

# **GOVERNANCE REFORM CONSULTATIVE POLL**

Wednesday, 17 March 2021

**HAVE  
YOUR  
SAY**



**St Helena Government**  
February 2021



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## Introduction

A public consultation exercise was held in October 2020 to see if the Island's population were in favour of a new structure of Government, or whether they wanted the present structure to remain.

This was led by the Governance Commission and followed the visits and reports of Professor Jeremy Sarkin in 2019 and 2020, when he visited the Island and discussed Governance Reform.

Legislative Council tasked a Progress Committee to refine details on how either a Revised Committee System or a Ministerial System could work for St Helena.

The report of the Progress Committee was considered by Legislative Council on 15 January 2021 when a motion was passed by all Elected Members to hold a Governance Reform Consultative Poll.

The Poll will ask the public if the Current Governance System should be changed, and if so, whether it should be changed to a Revised Committee System or a Ministerial System.

## **The Poll will be held on Wednesday, 17 March 2021**

This booklet provides information about the Current System of Governance, the Revised Committee System, the Ministerial System and details about the Poll.

*High Knoll Fort, St Helena Island*





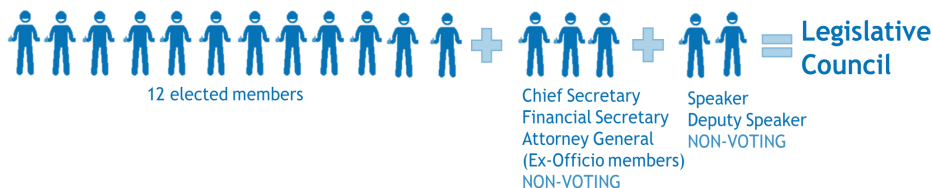
## Current System of Governance

The Current System of Governance in St Helena is legally defined by the 2009 Constitution of St Helena, Ascension & Tristan da Cunha.

Every four years St Helena holds a General Election to select 12 members of the public to represent the Island community. Those on the electoral roll are eligible to vote for the 12 Elected Members of Legislative Council.

### Legislative Council

These 12 Elected Members along with the Chief Secretary, Financial Secretary, Attorney General, Speaker of the House and Deputy Speaker make up Legislative Council. The Chief Secretary, Financial Secretary and Attorney General are known as the ex-officio members and it is important to note that they cannot vote in Legislative Council.



The purpose of Legislative Council is to:

- Debate and pass primary legislation
- Debate policies raised in the Council
- Approve the budget
- Scrutinise public services to ensure the effective use of public funds

### Executive Council

From Legislative Council, five Elected Members will be elected by Councillors to form Executive Council (ExCo) for two years initially, and may then be either re-elected or replaced at the start of year three and again at the beginning of year four of the Legislative Council. The Governor chairs ExCo and the three ex-officio members are also non-voting members of ExCo.





In most matters, ExCo provides definitive advice to the Governor, but in some areas, including six of the Governor's Special Responsibilities, provides non-definitive advice. As such, ExCo is the top decision-making body that sets the national strategy, the government's legislative programme, approves policy of national importance, takes matters forward with the UK Government as required and is the final decider for many difficult Island decisions.

In the unlikely circumstance that the Governor does not accept definitive advice of ExCo, the Governor may proceed with approval of the Secretary of State but must inform ExCo of the reasons, in writing. Any member of ExCo may then make submissions to the Secretary of State.

## **Council Committees**

Council Committees are separate from ExCo and Legislative Council but are made up of Elected Members.

The Constitution states that there shall be as many Council Committees as the Governor determines and made up of members at the Governor's discretion. There are presently six Council Committees.

The Finance Committee consists of the five Elected Members of ExCo.

The other five Council Committees are currently each chaired by an Elected Member of ExCo. Each committee consists of five Elected Members of Legislative Council but Directors and officials do also attend.

The roles of the Council Committees are to:

- Debate the contents of new policies, consider public views and professional advice
- Scrutinise and modify existing policies
- Prepare requirements for drafting new laws
- Decide on new public services and changes to current public services
- Decide on priorities if sufficient resources aren't available

Committee members make decisions together. Final decisions are based on a vote from each member and, if tied, the Chairman has a casting vote.

Committees have no direct responsibility for budgetary spends within Directorates but do monitor the quality of service being provided to the public, and hold Directorates accountable.

Relevant matters from the Council Committees are referred to ExCo. This includes certain policy decisions and draft legislation.

