

**THE STATES OF DELIBERATION**

of the

**ISLAND OF GUERNSEY**

**11th December, 2024**

**Proposition No. P.2024/95**

**The Government Reform (2024) Requête**

**AMENDMENT**

Proposed by: Deputy Y Burford

Seconded by: Deputy H Soulsby

To insert an additional proposition as follows

“

3. To establish, with effect from the beginning of the next political term, a States' Investigation & Advisory Committee called the 'States Constitutional & Electoral Reform Advisory Committee', with a constitution and mandate as set out in Appendix 1, which shall review the interlinked issues of the system of electing deputies, the size of the States Assembly and the structure and operation of States committees, and to direct that committee to submit by December 2026 any proposals it considers necessary to improve the effectiveness of the States of Deliberation.”.

**Rule 4(1) Information**

- a) The Propositions support States' objectives and policy plans established in the Government Work Plan in seeking to review the effectiveness of the States Assembly.
- b) In preparing the Propositions there has been no consultation with stakeholders.
- c) The Propositions have been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) The Committee will be serviced by existing resources at no additional cost.

## **Appendix 1**

### **States Constitutional & Electoral Reform Advisory Committee**

#### **Constitution**

The membership of the Committee shall be:

- a) a President, who has served at least one term as a member of the States, elected by the States;
- b) one member of the Policy & Resources Committee nominated by that Committee;
- c) one member of the States' Assembly & Constitution Committee, nominated by that Committee;
- d) one further member of the States who has served at least one term, elected by the States;
- e) one further member of the States, elected by the States;
- f) two members who are not and have not been members of the States, appointed by the States Constitutional & Electoral Reform Advisory Committee.

All Members will be voting Members and will have the authority to make decisions to inform proposals that the Committee will bring to the Assembly. As a States' Investigation & Advisory Committee, the States Constitutional & Electoral Reform Advisory Committee shall be directly accountable and wholly visible to the States of Deliberation. Following States' consideration of the recommendations of the Committee it shall continue to operate until the recommended changes have been brought into effect.

#### **Mandate**

To investigate and review:

- a) how the States and its Committee structure might evolve for the benefit of the community while adhering to the general principles of subsidiarity where the States concern themselves with debating and approving legislation, broad policies and priorities, items of significant expenditure and matters of major public interest, and setting the framework in which the rest of the administration should operate;
- b) the electoral system and considering whether changes are needed and how any such changes should be effected;
- c) how Committee government can best be structured in order to work in the most agile and effective way, in a manner consistent with accepted democratic principles;
- d) the number of Members required for fair and proportionate representation that also allows for sufficient breadth of thought, ability, commitment and experience, recognising the challenges inherent to parliamentary decision making in a consensus government system; and
- e) the proportional representation of the Guernsey electorate and the States of Alderney in the States.

#### **Explanatory note**

There is clearly a desire to review how the States operates, with a view to increasing its effectiveness. The proposer and seconder believe this should be done in a fully consulted and evidenced manner

and also that, following on from the data in the Scrutiny Management Committee's Review of Island Wide Voting, it would be an appropriate time after the second election under that system, to make investigations, comparisons and recommendations in that area simultaneously, as the effectiveness of the States, the electoral system and the constitution of the Assembly are not entirely independent of each other.

Furthermore, seeking to change the number of States Members by a random figure, with no evidence base and no detailed consultation or wider consideration, represents not only poor governance at the end of a frustrating and divided term, but also stands at odds with the will of the people expressed in a binding referendum in 2018. Setting up a dedicated Committee, rather than a sub-group, early in the new term will have significantly more potential to deliver a considered and effective outcome. Having 7 people on that Committee (including 2 from the community) will provide additional resilience for absence and other unavailability, as well as better continuity and diversity of thought, which should assist in making its recommendations more robust and therefore more acceptable to the wider assembly when presented.

This SIAC will progress a review from the start of the next term that explores what changes will make the greatest contribution towards a more effective form of committee governance and whether any refinements or other more substantial changes to the electoral system are desired and how they should be effected.