do feel that they should be permitted to stand as a member of the States in the Island elections.”

“Turning again to your Committee’s 4 Options: none of them admits the possibility of a States Assembly that does not include the Constables in their present ex-officio capacity. The evidence to support this position is dangerously thin. You cite the latest MORI polls 54% in favour of the status quo, but overlook the significant shift in public opinion away from the status quo as shown by comparing MORI’s 2000 findings with those of 2006. Also, if one considers MORI stated margin of error, those opposed and those who are indifferent balance those in favour of the status quo. On such an important matter surely the balance of public opinion is too close to call to eliminate all Options except the Constables staying put.”

“Now we come to the thorny problem of the Constables, I believed that it was essential to have the Constables in the States, but as the years have passed since the Clothier report my views have become more centred on a general election and district representation, therefore a Constable candidate would be part of the general election.”

Equally strong views were expressed by a large number of people in favour of retaining the Connétables and the following are a representative sample of some of the views expressed in favour of retaining the Connétables in their current rôle.

“This is what all these proposals are leading to – the exclusion of Connétables from the system. This in my view (and I was in the States for many years as Solicitor General, Deputy and Senator) would be a grievous blow to Jersey’s unique history and successful structure. In my time in the States, I found the 12 Connétables to be a valuable element in the States, with good solid commonsense. A sad and damaging blow it would be if we lost them.”

“For what it is worth my opinion is keep the Constables.”

“I suggest, since Connétables are properly elected within their Parish, this counters the contrary argument (Clothier page 15/16 section 3.8) that they are unelected members of the States of Jersey.”

“I believe there are some fundamental principles necessary to consider. One is the retention of the Constables in the States. The Parish remains the strong uniting link with sporting, social gatherings and Parishioners being able to voice their feelings at Parish meetings in the knowledge that the Constable and Parish Deputies can take back their feelings to the States. If the link was not to continue either the Parishes would lose any real meaning, or the larger Parishes might feel it necessary to have an elected Town Council especially in the case of St. Helier and Parish Councils in the others and the Island would then have multiplicity of assemblies”.

“Keeping the Constables as States members is necessary as the only way to preserve the parochial and honorary system which makes Jersey the Island that it is!”

“Whilst the Connétables are elected by a small proportion of the electorate, the process has a good record of

producing able people. As such, they are very valuable to the States, being well able to inject a bit of reality when some rather impractical schemes are proposed; the pity is, too often, they fail to take such action.”

“In the early stages of the debate I wrote in, expressing the view that the Connétables were well qualified by leadership of their Parishes, as well as by established tradition, to represent parochial interests and views. Their position in the States should be retained.”

“Deputies/Connétables. We obviously don’t need both. Using the Connétable as your sole Parish representative ... it will be important that ‘new post-holders also cover the existing “Deputy” rôle. We should therefore look forward to ‘properly contested’ elections for this new rôle in future, in particular, with the increased responsibilities.”

“The Island needs to remind itself of the community spirit, of which the mainstay is the Parish Hall. St. Mary has a great Constable who is consistently working for the benefit of his community, without him it would be a very different Parish. So let’s lose a few Deputies but keep the Constables.”

“Constables will keep Parishes vital to Island life and give another conduit for parishioners to speak with a States member. It is being continually proved that the coal face and grass roots participation are vital for good government so keep the Parishes involved.”

“Constables do provide a valuable link between the Parishes and the States.”

“I would like to firstly outline my position on the Constables, ousting them from the States Assembly will create a new problem. Funding the Constables will need to be raised from Parish funds which will therefore impact upon each Parish and as the position is unlikely to be abolished at parochial level (nor do I believe it should be) the net worth of removing them is difficult to grasp.”

“I feel it is most important to maintain Parish links through both Deputies and Constables, especially Constables.”

“I believe Connétables should remain in the States as they have and do form a restraining influence on maintaining a stable perceived government which may not occur should they be removed and replaced by, say, Deputies elected with a small number of votes, with views not commensurate with the majority of the public of the Island.”

“The opinion poll indicates clear support for the retention of Connétables as another category of Parish representatives.”

“I note that Option 1 gives me the choice prospect of a slimmer States of 30 members, no distinction between Senators/Deputies, plus 12 Constables. This could mean that Constables would be required to ‘up their game’, given that there would be competition for fewer seats. The position of Constable is thus enhanced and the idea of succession to that rôle without much competition falls away.”

“This Option keeps the Constables in the States which is important to me as it gives a ‘bridge’ between Parish “government” and the ‘Island government’.”

“We feel that the Constables should remain members of the States as the Parish is the basic unit of administration in the Island. (...) As an aside, we don’t accept the Constables are in the States in an ‘ex officio’ capacity because they are voted in by the parishioners in the full knowledge that they will represent the Parish in the States.”

5. Views on Option 1

Option 1 was favoured by 21 of those who wrote to the Committee, mirroring the findings of the second MORI poll. Reasons given by those in favour of Option 1 included the following comments –

“I believe Option 1 is the only course to be taken as the remaining Options are all a mishmash of the current situation. Furthermore I cannot agree with the reasons quoted as disadvantages for Option 1. I would have thought the process for voting would be similar to the current method with voting to take place at various venues in each Parish. Counting could then take place in each Parish Hall with the final counts being sent to a single

depot. Alternatively all sealed ballot boxes could be sent to a central point for counting. Similarly I feel you must credit those people who bothered to vote with the intelligence to make up their own minds regardless of the number of candidates.”

“Of all the Options now proposed Option 1 appears to be the best. My views are that on an Island of 45 square miles it must be a general election as no member should hold a ministerial post unless they have an Island mandate.”

“I favour Option 1. An all Island vote is essential and the inclusion of Connétables gives Parish representation.”

“An Island-wide mandate for the remaining 30 members would give all electors the opportunity to vote for their preferred legislatures and rulers, whereas any form of district gives a narrow choice and, on some occasions, no one that many electors consider worth voting for.”

“It is my view that Option 1 is the strongest proposal. (...) This would reduce the likelihood of members gaining entry to the States with the backing of only a small proportion of the population. An Island-wide vote also appears to be a sensible proposal for similar reasons, it is more likely to ensure that members are representative of the Island’s population.”

“I am writing to let you know that I would like Option 1 to be the change made to the States. This is because I feel that I would be able to make a clearer decision about who to vote for if they all stood at once, and I would like the opportunity to vote for everyone in the States since I pay them through my taxes to ‘represent me’.”

“I have studied the information sent regarding the Reform of the States, considering the population, land mass and low voting turnouts etc I believe option 1 would raise interest in all areas.”

“I am inclined to favour what I believe is the more radical approach of Option 1.”

“The election should be on one day every four years and apart from the Constables, the other States members must be elected Island-wide. If this was not manageable – then arrange it so that 50 members are elected in one year and 50 members are elected 2 years later, with re-election every 4 years still.”

Concern was nevertheless expressed by some respondents about the effectiveness of the current Island-wide mandate and whether its benefits were indeed as worthwhile as perceived by some. Some comments on this point are as follows –

“Much talk is made of all members being elected on an Island-wide vote. This is, of course, an absolute nonsense. We recall a recent election when there were 17 candidates for the 6 Senatorial seats. The hustings were a total shambles. How can that number of candidates be allowed time to, not only state their manifestos, but the time to answer questions from the floor? Having something like 100 candidates would make hustings a practical impossibility. This would leave a necessity for candidates to prepare written manifestos and distribute them to all electors. At times when we are asked to consider the environment the consumption of so much paper is quite unacceptable. Even the creation of a smaller number of large constituencies would pose the same problems.”

“It is clear from recent years that the Senatorial hustings are verging on being a waste of time, with the potential voters being given a very small glimpse of each candidate and the end result being choice by the most charismatic.”

“An Island-wide election would be totally unmanageable: the 2 Senatorial elections that I stood in were like a circus, lucky if you managed to answer 3 questions each evening, often the same questions each night.”

“.. it is hard to see, in practical terms, how an Assembly of say 44 members could be elected Island-wide”

6. Views on Option 2

Those who expressed support for Option 2 did so largely through concerns over the impracticality of electing a large number of members Island-wide as suggested in Option 1. Some views expressed were as follows –

“Option 2 (Fewer States members, general election, large constituencies and Connétable) is the nearest to my

opinion. (...) I see no benefit of having an 'Island-wide mandate'. Remember when Dick Shenton stood for Senator (in his penultimate term I think) – although he was ultimately successful – he was rejected in the majority of Parishes. Also the large number of candidates and the prolonged hustings have been one of the biggest reasons for voter apathy in my view."

