

Policy Brief

2026 General election

Table of Contents

Summary	1
Election law	3
Election issues	5
Election turnout	6
Election day	7
Voter registration	7
Three categories of members	10
Election of constables	11
Election of senators	12
Election of deputies	13
Election of Ministers	14
Appendix - Election issues	15

Summary

The [Elections \(Jersey\) Law 2002](#) governs the conduct of elections. Proposed amendments to the law for the 2026 Election have been published and will be considered in the Assembly in September.

The Jersey Electoral Authority and the Commonwealth Parliamentary Association (CPA) Observer Mission produced reports on the 2022 election. Some of the recommendations have been implemented. The decision to reinstate senators so close to the date of the election is directly contrary to

one of the recommendations of the CPA mission and also established best practice on the conduct of elections.

Jersey has an exceptionally low level of election turnout. Two initiatives have been proposed for the 2026 election with the objective of increasing turnout but do not address the fundamental reasons why people choose not to vote.

The 2026 General Election will be held for the first time on a Sunday, 7 June. Automatic voter registration is being introduced. This will increase the size of the electorate and the number of people voting, but reduce the published turnout percentage.

Unusually for a national parliament the Assembly has decided that Jersey voters will elect three separate categories of member: 12 constables, one for each of the 12 parishes, 9 senators elected on an Island-wide basis, and 28 deputies elected in districts based on the parishes.

Constables have significant responsibility for their parishes as well as their duties in the Assembly. In previous elections a number of constables have been elected unopposed. Where a candidate is not opposed electors can vote for “none of the above”. The use of “paper candidates” can avoid the reputation damage to a constable that occurs when “none of the above” applies.

The position of senator was abolished for the 2022 election but the Assembly has decided that the position will be reintroduced for 2026. The necessary legislation is scheduled for debate from 9 to 12 September. It is likely that many amendments will be proposed not only on the specific issue of the reinstatement of senators, but also on consequential changes, in particular to the number of deputies in each constituency.

The election will be on the first-past-the-post system which lends itself to electors “plumping” for their favourite candidates. In the 2018 senatorial election on average voters used only 5.7 of their eight votes.

To accommodate the nine additional senators the Assembly decided that the number of deputies should be reduced from 37 to 28, one deputy being removed from each electoral district. This has a significant effect on the fairness of the electoral system. Grouville/St Martin in particular will be significantly under-represented. However, there may well be amendments to the proposition for different arrangements.

Following the election it will be for the members of the Assembly to elect a Chief Minister and for the Chief Minister then to nominate to the Assembly candidates for the Council of Ministers.

Election law

The [Elections \(Jersey\) Law 2002](#) governs the conduct of elections. There will be some amendments to the law before the 2026 Election. The main points in the current law are -

- Article 5 provides that a person is entitled to be on the electoral register if they are at least 16 years old, resident in the district of the election and have been ordinarily resident in Jersey for a period of at least one year up to and including the day they register or ordinarily resident for at least six months up to and including that day as well as having been ordinarily resident at any time for additional periods of at least five years.
- Article 6 provides that electoral registers are maintained by each parish.
- Article 13A establishes the Jersey Electoral Authority (JEA). The schedule to the law provides that the JEA comprises a chair, between two and four ordinary members, a parish representative member and, ex officio, the Judicial Greffier and the Greffier of the States. The JEA is responsible for overseeing the conduct of elections and is required to provide a report on each general election.
- Article 13C provides for the JEA to prepare and publish a code of conduct for candidates at elections.
- Article 17 sets out requirements for nomination, including the content of the nomination form, a requirement that nomination forms be subscribed by a proposer and nine seconders who are entitled to vote in the election, and a political party declaration for those candidates of a political party.
- Article 24 prescribes the content of ballot papers.
- Article 24(3C)(b) provides that where the number of vacancies for the office is equal to, or exceeds, the number of candidates, electors have the option of voting for none of the candidates.
- Article 25 requires that each election should be by secret ballot.
- Article 26 requires each parish to provide one or more polling stations in such a way “that all persons have reasonable facilities for the exercise of the right to vote”.
- Article 38 makes provisions for pre-polling, that is submitting a ballot paper in advance of the election date, and for postal voting. Anyone is entitled to a postal vote by making an appropriate application.

