



Bailiff interferes in Separation of Powers debate

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Jersey's unelected Bailiff, William Bailhache, has made an unprecedented political intervention in the debate on the Separation of Powers.

The States Assembly Privileges and Procedures Committee has published a letter sent by the Bailiff to the Chief Minister and Council of Ministers, in which the Bailiff seeks assurances from the Chief Minister that he will not make his argument for ending the dual role of the Bailiff on the basis of Recommendation 7 of the Independent Jersey Care Inquiry report.

Recommendation 7 of the report suggested that issues surrounding the lack of a Separation of Powers in Jersey must be addressed if Islanders are to have confidence that their institutions are fit for purpose to safeguard the interests of vulnerable people in the care of the state.

In his letter, the Bailiff (who has a history of using the phrase "the Jersey Way", a phrase which was criticised in the inquiry report) accuses the recommendations on the Separation of Powers made by the Independent Jersey Care Inquiry of being "both illogical and unnecessary".

Bailhache accused the Inquiry of

reaching a conclusion "without taking appropriate evidence" which "removes its credibility in respect of its conclusion", despite two reports into Jersey's constitution (the Clothier and Carswell reports) already examining the issue of the dual role of the Bailiff in detail and concluding that it breached the democratic principle of the Separation of Powers.

The four-page letter mounted a bizarre defence of the dual role of the Bailiff, suggesting that the current system in Jersey was more democratically acceptable than the system which the UK used to have, but abolished a decade ago.

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The Bailiff also defended the system as being consistent with principles argued by revered constitutional lawyer A. V. Dicey, despite Dicey having died almost a century ago and having argued robustly in the 19th century against democratic principles such as women's suffrage and Home Rule for Ireland.

William Bailhache has faced criticism for breaching the well established principle that Speakers of Parliaments do not attempt to meddle in government business, and instead provide a scrupulously impartial and non-partisan chairmanship of Parliament, to enable

elected members to attempt to fulfil the commitments they made to their electorate.

In particular, the final paragraph of Bailhache's letter to the Chief Minister reads *"However, in the forthcoming debate, I should be grateful for your assurance that you will not take the line that the Care Enquiry's Recommendation 7 is a reason for supporting the proposition of Deputy Tadier, or indeed for revisiting the issue of the Bailiff's role generally"*.

The Chief Minister, to his credit, has been clear since the publication of the ICJ report that he accepts its findings

and supports the implementation of its recommendations, including splitting the dual role of the Bailiff.

This intervention from the Bailiff, urging the Chief Minister to disregard the findings of an Inquiry he has already committed to support, has been argued by several political commenters to epitomise the 'Jersey Way', where individuals in power are seen to deliberately perpetuate their own self-interest, at the expense of ordinary Islanders.

The States will debate Deputy Tadier's proposition on ending the dual role of the Bailiff at its sitting on 12th September.

Jersey workers no better off than a decade ago

Figures released by the States of Jersey Statistics Unit have shown that Islanders are on average virtually no better off than they were a decade ago.

In their annual Index of Average Earnings report, the Stats Unit has calculated that, in real terms, Islanders earnings have only increased by 0.1% since 2007.