"I am strongly in favour of Option 2, with its creation of several large multi-member constituencies. These constituencies should NOT break up the present Parishes. The required large constituencies can readily be created by using the existing voting divisions in St. Helier and grouping the other Parishes."

"I think Option 2 is the best. It reduces the number of members. The Parishes would have their views expressed in the States. The districts are not too large. Think of the towns in the UK represented by one M.P. Residents have the Constables to represent them."

"My wife and I have discussed the proposed changes to the States and we have come down in favour of Option 2 for the following reasons.

With 5 larger constituencies (town, S.W. S.W., N.W. and N.E. to keep it simple – adjust the boundaries to balance the numbers of people as best as possible) then the number of candidates would not be overwhelming for the voters. Constituencies would not break Parish links as the Constable would still be a member. We feel that the Constables should remain members of the States as the Parish is the basic unit of administration in the Island. It would not matter that no members get an Island-wide mandate as it is likely that responsible voters who would make good choices in voting are evenly distributed about the Island. With 5 constituencies it would be harder to relate to residents than a Deputy can currently do but this will always be the case if the number of members is reduced which seems to be the best way forward. A general election seems the best way to raise the interest of islanders due to the simplifying of the process and the concentration of the activity into one period. It would also eliminate people having several attempts to get elected one way or another (which increases the number of candidates in our current system)."

7. Views on Option 5

Those who expressed support for Option 5 in written responses referred principally to the fact that the Constables would lose their automatic right to sit in the States under this Option. Some of the comments in favour of Option 5 are as follows –

"The Constables are now almost a political party holding regular meetings to decide policy and voting tactics as we can see in the States Chamber when they vote en masse the same way. It is with that in mind that would say that Option 5 is the only democratic way to go. If the States of Jersey want to be seen as a democratic faction throughout Europe then they must accept Option 5. Our government must be made up of democratically elected people and no one should enter the States just because they hold office of Constable."

"I have no strong feelings about whether Constables should be in the States but, because it gives more Deputies, I favour Option 5. Whatever you do, please do not vote for Options 1 or 2."

"Of the available options proposed the only one that makes any sense at all is that proposed by Deputy Southern. All other options are simply rearranging the furniture or worse keeping the status quo, which most seem to agree is not working effectively. Should I be one of those polled in the proposed MORI survey I shall make this clear. Certainly options 3 & 4 are nonsense."

"We consider proposal 5 set out in the circular as our favoured Option. Concerning the disadvantages shown under this Option, we wonder whether the survey by MORI allowed for the Connétables to be able to stand as members of the States if they so wished. Presumably Senators or Deputies would be able to stand for Connétable if they so wished. Perhaps this flexible arrangement could in fact be an advantage."

"I do not believe Parish Constables should form part of the Chamber. Each Parish already elects Deputies who are supposed to have an interest in and knowledge of their Parish or district. I see the presence of Constables in the States of Jersey as an additional expense to the taxpayer and contributing to the cumbersome political process. In summary I consider Option 5 of the proposal to be the most appropriate."

Some respondents favoured Option 5 but with slight amendment, principally relating to the number of members. Some comments to this effect are as follows –

“I am in favour of Option 5 – with a slight amendment – 12 Senators, 30 Deputies and no Connétables.”

“Option 5 Constables to Lose their Automatic Right to Sit in the States. Too many members. My preference: Option 6 General Election Every 4 Years on the One Day. 12 Senators and 29 Deputies. Deputies would have to gain promotion to Senator, as in the forces, on their ability, results and other attributes, considered by the electorate. (...) Deputies would be responsible for representing their nominated Parish at States’ meetings.”

“May I suggest an amendment to Option 5? Namely to reduce the number of Deputies to 30 making a total of 42 in the Assembly with perhaps only the Senators being eligible as Ministers as they will have an Island-wide mandate”.

8. Alternative Options proposed.

A considerable number of respondents expressed disappointment with the 5 Options proposed and of these a considerable number wished to see the original ‘Clothier’ recommendation of one class of member elected in Parish constituencies implemented. Some comments in favour of this Option are as follows –

“In my opinion there should be 42 States members (no Constables) all elected on the same day and all have the same title. (...) All members to be elected for a period of 4 years at the same time. Constables may stand if it is the wish of their parishioners and they are able to undertake 2 demanding jobs. Elections to be undertaken on a Parish basis and the number elected based in proportion to the population of the Parish.”

“Full implementation of the recommendations set out in the Review – Report on the Government of Jersey (Clothier Panel December 2000).”

“I cannot agree totally with any one of the 5 Options, but would support a combination of these Options as follows – a general election to be held every 4 years. Forty-two Deputies to be elected with no Senators. The 12 Parish Connétables to lose their automatic right to sit in the States but could stand for election as a States member if they so wished.”

“I do not agree with any Option but would suggest that we follow the Clothier report. This would be the best Option.”

“Our views for the reform of government in Jersey are as follows. Parish/district based elections only, with all Parishes voting on the same day. No all Island representatives i.e. Senators at all. No Constables in the States unless they stand for election as part of the electoral process in selecting Deputies, as outlined above.”

“I suggest the following. House consisting of 41 Deputies elected by Parishes. Numbers per Parish based on 2002 census (revised if necessary every 10 years). All re-elected every 4 years. No Senators, no Constables. Benefits – simple, easy to understand, retains traditional Parish basis, fair, based on population size of each Parish, reduction in total number of members. Disadvantages – can’t think of any.”

“I am flabbergasted that the Clothier Option was not one of the choices offered. All that work, time and money gone into a proposal and not included! Most disappointing, as a concerned member of the public I have difficulty in selecting any of the Options given and may well not be able to vote. What many of us want is the Constables out and fewer States members – even the 42/44 per Clothier is anything on the high side. Is it too late to insert a Clothier recommendation?”

“I believe that the proposals as they stand are deeply flawed by failing to offer the further option of the original Clothier Report format: the States Members may not have wanted that, but it remains the basis for the current desire to see change and as such, is surely deserving of being put forward for consideration by the public.”

“It disturbs me to learn from your circular that these are the ONLY possibilities. Of course they are not! Once it is determined whether or not all States members shall be voted to the same tenure of office it could be considered

inappropriate that there is more than one kind of States member. It is already known that voting within the Parish is the only really practical method of dealing with an election, particularly with regard to knowledge of the candidates, manageable hustings, opportunity to canvas, and perhaps above all knowing to whom one should direct points of government concern. I would be a lot happier, and more likely to vote for, an Option which was based on a justified number of States members, all with the same tenure of office, all elected on the same day, and all representing their Parish on a calculated population ratio. Whether or not you decide to continue with districts in the most populated Parishes is a matter for debate but does not alter the argument. However, it does add weight to my denigration of the Island-wide election, when you think that to ease the situation in St. Helier we currently have 3 districts, yet it is being proposed that a system could cope with effectively one constituency!”

“To summarize we would suggest that the States Assembly should be made up of 41 members, all designated Deputy, with the Connétables elected on the same basis as at present, but allowed to stand as Deputy for their Parishes if they should wish. The position of position of Senator should be abolished. Elections should be held every 4 years in the present constituencies, but with a readjustment of numbers in a more equitable manner.”

“The next steps should have the Clothier recommendations as the first Option. Much time and money was spent on same yet you have never even mentioned it.”

“Where is the Option (Clothier) of no Connétables and a vastly reduced number of States members? This is a glaring omission, and should be rectified as soon as possible.”

“I suppose that one day we will get back to the meat of the Clothier Report. In the meantime we should at least have only one type of States member and one general election day. As to Connétable in the States, each Parish should have at least 2 members (even St. Mary!) If the Connétables (and the electorate) wished he could be the other Deputy!”

There should be one class of States’ representative elected for a 4 year term of office. In practice whenever I have needed to contact my elected representative I have contacted the Connétable for Parish matters and the Deputy for Parish/States’ matters. I would very much like the Parish to be retained as the constituency for elections. The idea of contacting 12 Senators who are also meant to represent me I find in practice quite absurd and consequently I don’t approach them. Please eliminate this confusing and unnecessary duplication of representation.”