Alongside the Finance Committee and the five other Council Committees, the Public Accounts Committee (PAC) will still exist in its separate function and report to Legislative Council. *(see page 14 to find out more about the PAC)*

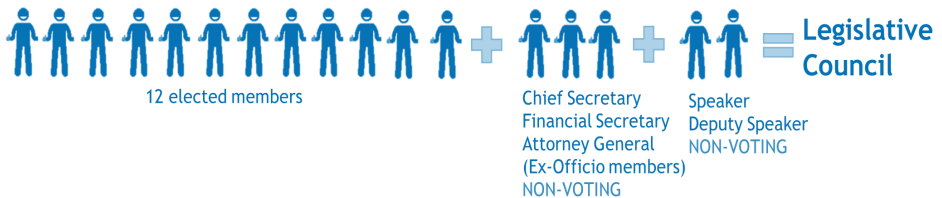


## Revised Committee System

### Legislative Council

The Revised Committee System is similar to the Current System of Governance whereby the Legislative Council, consisting of 12 Elected Members, the three ex-officio members, the Speaker of the House and the Deputy Speaker will still exist.

The role of the Legislative Council also remains the same.



### Executive Council

The composition and working of ExCo will remain the same. All of the Elected Members will vote for five of the members to sit on ExCo along with the three ex-officio members and the Governor as the Chair.

As in the current system, an Elected Member's term of office on ExCo will be for two years initially, and they may then be either re-elected or replaced at the start of year three and again at the beginning of year four of the Legislative Council.

The purpose and role of ExCo remains the same as in the current system.



*To view the role and purpose of Legislative Council and ExCo in the current system please see pages 4 and 5*



## Council Committees

The Council Committee system will remain but the key difference between the current system and the revised system is in the make up of the Council Committees and the role of the Committee Chairs.

Each Council Committee will comprise of only one or two Elected Members and the Chair.

Under a Revised Committee System, Chairs would have a more direct responsibility for delivery of policy and financial management.

The five Elected Members of ExCo will still make up the Finance Committee that decide the allocation of financial resources.

Alongside the Finance Committee and the five other Council Committees, the PAC will still exist in its separate function and report to Legislative Council.  
*(see page 14 to find out more about the PAC)*



*The names of the Directorates in the above graphic are the proposed revised portfolios following the current restructure of SHG. For more information, view page 13*



## The Ministerial System

The Ministerial System would be a completely new Governance System for St Helena.

### Legislative Council

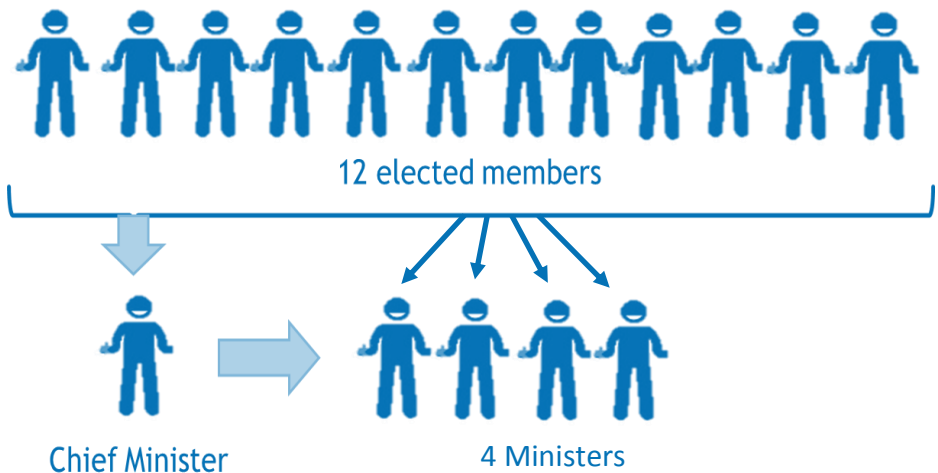
Again, 12 Elected Members will be selected to form Legislative Council following a general election held every four years. Legislative Council will comprise of the 12 Elected Members. The Speaker of the House, Deputy Speaker of the House, and the Attorney General are non-voting members. There will be no Chief Secretary or Financial Secretary in Legislative Council.



### Chief Minister and Ministers

The 12 Elected Members of Legislative Council will elect a Chief Minister from among them.

The Chief Minister would then select four Elected Members from Legislative Council to serve as Ministers.





## Executive Council

In this system, the Chief Minister and their four Ministers will form ExCo. ExCo will also comprise of the Attorney General, as a non-voting official. The Governor would chair any meeting of ExCo. The Chief Secretary and Financial Secretary could be invited to ExCo when needed or on a fixed basis.