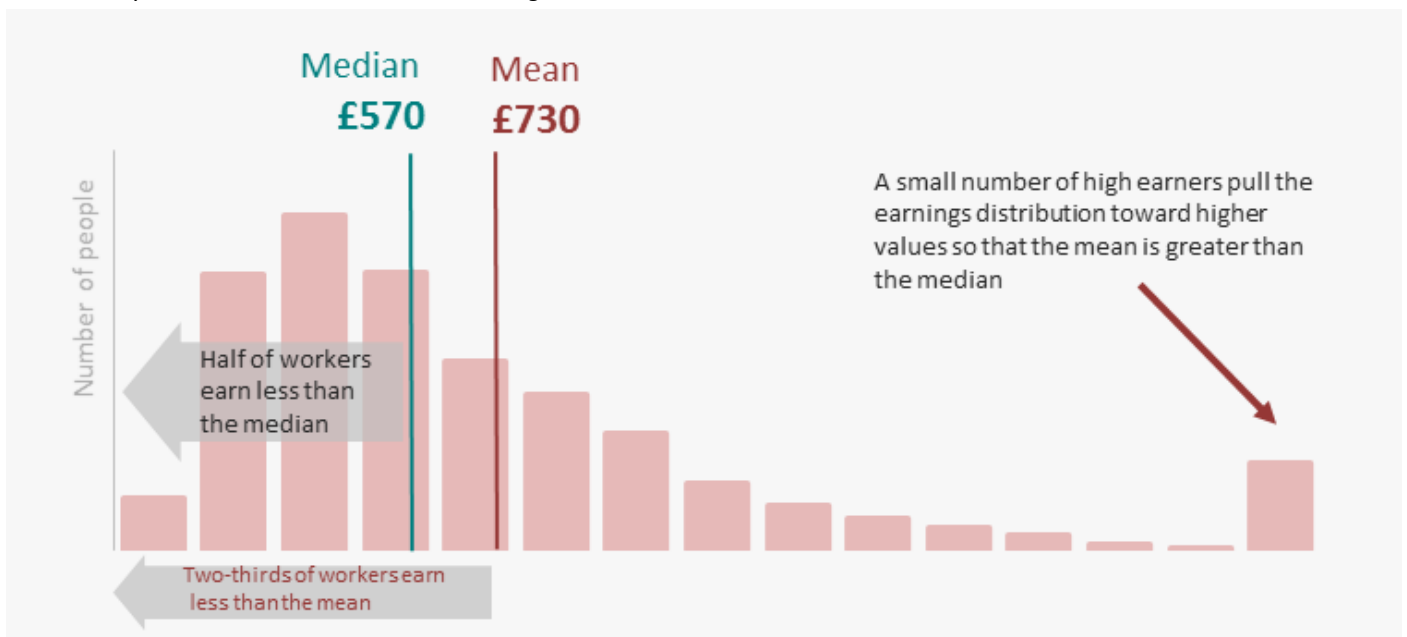
In the same ten years that earnings have increased by only 0.1%, the average price of a three-bedroom house has increased by £100,000.

Reform Jersey party chairman Deputy Sam Mézec claimed that the figures painted a bleak picture, especially for young people who increasingly feel like homeownership is not an option.

"Under the current government's policies, Jersey is becoming a society of haves and have-nots. With support being cut from the vulnerable, stagnating wages, house prices through the roof and less stability in work for many, a lot of people in Jersey just feel like nothing is being done to make their lives easier."

There is no silver bullet to this, but the government clearly has no strategy to deal with it, and some members are even in outright denial that it is happening at all.

Reform Jersey would increase the minimum wage to help those on low wages, increase spending in Education to give young people the training they need for the jobs of tomorrow and provide real support, not just words, to help businesses in our emerging industries."



Democratic reform needed to transform St Helier



Is St Helier meeting its potential as the capital of our Island? Is it the vibrant cultural and hospitality centre that should inspire tourists to flock to it? Is it as easy as it should be to do business in town?

For those of us who have lived and worked outside of Jersey, it is clear that St Helier has so much going for it. It is peaceful and safe, but also has many of the amenities to make it an enjoyable place to be.

But, let's be honest, we all know it has problems. It has a lot of very ugly buildings, there is a lack of green space in densely populated areas and we often lack that "buzz" in the streets which can be felt in many towns across Europe during the summer.

When a tourist stops you in the street and asks "where do we go to find the restaurants?" how do you answer? There is not really a clear district where all the food and entertainment is based. Things are scattered around incoherently. We have a perfect alfresco area by the Cenotaph, with a bookies occupying space that should be a restaurant or bar. We have nightclubs closing by the

Weighbridge to be turned into housing.

Who is taking leadership and governing St Helier with a coherent plan to make it a vibrant and exciting place, which responds to businesses and residents needs effectively?

With a population of 33,000 and the vast majority of Jersey businesses based in St Helier, in many ways our capital resembles a small city, yet has virtually no autonomy over local decision-making, compared to comparable local authorities in the UK or other parts of Europe.

In reality, the Constable of St Helier has little real power when it comes to the provision of public services or licences in St Helier. Most real power, in terms of infrastructure and overall policy, is retained by the Chief Minister from St Ouen, the unelected Planning Minister from St Martin and the unelected Infrastructure Minister from St Lawrence.