“I cannot see why the Parishes are not split up equally by population and candidates stand for say 42 available seats in the States. They are all called Deputies and firstly represent the interests of their electorate and secondly the interests of the Island. (Just as M.P.s do in the UK). Why is there a need to have seats that represent an Island mandate? I cannot see that a member who is elected as say a St. John Deputy would not also have the interests of the Island at heart. I cannot understand why this is not one of your Options – to have 42 Deputies elected at a general election.”

“Hold a single general election at which between 42 and 44 individuals are elected for a term of 4 years. The successful candidates to be returned by the existing Parish constituencies, including the current sub-divisions, with the number of seats in each to be adjusted to take account of the distribution of population so that, as far as can reasonably be achieved, each member of the States represents the same number of people. The final number of members (42 to 44) would be decided following a study of population distribution, which may indicate the requirement for some flexibility in addressing issues of representation.”

Some respondents suggested variations of the Clothier Option and these principally related to the size of constituencies in which the single class of members should be elected. There was some support for large districts giving, effectively, a variation of Option 2 but without the Connétables. Some of the comments supporting this option were as follows –

“My personal preference is for the current practice of parochial electoral districts to continue – this ensures that the electorate have the opportunity for direct contact with candidates and are likely to have a better awareness of their competence and suitability. But there is substantial support for the so-called “Island mandate” – which of course was created by the introduction of Senators – and I fear that it will prove necessary to come to some compromise to satisfy this much expressed desire. The only way in which I think this can be achieved whilst

retaining a desirable (in my view) connection with parochial entities would be to create probably 5 electoral constituencies by combining groups of bordering Parishes to form them.”

“Ideally, all States members should be elected on an Island-wide basis. However I recognize the logistical difficulties in doing this. The next best Option would be to divide the Island into 3 constituencies, each with 14 seats. This would allow the electorate to have a significant influence over the makeup of the States as a whole, but not make the election process unmanageable. To ensure a fair choice for the electorate, and to avoid the situation of some constituencies fielding only a few candidates, the total number of persons standing should be divided equally between all constituencies. This should be decided on a purely random basis, and not by the candidate. This would encourage all candidates to take a wider Island view, which is what a States member needs to do.”

“I would suggest therefore that an alternative would be to (1) Take the Constables out of the States. (2) Have fewer larger areas for voting, taking note of the population spread. (3) Have elections for all posts on the same day. This would avoid the complexity of the all-Island idea, imagine a voting slip with say 42 Senators and the potential number of candidates, the people at the bottom of the list wouldn’t stand a chance. It also stops the situation where people in the less well populated areas get elected with a small majority from a low turnout.”

“I feel Option 2 is closest to my own preferences. It would meet my preferences if it did not give the Parish Connétables an automatic seat but allocated their 12 seats to the pool of 30 seats and allowed the Connétables to stand for election in the area covering their Parish.”

“We believe there should be more Options. The one we would favour is (1) all members elected on the same day. (2) No Constables in the States (...) (3) Three large districts, each district to include densely populated and sparsely populated areas e.g. central district could be St. Helier, Trinity and St. John. Western district could be St. Lawrence, St. Mary, St. Brelade, St. Peter, St. Ouen. The eastern district could be St. Clement, St. Savi Grouville and St. Martin(4) Each district to elect 14 Deputies or Senators– it doesn’t matter what you call them.”

“My preference, if allowed to devise alternative Options to those proposed, would be Option 2 but with a further reduction in States members to just 30 by excluding the Parish Connétables. (...) the absence of an Island-wide mandate is, in my view, of no great significance as evidence by the low turnout for Senatorial elections. Furthermore, the complexities of large candidate numbers would create a new mechanism to confuse and alienate the electorate.”

A few respondents suggested an option of electing all of the single class of States members Island-wide, effectively an alternative to Option 1 but with no Connétables. Some comments supporting this option are as follows –

“I still think it is perfectly possible to have an Island-wide election. It does not have to follow the current format of one meeting in a Parish hall – which is very unsatisfactory anyway. Candidates could arrange their own hustings at various places.”

“There should be no system of constituencies – politicians need to be fully accountable to the whole public. Politicians who fail in one Parish – e.g. on the St. Aubin’s reclamation issues for example – should not be immune because the voters they are responsible are largely unaffected by significant issues they may have been responsible for.”

“I would support no Constables, everyone with an Island-wide mandate, one election day.”

“30 members should be elected for the same period, have the same name and be elected island-wide. Parish Constables could stand if they considered themselves able to carry out both responsibilities. If it was felt that such a large number would make the election process hard to manage, 15 could be elected for four years every two years. This would also provide continuity, if felt desirable, although the continuity should be established through the policy-setting and the Civil Service. Members salary budget could remain as at present, thus allowing a major salary increase but with expenses remaining as at present. Thank you for your consideration of these comments. I trust that the basics of the Report presented by Sir Cecil Clothier will be well noted also”.

9. The reform process

Several respondents expressed concern about the procedure being followed by the Committee and, in particular, there was some scepticism about the reliability of the opinion survey. Some comments expressing concern were as follows –

“I don’t believe that a survey of just over 1,000 Islanders should be the basis for the Options proposed.”

“I also have to remind you that “the people” are not always right and are often led by current pressure from the media and the more articulate extremists. Look back as far as the original Insular Insurance uprising, and the objections to the Airport, and closer to home the ‘Save the Valley’ protesters and imagine what the outcomes would have been if mass opinion had been the guiding factor in States decisions. The MORI results will fairly accurately reflect that “mass opinion” and whilst it may be politically difficult to reject that Directive the government has the duty to govern however unpopular its decisions may be – it will earn and ultimately gain full respect that way.”

“With only 1,000 people selected I do not believe this to be a true representation of the electorate across the Island as a whole, and I consider that with 4 of the 5 Options leaning in favour of retaining the Connétables in the States, the Committee are trying to unfairly influence the electorate into accepting their biased views on the subject.”

“Firstly, I would like to say that I consider it bizarre that the Privileges and Procedures Committee have again employed MORI to contact a ‘representative sample’ of the population to find out their views when it would surely cost no more, and be more representative, to hold a referendum of the entire electorate.”

“I recently received a circular on States reform to which I would like to make some comments. The document states a major aim of the review is to get more people to vote, but does not identify how these reforms would encourage more voters to turn out. Evidence around the world suggests people use their vote when they believe it matters – witness the first democratic votes in South Africa, or the huge UK turnout on 1945 over the establishment of the NHS. Voter turnout dissipates when the electorate perceive there is nothing substantial at stake. I do not see tinkering with the States composition or timing of election affects this in anything more than a marginal way.”

“Isn’t this all a complete waste of time and resources – at the cost of the public of the Island? You ignore the recommendations of the Clothier Report (with which I did not altogether agree, so I do not have an axe to grind) and the States could ignore the result of this ‘vote’. You are just asking for apathy! Please give us proper choices and an assurance that our vote will mean something. Then you might get a more valuable response than this one.”

“Having just received your pamphlet in the post, I would like to give my opinions. Why on just 1,000, as you say ‘randomly selected people’ are you just putting forward only 5 Options. Because as most people would know these people were only asked selected questions and not questions that a lot of the electorate would have liked to be asked. This only leads to the apathy that exists in Jersey as regards to voting in the elections.”

“Referring to your Report Introduction, it is clear that you are relying heavily on the work of the MORI polling organisation (MORI) to deliver what you describe as “a more rigorous and scientific assessment” of what the public opinion is or was. I have no argument with using MORI as one tool of an appropriate tool-box of methods for consultation – consulting both the general public and States Members. However, I do take issue with the belief that MORI is a scientific methodology, in the rigorous meaning of the word in social science statistical measurement. It is a tried and tested method of gauging public opinion on a wide range of matters and issues, but I am not of the opinion it can be demonstrated to have a consistent record of statistically significant results which can be relied upon to arrive at critical decision making. I would be willing to be proven incorrect on that score. My statistics reference book from the 80s does not demonstrate strong support for such methodology for scientific research in the social sciences”.

“I find the circular as regards the reform in the States Assembly rather disappointing. Constable Gray keeps telling us that the reason for 4 of the 5 Options support Constables is because of the Parish Hall meetings. At the same time in Option 5 it is said that the disadvantage is the fact that Constables would not be in the Assembly. Considering all the Parish Halls in Jersey would be lucky to accommodate 4,000 people, I will be generous,

5,000, about 1/17 of the population. I'm afraid it is back to the drawing board."