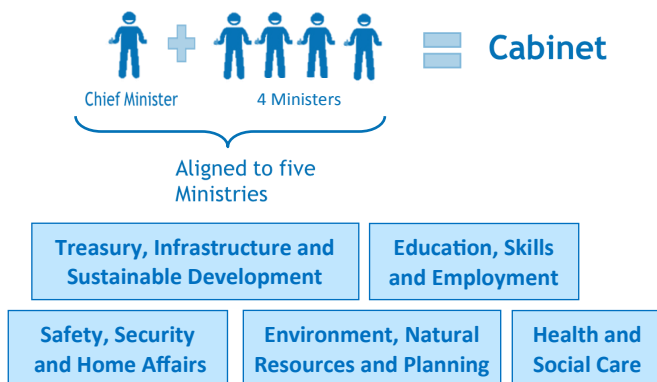
## Ministries

The Chief Minister and their four Ministers will set out their vision and policies for their four year term of office subject to financial aid constraints. There will then be five Ministries, one for each Minister if the Chief Minister himself has one. These Ministries will be:

- Education, Skills and Employment
- Health and Social Care
- Treasury, Infrastructure and Sustainable Development
- Safety, Security and Home Affairs
- Environment, Natural Resources and Planning

The Chief Minister will have oversight for the performance of Ministers and their Ministries. The Chief Minister and Ministers can hold Cabinet meetings, as required, to decide advice to be given to the Governor at meetings of ExCo.

Ministers will have direct responsibility and accountability for all policies and services delivered by their Ministry. They will also have to justify to Legislative Council the effective use of public funds spent in their Ministry.





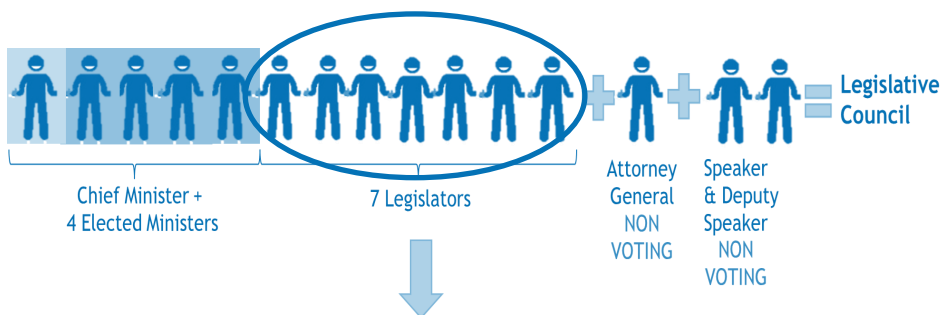
## Legislators

The remaining seven Elected Members, known as Legislators (or backbenchers), will be allocated a constituency and will be the first point of call for constituents in that area.

A large part of the Legislators' remit would be to scrutinise the performance and decision making by the Ministers to ensure the effective use of public funds. Two scrutiny committees would be set up and the Legislators would be members of these committees.

Alongside the two new scrutiny committees, three of the Legislators will also sit on the PAC, which will continue to exist as in the current system.

*(see page 14 to find out more about the PAC)*



### The 7 Legislators will:

- Be assigned a constituency to represent
- Scrutinise and hold Ministers accountable for their decisions

## Other Changes

Ministers will be co-located to work from an office in their corresponding Ministry. The Director and other staff would be required to develop a productive working relationship with the Minister and meet frequently to discuss policies and legislation being developed, and advise on the implementation of activities.

A regular forum will be held where Legislators will be able to question the Chief Minister and Ministers on their decision making. For example, there could be sessions of Chief Minister Questions similar to Prime Ministers Questions in the UK.

Unlike in the Current Government System and Revised Committee System, there will not be any Council Committees in a Ministerial System.



## Proposed Constitutional Changes for Negotiation with the UK Government if a Ministerial System is chosen

Below is a summary of some of the most substantial proposed Constitutional changes to implement a Ministerial System:

- Creation of the position of Chief Minister and four Ministers
- Process for Election of Chief Minister by Legislative Council and appointment by Governor
- Process for Vote of No Confidence in Chief Minister by Legislative Council
- Power for Chief Minister to choose four Ministers for appointment by the Governor
- Allocation of Portfolios (Ministries) to Ministers
- Meetings of Ministers (Cabinet) to consider advice to be tendered to the Governor at Executive Council
- Dismissal of Ministers at the recommendation of the Chief Minister
- Removal of Shipping from Governor's special responsibilities
- Creation of two Select (Scrutiny) Committees
- Removal of the Chief Secretary and Financial Secretary as Members of Executive and Legislative Council
- Removal of the Oath of Confidentiality
- Removal of Council Committees
- Transfer of certain current functions of the Financial Secretary to the Minister responsible for Finance



*Diana's Peak, St Helena Island*



## The Role of the Governor

The Governor is Her Majesty The Queen's official representative.