Article 24(3C)(b) is particularly significant as it was an innovation and one that is uncommon in other jurisdictions. It provides that where an election would otherwise be uncontested then there is an election in which electors can vote for or against the nominated candidate or candidates.

The [Connétables \(Jersey\) Law 2008](#) makes provision for the election of constables (connétables), largely replicating the provisions for the election of deputies.

The [Public Elections \(Expenditure and Donations\) \(Jersey\) Law 2014](#) governs election expenditure and donations to parties and candidates. The key provisions are –

- Expenditure during a “regulated period”, the period beginning four months before election day, is covered by the provisions.
- “Election expenses” are defined in Article 3(1) of the Law as expenses incurred at any time before the poll for that election –
 - (a) by the candidate, or with the candidate’s express or implied consent; and
 - (b) for the supply or use of goods, or the provision of services, which are used during the regulated period –
 - (i) to promote or procure the candidate’s election, or
 - (ii) to prejudice the electoral prospects of another candidate at the same election.
- The expenditure limits are £2,050 plus 13 pence for each elector (in round terms about £3,000 for a deputy election).

This law will be amended for the 2026 election with new expenditure limits for deputies and different limits for senators.

The [draft law](#) necessary to implement the decision to reinstate senators and reduce the number of deputies was published on 7 July 2025. It is scheduled for debate on 9 September 2025.

The report accompanying the draft law stated that “As sweeping changes were made to the Elections (Jersey) Law 2002 in 2021, it was not simply a case of inserting the word ‘Senator’ into the existing Law anywhere that Deputies and Connétables were mentioned. The drafting process has been quite complex, as can be seen by the length of the draft Law.”

The draft law is accompanied by a comprehensive explanatory note. The first paragraph of the note summarises the purpose of the law.

The draft Elections (Senators) (Jersey) Amendment Law 202- (“this Law”) would, if adopted, alter the constitution of the States Assembly to include 9 Senators as Island-wide representatives, and make a corresponding reduction in the number of Deputies (resulting in a total of 28 Deputies), with effect from 7 June 2026. The Deputies’ constituencies would remain the same, but the number of Deputies representing each constituency would be reduced by 1 in each case. This Law would amend the States of Jersey Law 2005 (the “SoJ Law”) and the Elections (Jersey) Law 2002 (the “Elections Law”) to provide for this, and would make related changes to those Laws and to other legislation.”

Article 60 of the draft law makes provision for election expenses. The limit for senators is proposed to be £4,416 and 13 pence for each person entitled to vote. The limit for deputies and connétables is proposed to be £2,517 and 13 pence for each person entitled to vote.

The total amount that candidates will be able to spend will also be affected by the decision to introduce automatic registration of electors. This is likely to increase the size of the electorate from, in round terms, 60,000 to 72,000 and on average for each of the nine constituencies from 6,700 to 8,000.

So if the proposition is agreed then the expenditure limits will be roughly (and on average for deputies and connétables) –

For a senator $72,000 \times 13p + £4,416 = £13,776$

For a deputy $8,000 \times 13p + £2,517 = £3,557$

Election issues

Following an election the Jersey Electoral Authority is required to publish a report on the conduct of the election. Its [report](#) on the 2022 election made a large number of points, many on minor issues, some phrased as recommendations, others as “it should be considered”. Among the more important points were “clarifying the Expenses Law with regard to the allocation of expenses for “grouped” candidates, to ensure they do not have an advantage over those standing individually” and use by sitting members of gov.je email addresses.

The Commonwealth Parliamentary Association sends observer missions to each election in a Commonwealth country and their reports are considered to be authoritative external reviews of elections. The executive summary of the [Report](#) on the 2022 election noted that –

The administration of the electoral process is fragmented, with involvement from the Parishes at the local level, the Judicial Greffe and the States Greffe as well the newly created Jersey Electoral Authority at the central level.

The mission made 14 recommendations including –

- Electoral reform - Substantive amendments to the election law should be adopted well in advance of the next election and never less than a year before.
- Election administration - To improve the general efficiency and transparency of the administration of elections, consideration could be given to reviewing the different roles, processes, coordination opportunities, and necessary resources for the implementation of the elections.