"You will not be surprised either that I am most disappointed and frustrated at the apparent lack of a detailed process explaining to the public, let alone the other members of the States, what each of the steps and their timing are in the overall process and timetable leading to a very much needed change for the next and/or subsequent elections."

"I do not place as much trust in MORI as Mr. Gray seems to do. MORI is an excellent indicator but does not bring gospel truth"

"Whilst acknowledging that the task before the PPC is far from easy, and whatever proposals are put forward are unlikely to be universally applauded, I cannot help but feel that far too much credence has been given to the result of the Mori poll. A 52% vote in favour of retaining all twelve Connétables is hardly a resounding majority and surely does not justify their being included in four of the five options: if we stay with percentages, that is 80% and thus does not leave much room for the alternatives to manoeuvre – is this an equitable situation? I am not suggesting that the poll company do not know their business – but do they know the extent of Jersey's idiosyncrasies: it would be interesting to see the basis on which they chose their random sample. I realise that weightings are used to eradicate anomalies etc., but it is tempting to draw a conclusion that the major support for what amounts to maintenance of the status quo (or something very similar) has come from the country parishes."

Many respondents nevertheless made it clear that they were grateful to be given the opportunity to participate.

"Thank you for the Next Steps leaflet which I have perused in depth."

"First of all I appreciate the efforts you and your Committee have made to bring about much-needed reform of the States."

"I thank you for your excellent leaflet regarding the reform of the States."

"As a Jersey born pensioner I feel that I must make my opinion known to your Committee as I was not selected by MORI for either poll."

"Thank you for the opportunity to voice an opinion and view."

"Thank you for the time you and your Committee are spending on this vitally important task – you have my very best wishes."

"Thanks for allowing me to have my say and good luck with your difficult task."

"I thank you for the opportunity to read the leaflet outlining the suggestions for the reform of the States."

"Good luck with taking this reform forward."

"I applaud the efforts of the States in attempting to get the wishes of the Island population on this matter. Whilst on the subject of States reform and having lived in Switzerland for a short while perhaps some thought could be given to the idea of a citizen's right to raise a referendum having collected an agreed number of backer."

"Congratulations to Connétable Derek Gray and the Privileges and Procedures Committee for their comprehensive attempt to deal with the composition of the States,"

PRIVILEGES AND PROCEDURES COMMITTEE
PUBLIC MEETING ON REFORM OF THE STATES

30th January 2007 - held at St. Paul's Centre

Connétable D.F. Gray outlined the four options put forward by the Privileges and Procedures Committee in the leaflet "Reform of the States - Next Steps".

Deputy G.P. Southern outlined his option number five in the leaflet. Deputy Southern felt that it was time to change the rôle of the Connétables. He said they should no longer have an automatic right to sit in the States but could stand for election as a Senator or a Deputy if they wished. Deputy Southern stated that there was an overwhelming demand for a general election and also a reduction in the number of States members. He advised that Connétables would say that their Parishes came before their States work and he did not believe that that was right for the present system of government as States work must take precedence. He advised that the results of the recent polls had shown that many people strongly opposed keeping the Constables in the States.

Advocate Michael Haines - Said he was disappointed with the options outlined. He believed that the Island had excellent politicians. He felt the questions which need to be resolved are as follows -

- (1) What size of Assembly should the Island have? How much would it save the public purse? Could the Government operate with fewer members?
- (2) Should we have an island wide election on one day? If you stand as a Senator and do not get elected then you would be prevented from standing again.

He did not believe that the Constables should be in the States. He felt that the Parish was a business and it was difficult to put effort into the States and run the Parish. He stated that the Island had moved on since 1948. The representation was provided by the Deputies and he opined that having Deputies and Connétables in the States was duplication, something that you would not have in a modern business.

(Unknown) - He believed that -

- (1) There should be one election day;
- (2) We should reduce the numbers of States Members drastically to increase efficiency and save money.

He felt that there were different levels of contribution and responsibility between members but there was no recognition for it. He said that the States could cope with 30 members and this would allow ministers to be rewarded for their work and would still make a saving. He sensed that the mood in the States was against change. He said that there was 1 States member for 2,000 Islanders but in the UK there was 1 MP for 90,000 people.

Reverend Tony Keogh - Reverend Keogh accepted that States members worked

hard. He was concerned that if the number of States members was reduced Scrutiny would lose out and as a result would not be able to operate properly. There would be an 'elected dictatorship'. He felt that ministerial government needed to bed down before a reduction in numbers was proposed. He opined that the rôle of Connétables was hard to defend under ministerial government. Many Constables were elected unopposed. He said that democracy needed elections. Once elected they were at an advantage, they had a whole infrastructure around them, for example the various Committees and the Honorary Police etc.

Mr. Emile Collins - He wanted a fully elected government with no Senators, no Deputies and no Bailiff. He wanted to be able to vote for anyone who is standing for the States not just candidates in his district. He would like all Deputies to have an island wide mandate and to be able to vote for anyone. He had no opinion regarding the number of States members.

Mr. Donald Perrier - Asked how many people present at the meeting were under 45? (this request elicited very little response from those present) Under 65? He said that young people were not interested in the issues. He felt that we needed to get rid of the honorary system otherwise we would never have democracy.

(Unknown) - He did not believe that all members worked hard and he did not think we needed so many members. He felt that the more senior members should be paid accordingly and to afford that you need to reduce the number of States members.

Senator Vibert - Advised that because of the 10% rule a reduction in numbers would need to mean a reduction in the number of Ministers.

Mr. Chick Anthony - Asked why the Privileges and Procedures Committee had only chosen these options?

Connétable Gray - Advised that this was the indication that came out of the MORI poll.

Senator Vibert - Advised that the answers from the MORI poll were a good indication of what Islanders wanted. Even though we might not like the answers that were given, the MORI poll was based on a representative sample of the population.

Mr. Donald Perrier - Agreed with Option 1 but with 30 Senators elected on one day with an Island wide mandate and the Constables elected on another day to allow failed candidates in the Senatorial elections to stand as Connétable.

Mr. Emile Collins - He felt that Jersey needed party politics. He mentioned the JDM which was formed in the Second World War. He said that in Jersey there was currently a dictatorship.

Deputy Southern - Enquired if the questions asked in the second MORI poll would be based on the five options in the leaflet. He felt that many people did not like these particular options and suggested that the MORI poll should have the option to answer 'none of the above'.

Mr. Mohamed - Wanted to know if MORI had asked people how they would like the States constituted?

Senator Vibert - Explained that PPC felt that the public's views were important

and it wanted to be guided by the electorate. The options in the leaflet were drawn up based on the views of the public.

Advocate Michael Haines - Mr. Haines did not accept the validity of the MORI poll. He did not believe it was scientific. He advised that Clothier had heard contributions from a huge number of people and its recommendations had been ignored. He felt that Clothier was more scientific than MORI.

Mr. Nick Le Cornu - Mr. Le Cornu did not think that Clothier should have been ignored. He felt that it was a scientific document and he thinks we should go back to Clothier.

(Unknown) - He asked what steps were being taken to reach people who were illiterate and those ones who would not understand the leaflet. He said that 1 in 10 of the population could not read and 3 in 10 would not understand it.

Deputy Southern - Deputy Southern enquired whether people had been asked if they were on the electoral roll. He was concerned that the electoral roll was not accurate, particularly in St. Helier.

Deputy Fox - Deputy Fox stated that about one fifth of the population moved every year. He said that the population wanted a referendum.

Reverend Tony Keogh - He felt that there should have been a referendum at the outset. He also said that the phrasing of the questions asked in the referendum was crucial.

Mr. Chick Anthony - Mr. Anthony felt that the referendum should allow people to express a view against all available options.

Senator Vibert - He advised that PPC was not yet in a position to decide what to ask in the referendum. He said that the leaflet had been sent out, public meetings had been arranged, the MORI poll would be conducted next week, there would be an 'in committee' meeting of the States and then the referendum would be held.

Deputy Martin - Deputy Martin felt that the process was too rushed and had not been thought through properly. She said that people who lived in bedsits would not receive a copy of the leaflet and also said that the leaflet should have been translated into different languages and it was too complex, it was difficult to follow.