Even though the "mayor" is meant to face direct elections, these are usually uncontested. So the incumbent mayor has no real mandate for his policies.

Once every three years, Parishioners

of St Helier are invited to elect a "Roads Committee" to advise the Constable and make decisions on the maintenance of Parish roads, applications for all fresco licences, parking and comment on planning applications. This is the closest thing the town has to a 'municipal council'. Turn out at the last election was 0.26%! This system was created 200 years ago, has not really been fit for purpose for 150 years, and nobody engages with it.

If you go around towns, not just in the UK but across Europe, local democracy is often thriving and they see great results with big local schemes giving those towns the ability to attract people to visit.

Reform Jersey policy is to enact the reforms first proposed by the Chamber of Commerce at the beginning of the 20th Century and establish an elected "Conseil Municipal de St Helier", to have real powers over town-planning and infrastructure, entertainment and support for business initiatives.

With this system, St Helier could be an even better place to live, work and visit.

Extend the 'Living Wage' to States-owned companies

Reform Jersey's vice-chairman Deputy Geoff Southern has lodged a proposition in the States Assembly to force the government to extend the principle of the 'Living Wage' to States-owned companies and States contractors.

The 'Living Wage' is a voluntary accreditation scheme (run by the charity Caritas Jersey) where employers can seek recognition that they pay all of their employees the official 'Living Wage' rate, calculated as the hourly rate required for somebody to be able to afford a basic standard of living.

The 'Living Wage' currently stands at £9.75 per hour.

Following years of campaigning from Reform Jersey and others, earlier this year the Chief Minister, Senator Ian Gorst, finally publicly committed to seeing the States of Jersey sign up as an accredited 'Living Wage' employer.

However, it was revealed that actually only two States of Jersey employees currently receive less than £9.75 per hour, and both were interns who would shortly receive a small pay increase.

Thus far, the States has not actually initiated the steps to formally seek accreditation. This accreditation would require the States to consistently update

their wage rates in line with increases in the Living Wage rate as it goes up every year. If an accredited organisation does not realign their wages within 6 months of the rate increasing, then they risk losing their accredited status.

Deputy Southern has lodged a proposition ([P.72/2017](#)) which will put a deadline on the ambition to officially sign up as a 'Living Wage' employer, however it also seeks to go several steps further than the Chief Minister has so far indicated he wishes to go.

Part B of the proposition will require the Treasury Minister, as shareholder representative, to urge the States-owned companies (such as Jersey Telecoms and Jersey Post) to also seek accreditation as a 'Living Wage' employer.

Part C will require the States to consider the wage rates offered by contractors when goods and services are tendered out to private companies.

Under the current Council of Ministers, the plight of those on low pay has gotten worse over recent years.

For the first time in its history, Jersey's Minimum Wage is now not only lower than the UK, where the cost of living is considerably lower, but is also now lower than Guernsey and the Isle of

Man.

Reform Jersey are pledged to bring forward proposals later this year to ask the States to uprate the Island's Minimum Wage rate to catch up with the UK and set a path forward for it reaching 60% of the median wage.

However, when it comes to the voluntary 'Living Wage' the party has supported the work of Caritas in putting this issue on the political agenda, and wishes to see the States act as a model employer and use the tools it has at its disposal to encourage businesses who can afford to pay their workers more, to do so.

Alongside these proposals, further work is being done by the party to work on proposals to assist small and medium sized businesses to help them overcome the barriers many of them claim currently prevent them from increasing wages whilst maintaining viable business models.



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Join Reform Jersey

If you wish to join as a member of Reform Jersey, please either email our party secretary at secretary@reformjersey.je with your contact details, or fill in the form online at -

www.reformjersey.je/join-the-party

All members details are kept strictly confidential in line with Data Protection regulations.

Policies

- Reform our Income Tax code to reduce the tax burden on 'Middle Jersey', protect low earners and ask high earners to contribute more.
- Fully fund university tuition fees and introduce a student loan scheme for living expenses.
- Raise the minimum wage to £10 per hour by 2021.
- Introduce progressive rates of Social Security contributions for the self-employed.
- Raise maternity leave to 26 weeks.
- Reform the composition of the States Assembly to have one class of States Member, elected in equal sized constituencies where all voters have the same number of votes.