- Voter register - Consideration should be given to performing an audit of the voter registration system for accuracy, inclusivity and data security.
- Polling stations - The number of voters per polling station should be reviewed, to ensure polling stations are in close proximity to voters' residences and/or easily accessible via public transport, and to ensure that polling stations are manageable if many voters turn out on Election Day.
- Voter eligibility - As the requirement for voters to use photo ID to prove their identity is not established in law and restricts suffrage, consideration should be given to whether the use of photo ID as evidence of voter eligibility should be maintained or whether other alternative methods of proving identity are suitable.

The Appendix comprises more detail on the two reports. Proposals to implement a number of the recommendations were approved in principle by the States Assembly on 14 May 2025 but have been referred to Scrutiny for review. However, the decision to reintroduce senators but with the necessary legal changes not yet having been made is directly contrary to the first recommendation of the CPA observer mission and breaches the recommendations of the Venice Commission which comprise established best practice on elections.

Election turnout

Jersey has a very low level of election turnout. Turnout over the last 30 years has averaged 44.1%. There has been significant variation from a low of 39.9% in 2014 to a high of 50.4% in 1993. The 1993 figure is an outlier, the next highest figure being 46.7%. There is no clear trend in the turnout figures. Turnout in the 2022 election at 41.7% was the third lowest over the last 30 years.

In the 2022 election turnout was much higher in the 65+ age group (53%) than in the under 35 age group (17%), in rural areas (40%) than in urban areas (18%) and among owner-occupiers (41%) than among tenants (16%).

Turnout in Jersey elections is lower than in all the OECD countries. Switzerland, at 45%, is the only country with a figure below 60%. Turnout in the last UK General Election was 67.3% and in the Isle of Man 50.7%. Turnout in 2025 Guernsey election was 72.1%, much higher than the Jersey figure of 41.7%, although this is partly explained by different practices with respect to the electoral register.

Compared with the UK, turnout in Jersey is more heavily concentrated among the elderly and owner-occupiers. In the 65+ age group turnout in Jersey was 53%, compared to 74% in the UK. The variation in the 16-34 age

group was much wider - 17% as against 51%. Similarly, tenants are more than three times as likely to vote in the UK than in Jersey.

Opinion surveys suggest that the reasons for the low turnout are mainly general negative attitudes towards the political system in Jersey. The main reasons given for people not voting in the 2022 election were –

Wouldn't have made a difference	30%
Don't trust the political system	28%
Not interested in the election	24%
Didn't know enough about the candidates	22%

“Didn't know” where or how to vote and loss of the Island-wide Senator role recorded only 3% each.

Election day

On 1 April 2025 the States Assembly resolved that the 2026 general election will be held on Sunday 7 June. In the proposition to the Assembly the Privileges and Procedures Committee (PPC) observed that “our democracy is not going to function well when only a third of eligible voters are participating”. The PPC proposition stated that “in the absence of firm evidence to the contrary and, given voter apathy to date, PPC considers that a move to a Sunday election should be trialled to see if it brings more people to the polls”.

There is in fact no evidence to support the notion that a change to Sunday voting will lead to higher turnout. The Proposition correctly observes that Sunday is the most popular day for elections. It did quote a single study done in 2004. When this considered 29 countries turnout was higher when elections were on a Sunday but when the analysis was expanded to 63 countries, the day of the election did not seem to affect participation.

Voter registration

For previous elections people had to take a positive step to register to vote by completing an application phone. Many people do not do so, in some cases because they have no wish to vote and in other cases filling in a form may not be a priority. As a result, not all potential electors are registered to vote. It is estimated that for the 2022 election only 75% of those eligible to vote registered to do so; only 31% of those eligible to vote actually voted. The voter registration proportion is ten percentage points below the UK figure. There were significant variations between the parishes, with much higher figures in the country parishes. In St Mary 96% of those entitled to vote registered and the turnout was 52% so half of those entitled to vote did so. In St Helier Central only 57% of those entitled to vote registered, there was a 29% turnout so only 17% of those entitled to vote did so.

In a proposition lodged on 1 April 2025 and debated on 13 May and 24 June the Privileges and Procedures proposed the introduction of automatic registration of electors. The PPC proposition stated that the reasons for making these changes were to –

- Make it easier for people to vote by automatically including entitled individuals on the base electoral register.
- Increase the democracy of our electoral process by removing barriers to voting.