Mr. Chick Anthony - Mr. Anthony wanted to know whether the questions to be asked in the second MORI poll had already been agreed. He felt that people should be able to state if they like bits from each of the options. He said that the changes to government would have to be in place for the 2008 elections and that it was under pressure to move it forward.

Deputy Southern - Deputy Southern said that only one of the options did not include the Constables and he was concerned that the result could be mixed like the BBC poll.

Unknown) - He said the States were to be applauded for trying to bring about a change and for involving the public in the process but he felt that members would vote for self preservation.

Advocate Michael Haines - Advocate Haines felt that, as the leaflet had not been

translated into Portuguese or Polish, thousands of people were being excluded from giving their opinions.

Mr. Chick Anthony - Mr. Anthony was concerned that the MORI poll was being conducted by telephone.

Senator Vibert - Senator Vibert advised that MORI would telephone more than the 1,000 in order to get a representative sample of Jersey residents.

Mr. Maurice Dubras - Mr. Dubras asked what would happen next. He wanted to know the timeframe and schedule for moving forward. He felt that people should be given the opportunity to give their views on the number of States members they wanted, whether they wanted the Constables to remain in the States, if they would prefer a general election and did they favour super constituencies, in effect, give people the opportunity to design their own option. He believed that the process for reform had not been set out clearly.

Reverend Tony Keogh - Reverend Keogh said that he was not against reducing the numbers of States members but he felt that the timing might not be right.

The Chairman thanked all those who attended and reassured them that all views would be taken into account by the Committee before any definite proposals were finalised.

PRIVILEGES AND PROCEDURES COMMITTEE
PUBLIC MEETING ON REFORM OF THE STATES

31st January 2007 - held at St. Mary's Parish Hall

Connétable D.F. Gray outlined the four options put forward by the Privileges and Procedures Committee in the leaflet "Reform of the States - Next Steps".

Senator B.E. Shenton advised that during the senatorial hustings it was obvious that people wanted reform. He said people felt out of touch with the electoral process. He had been in favour of removing the Connétables but then he looked at the history of the Island and after speaking to the public about it he said it had become apparent that just a subtle change was needed. He said that the elections had become disjointed and that people would be more likely to vote if a general election was held. He felt that there should be a reduction in Senators to eight and that there should be a limit set on election expenses. He thought that the position of Connétable was important and that they should remain in the States but that they should be paid for by the Parish. He said that six Senators should stand down early as he said that terms of office could be shortened but not lengthened.

Deputy G.P. Southern agreed that there should be a general election and the term of office should be four years. He felt that the Connétables being ex officio members of the States was a fundamental flaw in the system. He said that their first duty was to their Parish but he felt that their States work should take precedent. He advised that his option allowed any Connétable to stand for election if they wanted to and it was possible that all twelve could get elected to the States. He proposed a reduction in the number of States members but there would be eight extra Deputies to provide equal representation in the Parishes.

Mr. Richard Day - Mr. Day said that he used to be in favour of having the Connétables in the States but now he was unsure. He said that if they did continue to sit in the States perhaps the Parish should pay half of their salary. He felt that if the Connétables had to stand for election some would get in and some would not which would lead to a misrepresentation for the Parish in the States.

Deputy Southern - Deputy Southern advised that the Parishes would still have representation through the Deputies.

Mr. Gerald Harrison - Mr. Harrison quoted the following four key points from the MORI poll -

- (1) Just over 50% want the Constables to remain in the States;
- (2) 46% believe an Island wide mandate is needed and 32% believe an Island wide mandate is needed for some of the members;
- (3) 71% want all members elected on the same day;
- (4) 66% believe a States assembly of 53 is too many;

Mr. Harrison thought that if a poll was taken today the percentage for retaining

the Constables would not be as high. He questioned whether those who wanted an Island wide vote realised how cumbersome it would be to hold an election to select 30 or more all on the same day. He then asked how many members the 66% believed was the right number, 35, 40 or he suggested 44.

He said that all four of the Committee's options in the leaflet agreed with the public retaining the Constables with three options having all members elected on the same day. One option agreed with the 46%, having an all Island mandate and two options agreed with the 66%, having fewer members.

Mr. Harrison suggested a sixth option but he pointed out that according to the MORI poll only 7% would want this.

He suggested having 44 members elected on one day for four years in five districts without an all Island mandate.

The five districts would be made up as follows -

Districts 1 and 2 St. Helier Total 28,310 Elect 7 Members each.

District 3 St. Lawrence
 St. Brelade
 St. Peter Total 19,129 Elect 10 Members.

District 4 St. Clement
 St. Saviour Total 20,687 Elect 10 Members.

District 5 St. Martin
 St. Mary
 St. John
 Trinity
 St. Ouen
 Grouville Total 19,060 Elect 10 Members.

He said that there should not be Connétables as they already met twice a month and he suggested that one of them could be an unelected member of the States to enable their views to be expressed.

Mr. Derek Maltwood - Mr. Maltwood said that there was no consensus of what people wanted in the States and no will to force any change through except for holding a general election. He felt that it would not be possible to have a general election until 2011 as the public had elected members to serve their term of office. He said that if some terms were shortened all States members would have to agree to it. He felt that people vote the Connétables in knowing they will sit in the States as a representative of the Parish. He said he preferred Option 3.

Senator Shenton - Senator Shenton said that young people today were not interested in politics and did not understand the different rôles of the States members. He felt that it was important to engage more young people.

Deputy Southern - He agreed that there was a serious lack of interest in politics in the urban areas. He also said that the electoral register for St. Helier was not accurate. He felt that people in urban areas did not identify with politics.

Deputy Ferguson - She said that the finance sector did not encourage its employees to take an interest or get involved in politics or the honorary system.

If people in the finance industry were involved it would stimulate interest from others in that sector.

Reverend Tony Keogh - He said that the population had become very transient and therefore they were not interested in politics. He felt that many, after getting their qualifications, move away from the Island and because of this they take no interest in politics. He said that a large percentage of the population had no interest in Island elections.

Senator Vibert - Senator Vibert advised that it was necessary to increase voter turn out. He said that the challenge was to develop a system that would engage more people. The Privileges and Procedures Committee asked the people through MORI what they thought about reform and the options put forward by the Committee were based on the opinions of the people.

Mr. Dave Ellis - Mr. Ellis was not sure which option he favoured but was erring towards taking the Connétables out. He said that Jersey was becoming more cosmopolitan and that Parish life was less important. He said that he knew how hard the Connétables worked for their Parish and he felt it was unfair for the Connétable to do two very demanding jobs. It is hard for them to balance their work for the Parish with their States work and spending time with the family. He was concerned that small Parishes like St. Mary would only have one representative.

Connétable Gray - The Chairman advised that with the introduction of the income support scheme rather than the welfare system the work of the Connétables would reduce quite considerably. He noted that other members of the States also had businesses and the same argument could be used to say that these should be excluded.

Reverend Tony Keogh - He said that a referendum should be held to decide whether the Connétables should remain in the States or not. He felt that it was wrong that all four of the options put forward by the Privileges and Procedures Committee were in favour of keeping the Connétables.

Connétable Gray - The Chairman advised that the options were just a starting point.

Deputy Southern - Felt that there were strong views to keep the Connétables and strong views that they should not remain in the States, it was not clear cut. He said that the public felt strongly that members should have a term of office of four years, that a general election should be held and the number of States members should be reduced.

Senator Vibert - Advised that the MORI poll showed support for the Connétables.

Reverend Tony Keogh - He felt that a referendum should be held to gauge the public's view on the Connétables.

Deputy Baudains - Deputy Baudains said that a referendum can only ask 3 or 4 questions. He said that the public can't always appreciate the interaction between the issues, for example, most people say they want a general election but when they are told the ramifications they might change their mind.

Senator Vibert - Senator Vibert advised that he hoped the next MORI poll would

provide a clear steer towards the next steps.

Mr. Derek Maltwood - Mr. Maltwood said that he was not keen on holding a referendum he felt that members were elected to make decisions.

Senator Shenton - He said that he agreed with Mr. Maltwood, he was against a referendum.

Senator Vibert - Senator Vibert said that a referendum might be appropriate in this case.

Connétable Gray - The Chairman advised that he was hoping that 70% of the electorate would participate in the referendum.

Deputy Baudains - He said we need a clear steer from the referendum, it was important to get a majority percentage.

