



## THE BAILIWICK: POLITICAL BACKGROUND

LAW OFFICERS  
OF THE CROWN

### Democracy in the Bailiwick

Guernsey, Alderney and Sark are self-governing parliamentary democracies where political representatives are elected by popular vote using a first past the post system. Party politics do not exist in the Bailiwick and all elected members effectively sit as independents. Each parliament is made up of one chamber only and has an independent speaker.

Despite some differences, the democratic institutions of all 3 islands have developed along similar lines:

### Guernsey

Although the island's parliament, the States of Deliberation, was first mentioned by name in 1770, assemblies representing the community of Guernsey existed as far back as the 13<sup>th</sup> Century. The States of Deliberation currently comprise the Bailiff of Guernsey (as presiding officer), the Law Officers (who may speak but not vote), 38 People's Deputies and 2 Alderney representatives. Unlike the majority of Western democracies, both the executive and legislative functions are exercised through the States, meaning that government policy is effectively decided by a majority of the elected members rather than on party political lines.

Acting through a range of committees and authorities, the States of Deliberation are responsible for all aspects of government, except for some aspects of international relations and defence which are dealt with by the UK. The senior Guernsey politician is the President of the Policy & Resources Committee (known off-island as the Chief Minister) which is the senior committee of the States. The States of Deliberation can enact legislation (*projets de loi* and Ordinances; see [website link]) and makes policy decisions by resolutions. Although *projets de loi* which apply to Guernsey, Alderney and Sark must normally be agreed by all 3 parliaments, the States of Deliberation has the power to enact criminal legislation for the whole of the Bailiwick; the other 2 islands are however consulted on this legislation as a matter of course.

The sole function of a States of Election is to elect Jurats of the Royal Court of Guernsey; when doing so, it comprises the Bailiff, the Law Officers and the People's Deputies with the addition of the serving Jurats, the Rectors and Priests-in-Charge of the ancient parishes of Guernsey, and 34 Douzaine representatives. Each Guernsey parish is administered by a Douzaine of 12-20 elected representatives (called

"Douzeniers") with 2 elected Constables who have various statutory functions and carry out the decisions agreed by the Douzaine.

For more information, see:

- <https://www.gov.gg/parliament>
- <http://www.guernseyroyalcourt.gg/article/3085/Guernsey>
- <https://www.gov.gg/parishes>

### **Alderney**

It is likely that the States of Alderney developed in the early 16<sup>th</sup> Century from previous representative bodies with the principal function of raising taxes in the Island. However, the constitution of the modern States was introduced in 1948 when the island had been resettled after the Occupation; the States comprise a President elected for 4 years as presiding officer and 10 members elected for 4 years on a 2 year cycle i.e. 5 members are elected every 2 years. In addition, 2 States members are chosen by popular vote to represent Alderney in the States of Deliberation. The States function through Committees, principally the Policy and Finance Committee which includes all of the States members. The States of Alderney can enact legislation (*projets de loi* and Ordinances; see [website link]) and makes policy decisions by resolutions. Prior to a States meeting, a States member convenes a People's Meeting to allow the Alderney electorate to give its views on the issues to be debated by the States; additionally, individual electors have the opportunity to address the States directly on matters of public interest on regular intervals.

For more information, see:

- <http://www.alderney.gov.gg/article/4063/Government-and-Administration>  
<http://www.guernseyroyalcourt.gg/article/1955/States-of-Alderney-Historical-Review>

### **Sark**

Having been occupied by pirates and the French in the 16<sup>th</sup> Century, the island of Sark was granted by Elizabeth I to Helier de Carteret of Jersey in 1563. This grant, confirmed by a 1565 Royal Charter, required de Carteret to provide 40 men to defend Sark. In due course these men were allotted a piece of land and became "tenants" who had a vote in the island's assembly, which developed to become the Chief Pleas of Sark. In addition to the tenants, the other members of Chief Pleas were the Seigneur of Sark and the Seneschal (who was speaker as well as judge of the court on Sark). Elected Deputies were introduced to Chief Pleas in 1922; however, the 2008 reforms saw the 40 tenants and 12 Deputies replaced by 28 *Conseillers* elected for 4 years on a 2 year cycle i.e. 14 members are elected every 2 years. The same reforms saw the Seneschal replaced as presiding officer by the President of Chief Pleas. Chief Pleas functions through a system of Committees, Policy Development Group & Policy Development Teams. Chief Pleas can enact legislation

(*projets de loi* and Ordinances; see [website link]) and makes policy decisions by resolutions.

For more information, see:

- <http://www.gov.sark.gg/>
- <http://www.guernseyroyalcourt.gg/article/1957/Historic-Review>

### **Relationships within the Bailiwick**

Although the 3 main islands have their own governments, there are important links between them to encourage discussion of shared issues. The Bailiwick Council in December 2015 was formed "to better handle and promote proactive and positive engagement between the governments and communities of the islands; and to provide forums for improved cooperation, consultation and communication both internally and externally".

In addition, the Guernsey Policy & Resources Committee meets regularly with the Alderney Policy & Finance Committee principally to discuss the "transferred services" (Alderney airport, health, social and education services, adoption and child care, police and immigration) for which responsibility has been transferred from the States of Alderney to the States of Guernsey. Accordingly, income tax and other indirect taxes and fees are paid from Alderney to Guernsey.

For more information, see:

- <http://www.alderney.gov.gg/article/100059/Government-Services>

For more information on the Bailiwick in general, see:

- <https://www.gov.gg/article/120176/Information-on-the-location-of-the-islands-and-their-constitution>