The proposition explained how the new system would work –

Rather than completing an annual statement which lists all of those eligible to be part of the electoral register (those who have been ordinarily resident in Jersey for the last 2 years or who have been ordinarily resident in Jersey for the past 6 months but have a cumulative residency of 5 years or more), the public will be included automatically on the register if they are over 16 and meet the residency criteria. The information will come from the People Directory, a database which draws upon interactions with Revenue Jersey in relation to Social Security matters (as an employee or claimant of a benefit or pension for example), the Register of Names and Addresses and information held by CYPES for those still in full time education aged over 16. The Electoral Administrator will have a residual power to add a person to, or remove a person from, the register.

It is worth noting that the current self-declaration system as to a person's eligibility is not verified by the Parishes, so the existing system carries a degree of risk. Furthermore, the information is gathered and input in the Autumn of each year and does not reflect any 'movements' in the intervening period before an election 6 or 8 months later, whereas the proposed system will allow for a more recent 'sweep' of the data, taking account of changes such as people leaving the Island or passing away, to ensure a more timely snapshot of the eligible electorate.

The Proposition noted that as a consequence of the new arrangements turnout could actually fall –

The new Register will include people who may have previously made a conscious decision not to make a return, either because they had no interest in voting or did not wish to be included on the list for Jury Duty. It is estimated that only 60% of statement forms are returned to Parishes. By increasing the accuracy of the register, we anticipate there will be an increase in the total number of people included. The risk is that those people remain steadfast in their refusal to engage

with the democratic process and if they do not vote, our already low turnout figure will plummet even further. Conversely it could provide those who were uncertain about their eligibility status, with the necessary validation to take part in the elections. The States Greffe, through vote.je, will run a dedicated communications campaign explaining the changes, highlighting that people may now be eligible who previously may not have thought they could not participate, and everyone will be encouraged to exercise their democratic right and use their vote.

It is in fact very likely that as a result of such a change turnout would be lower than it would otherwise have been. The number of people on the electoral register would be substantially higher as a proportion of the potential number but most of the increase would be of people for whom voting is probably a low priority. The number of people who would vote in the election may therefore be higher than it otherwise would have been but the percentage turnout would be lower.

These points can usefully be demonstrated by looking at the 2022 statistics.

JEA estimate of eligible voters	81,000
Registered voters	60,701
Voters	25,334
Voters/registered voters	41.7%
Voters/eligible voters	31.3%

Assuming that automatic registration would have increased the number of registered voters by 15,000 to 75,701 but of those additional 15,000 only 3,000 (20%) chose to vote the figures would have been –

JEA estimate of eligible voters	81,000
Registered voters	75,701
Voters	28,334
Voters/registered voters	37.4%
Voters/eligible voters	35.0%

It will be seen that with these assumptions the turnout rate would actually be 4.3 percentage points lower than was actually the case. The turnout percentage is the one used in international comparisons so this change would in all probability worsen Jersey's comparative position even if the effect was to increase the number of voters.

On 13 May the States Assembly voted to refer back the Proposition on a specific point, that because people would no longer have a choice as to whether to be on the electoral register candidates for the Assembly would not be provided with the names of people on the register. The Committee

brought back amendments which would allow candidates to continue to have access to the names but with electors being able to opt out of this. The revised Proposition was approved.

Three categories of members

Most parliaments have a single category of member, each member having the same title such as MP, deputy or representative. Many countries have two chambers with different categories of member. For example, the UK has the House of Commons, each member being elected for a single constituency, and the House of Lords, members of which are appointed. The United States has the House of Representatives with members elected for specific districts and the Senate comprising two members elected by each state.

In the UK the “additional member system” is used for the Scottish Parliament, the Welsh Parliament and the London Assembly. Voters are given two votes on separate ballot papers. One vote is for a constituency member and one vote is for a party list. Additional members are then elected by counting the party list votes in each region. The number of members elected from the list is based on the percentage of the votes cast but also takes into account the number of constituency members already elected in the region. This is designed to make the result proportional to the number of votes cast. When they take their place in the parliament each member has the same title.