Connétable Gray - The Chairman said that a referendum was not binding it was only advisory but it would be unwise to ignore the result.

Deputy Southern - He was concerned that having just 42 members would not be enough. He said that Scrutiny would not be able to function effectively, it would not be as rigorous and there would not be enough Assistant Ministers. He felt that reducing numbers to 49 would be enough although 44 might be workable.

Senator Vibert - As a Minister Senator Vibert felt that 42 was workable. He said they did not need so many members.

Reverend Tony Keogh - He was not sure that a reduction in numbers was wise because Scrutiny would suffer the most.

Senator Vibert - Senator Vibert said that the public view was clear in the MORI poll, 66% thought that there were too many members.

Mr. Gerald Harrison - He felt that Option 1 was unworkable, that you could not vote for 30 members to be elected on an Island wide basis on one day.

Mr. Derek Maltwood - He agreed with Mr. Harrison that the practicalities of Option 1 made it unworkable.

Senator Shenton - He felt that a lot of young people did not understand the system and opined that people should be asked in the MORI poll if they understood the current electoral system.

Mr. Dave Ellis - Asked whether an explanation would be provided on the practicalities of each option and how each option would work. He was concerned that people already found it difficult to know how to vote. He said that the ramifications of having to choose between large numbers of candidates should be explained to people.

Senator Vibert - Advised that once it had come down to one option a full explanation would be provided but he felt that it would not be practical to provide an explanation on a whole host of options.

Mr. Gerald Harrison - He felt that you could not always give a simple 'yes' or 'no' answer and that additional questions might be needed.

Connétable Gray - He said that a referendum needed to be as simple as possible and that people needed to know what they were voting for.

Reverend Tony Keogh - Asked if there would be another opportunity for further public engagement?

Connétable Gray - Confirmed this would be possible in due course.

Senator Vibert - He said that public meetings were self selective as people chose to come to them but the MORI poll engaged a representative sample of the population.

Deputy Southern - He advised that the MORI poll could be flawed as only Option 5 had no Connétables therefore anyone who had views on the Connétables would have to go for Option 5. People who wanted to keep the Connétables had more choices. He asked whether the results would be based on the leading option or if it would be a sum of the leading options.

Connétable Gray - Advised that Option 1 and Option 2 were similar and the results could be taken together.

Mr. Richard Day - Felt that it was important that the public understood the issues, for example the ramifications of reducing the number of States members.

Deputy Southern - Reiterated that having 42 members would be too few. He said that to make Scrutiny work more members were needed.

Senator Vibert - Felt that if Scrutiny reduced the number of Panel members to three rather than the current number of five members it could still function effectively.

Reverend Tony Keogh - He felt that Scrutiny would not operate effectively with fewer members. He said that Scrutiny needed to be healthy. He also said that most people did not know the policies of their Connétable because many of them did not face a contested election.

Connétable Gray - Said that most of the Connétables elected recently had faced a contested election.

Senator Vibert - Said that most of the Connétables, once they were elected, did not often face a contested election again.

Connétable Tom du Feu - Said that the Connétables were elected properly, he said that the same people who voted for Connétables also voted for Senators and Deputies. He said he was annoyed about the constant criticism that the Connétables are 'ex officio'. He felt that the Connétables worked equally hard for their Parish and the States. All except two of the current Connétables were engaged in Committee work or Scrutiny. He stated that there was a stigma to get the Connétables out and it was very tiring for the Connétables to face constant criticism. He felt that people should be asked whether they wanted Connétables in the States or not and then decide on a way forward. He said that the quicker the 'ex officio' tag was removed, the better. He also said that he had no confidence in the MORI poll as it only represented one per cent of the population.

The Chairman thanked all those who attended and reassured them that all views would be taken into account by the Committee before any definite proposals were finalised.

PRIVILEGES AND PROCEDURES COMMITTEE
PUBLIC MEETING ON REFORM OF THE STATES

1st February 2007 - held at St. Martin's Public Hall

Connétable D.F. Gray outlined the four options put forward by the Privileges and Procedures Committee in the leaflet "Reform of the States - Next Steps".

Senator B.E. Shenton advised that during the senatorial hustings it was obvious that people wanted reform. He said people felt out of touch with the electoral process. He had been in favour of removing the Connétables but then he looked at the history of the Island and, after speaking to the public about it, he said it had become apparent that just a subtle change was needed. He said that the elections had become disjointed and that people would be more likely to vote if a general election was held. He felt that there should be a reduction in Senators to eight and that there should be a limit set on election expenses. He thought that the position of Connétable was important and that they should remain in the States but that they should be paid for by the Parish. He felt that six Senators should stand down early as he said you can shorten the term of office but you cannot lengthen it.

Deputy G.P. Southern agreed that there should be a general election and the term of office should be four years. He felt that the Connétables being 'ex officio' members of the States was a fundamental flaw in the system. He said that Connétables had two very demanding rôles, running their Parish and as a States member. He felt that their first duty was to their Parish but he said that their States work should take precedence. He advised that his option allowed any Connétable to stand for election if they wanted to and the electorate should decide if their Parish Connétable should also sit in the States. He said that 42 States members was too low and although he proposed a reduction in the number of States members there would be eight extra Deputies to provide equal representation in the Parishes.

Ms. Freda Ruderham - Said that she would not like to see the Connétables leave the States. They were elected by the Parish and became Parish representatives working for their constituents. With a Deputy the Parishes would have double representation in the States. Connétables knew their Parish and knew their Parishioners. She said that Connétables were of paramount importance in the States and were part of Jersey tradition. Connétables brought stability to the States and brought common sense to stop the grandiose schemes brought forward by Senators and Deputies. Connétables should be elected by the Parish and have the right to sit in the States.

Mr. Graham Prouse - Didn't like any of the 5 Options. He said that he admired the Connétables but few earned respect in the States. Only a handful in 50 years had made an impression. In the past some Connétables had made an impression, he gave the example of Bob le Brocq's speech on abortion. He said they were often "trappist monks" in the States and in Committee meetings. He didn't think that Connétables were articulate and felt that they were lost when major issues were being debated. He said that the rôle of Senator was created in 1948 at the time of the removal of the Jurats and the Rectors. He noted that six Senators stayed in office and did not stand for election at the time Ministerial Government was introduced. He felt that the hustings for Senator were repetitive and said that

the title Senator implied members of a second Chamber which was not the case in Jersey. He opined that three years in the States was too short as it took members a year to find their feet, he felt that five years was too long but four years was about right. He felt that the size of the Chamber was too big for Jersey, he advised that there should be less members, 20 were needed in the Executive but it was necessary to be able to overturn its policies so the total number should be 45.

Ms. Dawn Tower - She said she liked Option 1 but felt that the election for Connétable should be held on a different day. She thought that Connétables should sit in the States. She was of the opinion that they should all be Members of the States rather than have different titles.

Mr. Dennis Nursey - He said that the first year of ministerial government had shown the extraordinary power of the Chief Minister. He felt that the electorate should have the opportunity to hear the policies of, and question, candidates for Chief Minister. Option 1 - he said the hustings would be impossible; Option 2 - in small constituencies the Chief Minister would be selected by just 17 per cent of the electorate; Option 3 - there would not necessarily be a contested election for Senator. He then went back to Option 1 and suggested that candidates should declare their interest to be Chief Minister to allow Islanders to hear their policies on an Island wide mandate. He said that the electorate must hear the policies of the Chief Minister.

Mr. Mike Lees - Said he became a Centenier soon after coming to Jersey thirty years ago. He said he was amazed by the honorary system he found in Jersey. He would not like to see the Connétables removed from the States even though they were busy. He said Parishioners should be encouraged to participate in Parish work to help free up the Connétables for States work. He said he favoured Option 1.

Mr. David Rotherham - He felt that the Connétables should not be in the States. He said that the traditional Parish system worked well but that Connétables had a low profile in the States and could be released from that work.

Mr. Bob Le Brocq - Felt that Connétables were wrongly in the firing line at present. He said that Connétables were a tradition. The Parish was a community and you only got out what you put in. He said the Connétables worked hard but he said that other members of the States also worked hard for their businesses and for the States. He said that he got annoyed with people who didn't understand the system. He felt that the Connétables should be supported.

Mr. Andrew Le Gallais - Mr. Le Gallais said that people were overreacting to the issue of the Connétables. He said they were almost exclusively pillars of our community in our Parish system. He said the Parish system was unique in Jersey and everyone wanted it to stay. He felt that the composition of the States was a separate issue. He opined that the problem was the lack of accountability of States members. He thought that Connétables should stand for election as a Senator or a Deputy. He thought that Connétables should be able to call meetings which the Parish Deputy would attend and that key issues could be debated. He said he only got involved with the States at election time. He thought that ministerial government was working well and that politicians must now deliver. He asked whether accountability would be improved by a general election and was dubious of the advantages of being able to remove everyone at the same time. He thought that ministerial government involved a great workload, not like in the past when debates were brief. He said that there was a need to make the

system easier for people to stand for the States. At present business people could not stand for election, there was an issue of time commitment for people wanting to join the States and he felt that remuneration issues should be thoroughly looked at.

Mr. Colin Perchard - Said that too few people voted, there was a huge cynicism about politics. He said that the number of States members should be reduced as Islanders would feel involved if there were fewer members. He thought there should be 42 members.

Ms. Freda Ruderham - She said that we have an excellent education system in Jersey and felt that politics should be taught in the schools. She said that Jersey students at university could be encouraged to stand for election. She felt that many of the young people could be excellent politicians but that training was necessary.

Mr. Andrew Le Gallais - He thought that the previous remarks were offensive to present politicians. He said that every politician was dedicated and they were elected through a democratic process.

Ms. Joy Nursey - She said she found the options difficult. She said that there were three issues to look at -

- (1) who you want in the States;
- (2) how you elect them; and
- (3) what do the members propose.

She felt that political parties might be necessary for ministerial government. She was of the opinion that all members having an Island-wide mandate would be difficult. She felt that the public needed to know the policies of the potential Chief Minister.

Mr. Mike Lees - Was of the opinion that party politics would be appalling. He said that the best form of decision making was by consensus. He said that the current Ministers were of a wide representation.

Ms. Anne Perchard - Asked whether these were the right Options as some people might not agree.

Senator Vibert - Advised that the Committee had commissioned the MORI poll and the answers given had been used to decide the options. The main changes that people wanted were -

- (1) a general election;
- (2) Island-wide mandate; and
- (3) Connétables kept in the States.

He said that the options were a starting point for discussions and that it would be possible to have variations.

Ms. Maxine Ferguson - She said that she was dismayed at the erosion of the Parish system but was leaning towards the Connétables not being in the States.

She asked whether the Connétables views could be channelled through the Deputy. She felt that it was too big a job for one person to do both Parish work and States work.

Connétable Yates - He said that many people did not understand the rôle of the Connétables. He felt that he had one job. He said in his oath that he would look after the vulnerable and he did that both in the Parish and in the States, it was the same job. He was concerned about the change from welfare to Income Support but he said he supported Income Support. He felt that in the States his job was to protect the people.

Ms. Maxine Ferguson - Asked how the electorate would know whether Members could work with the Chief Minister. She was not sure that having a general election and everybody out on one day would empower her more than the present system. She said that with a general election you would have a 'lame duck' States in the lead up to elections.

Ms. Lisa Cantrell - Could only support Option 5. She felt that the low voter turnout was due to the time of year that elections were held. October/November was a bad time for elections. She thought that holding elections in May or June would be better as the evenings would be lighter and people could walk home safely. She said that it should state on the ballot paper whether candidates were standing as Chief Minister. Providing a tick box on the ballot paper would allow the public to vote for the Chief Minister.

Mr. Bob Le Brocq - Thought that if the number of States members was reduced it would be necessary to reduce the number of Ministers. He said that less numbers would reduce the opposition. He favoured a slimmed down Committee system. He felt that every member should have a rôle and position of responsibility. He said that at the moment Connétables could call a meeting to seek the parishioners' views on issues.

Mr. Peter Searle - He wanted the Connétables to stay in the States and work closely with the Deputy.

Reverend Tony Keogh - Said that this issue had been going on for too long. He said that there was a problem getting a wide cross section of the population to stand for the States. He felt the Committee system had provided a conduit between people and the government but that link had been lost with Ministerial Government and a way needed to be found to replace it. He said that at the end of this process of consultation the Privileges and Procedures Committee must put forward an option that was acceptable to everybody. He said that the only logical solution would be to go with the original Clothier recommendation.

Ms. Lisa Cantrall - Felt that if Option 5 was proposed the Connétables should not be allowed to vote on their own position as it would be undemocratic.

Mr. David Rotherham - He said that Jersey needed party politics, and not just one party but a coalition of parties, then the public would know what the candidates stood for.

Mr. Des Hinault - Said that needed accountability were needed and the 12 Connétables were accountable to their Parish.

Deputy John Le Fondre - He said he supported having the Connétables in the States. He said it was good when the Connétable and Deputy worked together.

He said that if he had to choose between Connétables or Senators he would remove the Senators. He thought that reducing the numbers too drastically was not a good idea. He felt the term of office should be four years. He was broadly in favour of a general election but said that electing 50% one year and 50% two years later could be an option.

Connétable Ken Le Brun - Said that there were States members who had another job too, not just the Connétables. It was necessary to get people to come out and vote but it would be difficult to have a single general election day. He said it was not just about the composition, but the public needed to have more say so that they would be encouraged to vote.

Deputy Geoff Southern - Said that election expenses should be regulated. Each candidate should be required to have a manifesto so that they could be held accountable. He said that the rôles of Connétable and Deputy overlapped.

Geoff Le Cocq - Didn't think that reform would make people vote unless there were issues that affected them directly.

The Chairman thanked all those who attended and reassured them that all views would be taken into account by the Committee before any definite proposals were finalised.

Mr. Maurice Dubras suggested to the Committee that more 'design' input into the process and made the following suggestion which is reproduced with his consent –

The need for more Assembly Composition 'Design' input from the Public

As intimated to the Chairman, I believe there is a wonderful opportunity presenting itself to the Committee to actually give a larger proportion of the public than provided by MORI to have their say in the make-up of the Assembly and the Election for it.

I have worked out and attach as an Appendix a proposed proforma that can be either a paper document or an electronic response [with suitable expert input] to allow as many potential 'electors' as want – whether on the Roll or not – to send in their preferred design, based on the sequence of MORI questions [the reference in the left hand column is for Committee cross-reference only].

I admit it appears, at first sight, to look more complicated than it is in fact – a form designer is required to assist in presentation. However, I have tested it on a small number of people and they provided positive feedback on the logic and ease of completion once carefully read. There was a good level of satisfaction at being able to achieve its aim.

You will find within it all the optional information provided by the several options so far presented together, I admit, the basis of my '37 Member' States.

I believe it would provide a better cross-section of the interested public than will have been achieved from three poorly attended [including some of the same people] public meetings and the statistically sound but small sample of potential voters.

PROPOSED PERSONAL DESIGN FORM FOR THE COMPOSITION OF THE STATES OF JERSEY

Please mark **ONE** box/circle on each line with your selected choice to form a composite Design for the Future Composition of and Election arrangements for the States Assembly

DESIGN CRITERION [as per 2 nd MORI Poll]	A	B	C	D	E	F
No. of States Members [Q31 & Q32]	MY No. ___ <input type="radio"/> [Give Rationale]	Even Fewer <input type="radio"/> [Give Rationale]	37 <i>See Note 1</i> <input type="radio"/>	42 <i>See Note 2</i> <input type="radio"/>	49 <i>See Note 3</i> <input type="radio"/>	53 As-is <input type="radio"/>
Election Day [Q34]		All Members on the Same Day <input type="radio"/>			All except <u>Connétables</u> on Same Day [See Note 4] <input type="radio"/>	
Island Wide or by smaller Constituency [Q33]		All Island Wide only <input type="radio"/>	All Parish/Districts <input type="radio"/>	A few Super-Constituencies [3 to 6 areas] <input type="radio"/>		Island Wide <u>except</u> the 12 Connétables by Parish <input type="radio"/>
Connétables in or out of States [Q36]	___ Cs ___ Ss ___ Ds	All Members elected in one category <input type="radio"/>	37 Members may include Cs <i>See Note 1</i> <input type="radio"/>	12 Connétables 30 Members <i>See Note 2</i> <input type="radio"/>	No Cs except elected as 12 Senators 37 Deputies <input type="radio"/>	As is 12 Connétables 12 Senators 29 Deputies <input type="radio"/>
Length of Term of Office [Q35]		6 years [as for Senators now] <input type="radio"/>	5 years <input type="radio"/>	4 years including Connétables <input type="radio"/>	4 years except Connétables 3 yrs (as-is) <input type="radio"/>	3 years As-is for all Members <input type="radio"/>

My Rationale for my Preferred TOTAL number of States Members:

Note 1: All Elected Assembly consists of 16 Executive Members + 20 Scrutiny Members + 1 additional Member, allowing for President [Speaker] to be elected by the Members [if and when decided as a separate issue] Rationale: based on a max of 8 Ministers; Connétables eligible for election Island-wide or in chosen constituency.