Since 1948 the Assembly has comprised a mixture of the 12 parish constables, senators elected on an island-wide basis and deputies elected for districts based on the parishes. For the 2022 election the Assembly decided to abolish the position of senator with a corresponding increase in the number of deputies. On 21 March 2025 the Assembly voted to reinstate the position of senator with effect from the 2026 election. The necessary legislation is scheduled for debate from 9 to 12 September. It is likely that many amendments will be proposed not only on the specific issue of the reinstatement of senators, but also on consequential changes, in particular to the number of deputies in each constituency.

If the proposed new arrangements are implemented then unusually, if not uniquely for a national parliament, - Jersey voters in 2026 will elect three separate categories of member to a one-chamber parliament: 12 constables, one for each of the 12 parishes, 9 senators elected on an Island-wide basis, and 28 deputies elected in districts based on the parishes

As a consequence, also unusually, each elector will have between 12 and 14 votes. This contrasts with one vote for the UK Parliament but at the other extreme in Guernsey there is one constituency with electors having 38 votes.

The constables have duties in their parishes which for most is the bulk of their work. However, the roles in the Assembly for each of the categories of member are equal. Members in each category are eligible to be Chief Minister or ministers and can chair committees. In practice, when senators were in the Assembly the Chief Minister was a senator.

The three categories of member are confusing to the electorate many of whom do not understand the differences between them. This may be one factor explaining the low turnout.

Election of constables

The election of constables in 2026 will follow the same format as in previous elections. Traditionally, a number of the constable elections have been not contested. One reason for this is that the constable has two very different roles - head of the administration of the parish and a member of the Assembly. The workload is substantially greater than that of other members of the Assembly, particularly those who are not ministers.

Table 1 Elections for constable, 2022 election

Parish	Turn-out	Winner	Loser/ None of the above
St Brelade	36.0%	Mike Jackson*	73% None of the above 27%
St Mary	53.1%	David Johnson	56% Mike Fennell 44%
St Ouen	49.7%	Richard Honeycombe	68% None of the above 32%
St Peter	43.0%	Richard Vibert*	81% None of the above 19%
St John	49.2%	Andy Jehan*	96% None of the above 4%
St Lawrence	42.0%	Deidre Mezbourian*	60% Emily Joseph 40%
Trinity	53.0%	Philip Le Sueur*	71% None of the above 39%
Grouville	51.2%	Mark Labey	52% Sarah Howard 48%
St Martin	43.7%	Karen Shenton-Stone*	96% None of the above 4%
St Saviour	42.7%	Kevin Lewis	57% None of the above 43%
St Clement	38.2%	Marcus Troy*	88% None of the above 12%
St Helier	32.4%	Simon Crowcroft*	59% Mark Le Chevalier 41%

* Denotes a sitting Constable

Uncontested elections as seen by some as being undemocratic. For the 2022 election an innovation was introduced for all elections. When the number of candidates does not exceed the number of vacancies electors could vote for “none of the above”. In 2022 this happened only in elections for constable. Eight of the 12 elections were not contested. There was a concerted campaign for “none of the above” in some of the constituencies, that is in practice campaigns against the one candidate. Table 1 shows the results of the elections. It will be seen that in four elections “none of the above” achieved at least 25% of the votes.

Given that to win against a high vote for “none of the above” might be seen to be an indication of lack of confidence in the candidate, those candidates who might otherwise be unopposed could well adopt a tactic used in other countries, that is installing a “paper candidate” who would do no campaigning and generally would be unsuitable for office. This way, the successful candidate could claim a resounding victory. 68% of the vote in a “contested” election looks much better than 68% against “none of the above”.

Election of senators

Although the States Assembly has voted to reinstate senators the necessary changes to the election law have not yet been made. It is anticipated that they will be considered by the Assembly in the autumn. It is assumed that the same procedure will apply as for the 2018 election, that is the electorate will have up to nine votes and the nine candidates with the highest number of votes will be elected. Table 2 shows the results in the 2018 election when there were eight senatorial seats.

Table 2 Election for senators, 2018

Candidate	Votes	%
Tracey Valois	15,618	57.6
Kristina Moore	15,292	56.7
John Le Fondré	14,214	52.7
Lyndon Farnham	12,217	45.3
Steve Pallett	12,114	45.0
Ian Gorst	12,068	44.8
Sarah Ferguson	11,317	42.0
Sam Mézec	11,007	40.8
Moz Scott	10,884	40.4
Anthony Lewis	10,709	39.7
Simon Bree	10,529	39.1
Gerard Baudains	6,341	23.5
Gordon Troy	4,695	17.4
Frank Luce	2,279	8.5
Gino Risoli	1,401	5.2
Phil Maguire	979	3.6
Stevie Ocean	953	3.5
Total	152,514	
Electorate	26,947	

The table shows the two successful candidates with the least number of votes had fewer than 10% more votes than the three unsuccessful candidates with the most votes. A significant point in this respect is that selectors do not have to use all their votes. In the 2018 election on average voters voted for 5.7 rather than eight candidates. The system lends itself to

“plumping”, that is voting only for candidates that an elector most wants to be elected. For example, in the 2018 election an elector wanting Sam Mezéc to be elected would have been well advised to vote for Sam Mezéc only even if for example they also wanted Moz Scott and Anthony Lewis to be elected. In practice, it seems unlikely that such tactical voting occurred to a significant extent in 2018, people not using all of their votes simply because they did not know enough about the candidates. However, in a party or quasi-party system supporters of the party would be strongly advised to vote only for those candidates supported by the party or quasi-party.

Election of deputies

The peg on which reform proposals for the 2022 election was considered was the report of the Commonwealth Parliamentary Association, Election Observation Mission [Jersey General Election 2018](#). The report described the then electoral system as being “overly complicated and cumbersome” and drew attention to the fact that Jersey’s system did not comply with international standards, particularly in respect of equal suffrage, that is in effect each vote counting equally. This recommendation was taken on board by the Privileges and Procedures Committee. The Committee noted the Code of Conduct for Electoral Matters published by the Venice Commission, established by the Council of Europe. Its comments on this merit quoting –

Jersey complies with the Code of Good Practice in all areas except equal suffrage, which, according to the Venice Commission, entails –

- Equality in voting rights – each voter has in principle one vote; where the electoral system provides voters with more than one vote, each voter has the same number of votes.
- Equality in voting power – requires constituency boundaries to be drawn in such a way that seats are distributed equally among the constituencies, in accordance with a specific apportionment criterion, e.g. the number of residents in the constituency, the number of resident nationals (including minors), the number of registered electors.

Jersey’s electoral system falls short of the Venice Commission’s standards on both counts. Voters do not have the same number of votes across the Island, and the power of their votes is unequal.

The Venice Commission recommends that “except in really exceptional circumstances”, the maximum variance from equality of voting power should seldom exceed 10% and never be more than 15%. The report noted

that in Jersey the average variation was 28% with a range was from -44% to +59% and that "in essence, the voters in the urban parishes are vastly under-represented compared to their rural neighbours".

The new constituencies for deputies reasonably complied with the Venice Commission standards. In two constituencies - St Clement and Grouville/St Martin – the variation was slightly greater than 10%. Such a variation was inevitable given that parish boundaries were sacrosanct. However, the system as a whole did not comply with the standards because of the constables.

The Assembly's decision to take out one deputy from each constituency will result in more substantial variations from the norm with Grouville/St Martin being under represented by 27%, well excess of the "never" recommendation of the Venice Commission. One other constituency, St Helier Central, is at the 15% variation. The effect of taking one deputy from each constituency is shown in Table 3. However, it should be noted that the electoral law will need to provide for the number of deputies in each constituency and it is quite possible that different constituency boundaries or numbers of deputies in each constituency will be proposed.

Table 3 Election districts for deputies 2022 and 2026

Constituency	Population 2021	Population per deputy 2022	Variance	Population per deputy 2026	Variance
St Brelade	11,012	2,885 (4)	-1%	3,670 (3)	-
St Mary, St Ouen & St Peter	11,288	2,973 (4)	+1%	3,762 (3)	+2%
St John, St Lawrence & Trinity	11,967	3,115 (4)	+7%	3,989 (3)	+8%
Grouville & St Martin	9,349	3,163 (3)	+12%	4,675 (2)	+27%
St Saviour	13,904	2,964 (5)	0%	3,476 (4)	-6%
St Clement	9,925	2,515 (4)	-11%	3,308 (3)	-10%
St Helier South	11,181	2,730 (4)	0%	3,727 (3)	+1%
St Helier Central	12,506	2,628 (5)	-10%	3,126 (4)	-15%
St Helier North	12,135	3,120 (4)	+9%	4,045 (3)	+10%
Total	103,267	2,886 (37)	0%	3,688 (28)	0%

Election of Ministers

When the Assembly meets after the election the members elect the Chief Minister. There are no constraints on who can put their name forward for Chief Minister or on how individual members may vote. In the past the issue of who will be the Chief Minister has not been significant in election campaigns and would be likely to be so only in a system in which political parties or groupings dominated, something which has not been the case in Jersey.