Note 2: Assembly consists of 30 Members elected Island-wide + 12 Connétables elected by their Parish only. Rationale: unclear.

Note 3: 12 Senators elected Island-wide and 37 Deputies elected by Parish/District with Connétables eligible to stand as Senator or Deputy. Rationale: unclear.

Note 4: The assumption can be either all 12 Connétables are elected (as now) on a day during the year when their individual Term has expired or All 12 Connétables are elected on the same day but a different one from all other Members.

ALTERNATIVE SYSTEMS OF VOTING

Mr. Brian Bullock and Mr. Derek Bernard made submissions to the Committee on the merits of alternative voting system. These are reproduced below with their consent.

Mr. Bullock

“I do not know whether it was in your remit, but from the point of view of a democracy being seen to work there needs to be a total review of the voting system. First past the post may be simple to operate, but it does not work, and above all is clearly seen not to work, in our situation where we vote for more than one candidate on a single ballot paper.

Under the present system, and particularly with the Senatorial Election, most of the “successful” candidates receive less than 50% of the vote – and by that I am talking about the number of people who actually turn up and record a vote. When this happens it means, put simply, that of those who voted more indicated their dissatisfaction than support, but the candidate was deemed elected. There was a case a few years ago when a successful candidate polled 32% – which meant that 68% of those who vote DID NOT WANT that candidate. But because 32% was sufficient to bring him/her home in sixth place, he/she was duly elected. It makes nonsense.

The Single Distributed Vote system may be more time-consuming to count, but at the end of the day ALL those elected will have been seen to have the support of a MAJORITY of those who voted, which is surely a key principle in a democratic election. I believe this change should be effected simultaneously with any other changes in order that the system not only works but is seen to work fairly.

Mr. Bernard

Do We Want to Risk An “Elected Dictatorship”? or adopt A Better Voting System

There is a view that our new Cabinet style of government will make party politics more likely to take root in Jersey. I share that view. I also think that the introduction of simultaneous, Island-wide, all-Deputy elections, as recommended by the Clothier Report, if it is ever introduced, will strengthen that tendency.

While party politics would be, for sure, a very important development for Jersey, I do not intend to debate the pros and cons here, many of which were discussed in Ben Queree’s excellent article on the subject (“Party Time”, JEP, 23rd January ‘04).

Rather I would like to express my very serious concerns about the inevitable consequences of retaining our present First Past The Post (“FPTP”) voting system, in the event of party politics becoming the norm.

The FPTP Voting System Weaknesses

The FPTP Voting System has some advantages in an election environment without parties. It is simple and well understood, as well as being easy and fast to operate. Whether these outweigh its lack of proportionality is open to question.

But in a party system environment it has extremely serious weaknesses. Perhaps a simplistic example will illustrate the fundamental problem: if there were 3 parties with roughly equal support, say 33%, 33% and 34% of the popular vote, equally spread across the Island, then the party with 34% will take every single seat and the other 2 parties, with two-thirds of the popular vote between them, will get no seats at all.

Of course, in practise it is extremely unlikely that we will have a uniform spread across the Island, but the probability of a massively non-proportional end result is very high. It would not be much of an exaggeration to

state that it is the norm in those few countries still using FPTP.

UK

Both the Thatcher and Blair so-called “landslide” victories of the last 20 years, were wholly the result of FPTP distortions. Neither got more than about 43% of the popular vote, yet the FPTP system has in turn given both such massive majorities in Parliament, with well over 100 more Members than all other parties put together, that they have both been able to be something close to “elected dictators”. Thus, in the '97 UK General Election, Labour got 43% of the vote, but 65% of the seats. In Scotland, the Conservatives got 18% of the vote, but not a single seat.

The Liberal Democrats usually get about 17/25% of the popular vote, but FPTP is particularly harsh on smaller parties and the LDs will typically get only about 3 to 7% of the seats. Or, to put it another way, in the '97 election, Labour got a seat for every 32,376 votes, but the Liberal Democrats had to get 113, 826 votes for every one of their seats, well over 3 times as many. The '83 election was even more distorted, the Conservatives got a seat for every 32,777 votes, while it took 338,302 votes to elect a Liberal/SDP candidate, over 10 times as many.

Canada

Canada is another country that is still using FPTP.

The massive problems and costs generated by the aggressive demands of the pro-independence Parti Quebecois (“PQ”) in the 1960s to 1980s, which very nearly led to Canada splitting apart, were heavily fuelled by the distorting effects of FPTP. In the '76 Quebec election, the PQ achieved a 41% share of the popular vote in Quebec Province. Clearly this justified very considerable attention and weight, but one should remember that none of the other parties that, in combination, got 59% of the popular vote, wanted independence. But FPTP gave the PQ 63% of the seats in the Quebec Assembly. Not surprisingly, the PQ Leader, Rene Levesque, already an aggressive and confrontational man, was strongly encouraged to be even more so in his dealings with the other Provinces and the Federal government.

A Better Voting System – the Single Transferable Vote (“STV”)

Of all the many different voting systems that have been examined and tried all over the world, the Single Transferable Vote (“STV”) seems to be by far the best. If structured properly, it provides a very high degree of proportionality between the popular vote and eventual seat numbers, while retaining a strong local link between elector and elected. It also allows the electorate to choose shades of opinion from within a party and permits independent candidates with reasonably strong local support to get it. It should be based on at least 3 and preferably 4 or 5 Member Constituencies to work properly and it is not difficult to see how Jersey might reasonably be divided up into such Constituencies.

Multi-Member Constituencies for Jersey

Fortunately Jersey already has many multi-member constituencies, e.g. St. Helier, St. Saviour, St. Brelad St. Lawrence and St. Clement. So it is simply a case of extending the principle across the island.

By combining adjacent, existing whole Parishes or voting districts, the amount of disruption would be minimised and the sense of continuity and community largely maintained. The suggested division below is based on the existing 29 Deputy seats, but there would be no difficulty in adjusting the number of seats in each of the 8 constituencies to total whatever number was required, e.g. to c.42 à la Clothier.

No.	Voting District(s)	Seats
1	St. Helier No. 1	3
2	St. Helier No. 2	3
3	St. Helier No. 3	4

4	St. Saviour Nos., 1, 2 & 3	5
5	St. Clement Grouville St. Martin	4
6	St. John St. Mary St. Ouen	3
7	St. Lawrence Trinity	3
8	St. Brelade St. Peter	4
	Total	29

I will not dwell on STV further at this stage, suffice it to say that it is not some theoretical fantasy – it has been in use in Malta and the Republic of Ireland for about 70 years, is now being used in Northern Ireland and an increasing number of jurisdictions are contemplating using it, such as Scotland, New Zealand and British Columbia. Anyone wishing to study STV more closely should have a look at www.electoral-reform.org.uk

“If It Ain’t Broke, Don’t Fix It”

The argument “don’t fix it if it’s not broken”, is a powerful one, which generally should carry more weight than it does. It is not appropriate, however, in this instance, because of the major changes already introduced in our political system. British political history shows us very clearly that, when out of office, many politicians who are prepared to support the weighty arguments in favour of a proportional voting system, change their minds once in office. The attraction of power, despite having a minority of the popular vote, is a powerful incentive to forget good intentions. It seems a safe bet that the same thing will happen in Jersey, if we wait until the problem arrives.

But what if Party Politics doesn’t arrive?

STV is more complicated and slower to produce the results than FPTP, but has no elective disadvantages in a non-party environment. Indeed it can be powerfully argued that STV is the only proportional representation system that works well in an election environment without parties. In any event, slower results seem a small price to pay for quite good insurance against “elected dictators”.