The Chief Minister nominates to the Assembly his or her proposals for ministers, but the Assembly is able to elect different people although it has chosen not to do so on the two most recent occasions.

Following the election the Council of Ministers is required to publish its common strategic policy, a sort of manifesto although unlike other manifestoes it is published after the election not before.

Appendix - Election issues

Following an election the Jersey Electoral Authority is required to publish a report on the conduct of the election. Its [report](#) on the 2022 election made a large number of points, many of minor issues, some phrased as recommendations, others as “it should be considered”. Following is a list of some of the more important points -

- Consideration should be given as whether the requirement to have 10 signatories on a nomination form could be cut back to simply a proposer and one seconder. If there was concern that this would lead to a proliferation of inappropriate candidates, consideration could be given to a modest deposit to stand for election, refundable if the candidate met a low minimum vote threshold.
- It could be considered to require candidates to provide a police check certificate with their nomination documents.
- The requirements for the manifesto booklet should be fully integrated into the nominations process.
- It should be considered whether sitting members should be allowed to use gov.je addresses in the election literature.
- It is considered whether some “official” hustings events should be organised centrally to ensure a minimum level-playing field.
- The election timetable should be reviewed and should include consideration of when engagement with voters will take place
- It should be made an electoral offence for candidates to make campaigning material look like official election documentation.
- The Expenses Law should be reviewed to confirm no advantages accrue to groups of candidates that do not constitute a party over registered political parties in terms of election spending.
- Provision is built into the Elections Law to provide for a central electronic register to be constructed and a decision on whether this is to be done should be made as soon as possible.
- For reasons of cost, complexity, ballot security and access, it is worth re-consideration of what methods of voting should be available in future – setting aside larger issues such as electronic voting, this should consider whether pre-poll and postal voting on demand are both necessary, together with the potential introduction of proxy voting as an additional/substitute method (noting that this would create additional administration).
- Consideration should be given to holding election counts the day after the election rather than immediately after the close of poll.

- The JEA recommends that the required level of detail in results forms is reviewed and that completed forms are scrutinised as soon as possible after the count is completed so that any errors can be addressed straightaway.
- Consideration could be given to simplifying this requirement to only control spending during the regulated period, if it was felt that it could not be abused by “early” spending, perhaps with an extension of the regulated period.
- It would be beneficial for work to be carried out between each full public election to review and update the methodology for calculating expenses as campaigning methods change.
- Further consideration should be given to clarifying the Expenses Law with regard to the allocation of expenses for “grouped” candidates, to ensure they do not have an advantage over those standing individually.

The Commonwealth Parliamentary Association sends observers to each election in a Commonwealth country and their reports are considered to be authoritative external reviews of elections. The executive summary in the [Report](#) on the 2022 election included the following –

- Overall, Jersey’s legal framework provides a basis for the conduct of democratic elections. While the laws that are relevant for the holding of elections provide detailed guidance in some areas, they are often general and may lack sufficient specificity in several instances.
- The administration of the electoral process is fragmented, with involvement from the Parishes at the local level, the Judicial Greffe and the States Greffe as well the newly created Jersey Electoral Authority at the central level.
- Ahead of the 2022 elections, the boundaries of electoral districts for Deputies were redrawn to ensure greater compliance with international standards. The boundaries for the election of Deputies now all respect international good practice as articulated by the Venice Commission. The Connétables continue to be elected from the 12 Parishes.
- The number of uncontested seats fell from 14 in 2018 (28%) to 8 in 2022 (16%). All uncontested seats were for a Connétable seat, with 8 out of 12 Connétables elected unopposed (67%). Efforts should continue to ensure more competitive elections.
- Election Day was calm, and the election administration did its utmost to facilitate voting by all eligible voters. The commitment of the Autorisés and of the numerous volunteers who worked as polling station staff (Adjoints) has to be commended.

- There is no legal requirement for voters to use photo ID to vote, but the Mission observed that voters were almost always asked to show a proof of identification such as a passport or driving licence. Voters who may not have such documents are at risk of being prevented from voting by an administrative practice.
- The system of administrative redress remains limited. Only candidates could address their grievances to the newly formed Jersey Electoral Authority. The absence of an administrative complaints procedure available to a wider range of stakeholders, including voters, and lack of an ombudsperson's office may narrow the possibilities for redress.

The mission made 14 recommendations -

1. ELECTORAL REFORM

Substantive amendments to the election law should be adopted well in advance of the next election and never less than a year before.

2. PERSONS WITH DISABILITIES

The 2008 United Nations Convention on the Rights of Persons with Disabilities should be extended to Jersey. Domestic laws should be amended to ensure compliance with this instrument, as necessary, even before its extension to Jersey.

3. ELECTION ADMINISTRATION

To improve the general efficiency and transparency of the administration of elections, consideration could be given to reviewing the different roles, processes, coordination opportunities, and necessary resources for the implementation of the elections.

4. PRISONERS' RIGHT TO VOTE

To allow for broader electoral participation on an equal basis, the blanket ban on the right to vote for persons serving prison sentences exceeding four years should be removed.

5. VOTER REGISTER

Consideration should be given to performing an audit of the voter registration system for accuracy, inclusivity and data security.

6. RIGHT TO STAND

To allow for broader electoral participation on equal basis, candidature rights should be reviewed and brought in line with international standards and good practices for democratic elections, including:

- a.) The blanket ban on the right to stand for seven years for anyone previously sentenced to more than three months in prison ought to be removed;

- b.) The indefinite blanket ban on the right to stand for anyone found guilty of electoral offences under the 2006 Corruption Law while serving a public function should be removed;
- c. Any restrictions on the right to stand against persons with disabilities should be eliminated from the law.

7. UNCONTESTED SEATS

Efforts should continue to ensure more competitive elections, to avoid uncontested seats in future elections.

8. DIVERSITY AND INCLUSION

To foster a more open and inclusive process, consideration could be given to conducting a careful analysis of factors that may hold back some voters from participating and prospective candidates from standing for office:

- a.) In order to consolidate and improve upon the success of the number of women elected in this election, measures to strengthen women's participation in elections could be considered, especially in elections for Connétables, in line with international good practice;
- b.) Efforts could be increased to eliminate barriers to inclusion and greater participation in the electoral process by persons with disabilities, including physical access to campaign events, availability of facilities for visually impaired voters before and on Election Day and treatment of issues related to disability in the campaign.
- c.) Work on disseminating information about elections among minority communities should continue, with the aim of promoting their participation in the process.

9. POLLING STATIONS

The number of voters per polling station should be reviewed, to ensure polling stations are in close proximity to voters' residences and/or easily accessible via public transport, and to ensure that polling stations are manageable if many voters turn out on Election Day.

10. VOTER ELIGIBILITY

As the requirement for voters to use photo ID to prove their identity is not established in law and restricts suffrage, consideration should be given to whether the use of photo ID as evidence of voter eligibility should be maintained or whether other alternative methods of proving identity are suitable.

11. BALLOT PAPERS

The use of traceable counterfoils could be reviewed, especially whether their retention for the purpose of removing invalid ballots is proportionate to the broader risk of undermining public confidence in the secrecy of the ballot. If their use is retained, authorities should take significant steps to strengthen the safeguards in place to protect the secrecy of the ballot, as well as steps to assure voters of these safeguards.

12. COMPLAINTS AND APPEALS

In order to bolster the system of election dispute resolution and make it more inclusive, consideration could be given to the establishment of administrative redress available to persons other than the contestants.

13. VOTE COUNT

At the start of each vote count, a separate verification stage could be introduced, reconciling the number of voters having cast a ballot with the number of ballots received and the number of counterfoils.

14. ELECTION RESULTS

Results should be announced and published per polling station and per constituency or Parish, including the total number of voters on the voters' list, the number of voters having cast a ballot, the number of invalid ballots, and the number of votes cast per candidate.