Whilst the Governor does not become involved in the day to day decision making at an operational level within the workings of SHG, the Governor has certain special constitutional responsibilities.

These special responsibilities are:

- a. Defence
- b. External Affairs
- c. Internal Security, including the Police
- d. Appointment of any person to any office in the St Helena Public Service (SHG)
- e. Administration of Justice
- f. Finance
- g. Shipping

The Governor's role will remain largely the same no matter which Governance System is chosen as the preferred option for St Helena, although under the Ministerial System the majority of discussions on the substantive business of government will be led by the Chief Minister.

*Plantation House, St Helena Island:  
Residence of the Governor  
of St Helena, Ascension & Tristan*



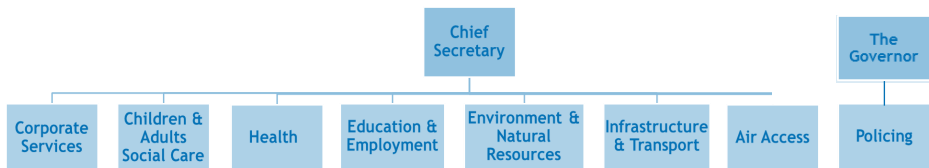


## The Role of the SHG Administration (Public Service)

The SHG Administration is known as the Public Service. This is confusingly often referred to as 'the government'. The Chief Secretary is the head of the Public Service and is an administrative official.

There are currently eight Directorates making up the Public Service which report to the Chief Secretary for performance matters but report to Council Committees or ExCo in policy matters. They are:

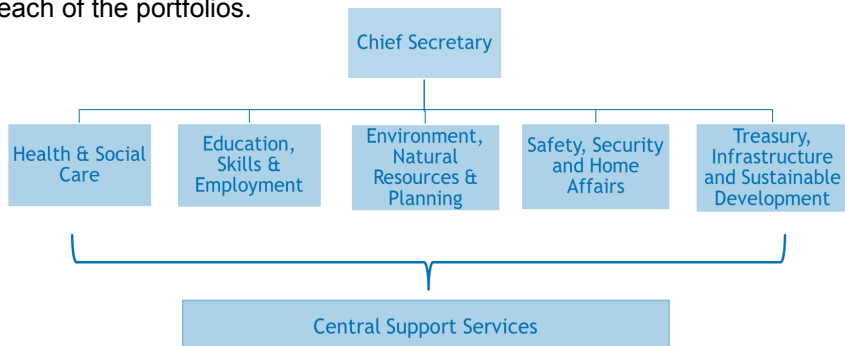
- Corporate Services
- Children & Adults Social Care
- Health
- Education & Employment
- Environment, Natural Resources and Planning
- Infrastructure & Transport
- Police (Chief of Police reports to the Governor)
- Air Access



The revised portfolios of SHG are proposed to be:

- Health & Social Care
- Education, Skills and Employment
- Environment, Natural Resources & Planning
- Safety, Security and Home Affairs
- Treasury, Infrastructure and Sustainable Development

There will also be a Central Support Service to provide administrative support to each of the portfolios.





## The Role of the Public Accounts Committee

The Public Accounts Committee (PAC) is tasked by the Constitution to examine and report to Legislative Council on the government's audited annual statement of accounts and such management letters and reports.

Legislative Council appoint three non-ExCo Elected Members to the PAC and the Governor, in consultation with Legislative Council, appoints two independent members of the public, one of whom must be the Chair.



The PAC has power, subject to other laws, to summon individuals before it and to require answers to questions and, in exercise of its function, acts independently.





## Remuneration

Remuneration is the pay, allowances, and other benefits provided to Elected Members, the Speaker and the Deputy Speaker and is regulated by the Constitution.

The Constitution requires that such remuneration is set by an Ordinance but limits Legislative Council from considering any level of remuneration above what is recommended by an independent body appointed by the Governor. This mechanism will be kept in either of the new systems, or in the continuation of the Current Governance System.

Overall, it is expected that the greater efficiency gained from either of the proposed systems would reduce wider costs and so the cost of any new system of governance would be met from existing budgets.

*James' Bay, St Helena, viewed from Ladder Hill*





## The Voting Process



**The Poll is scheduled to take place on Wednesday, 17 March 2021.**

**Voters must be on the Register of Electors or on the Supplemental List of Voters by 4pm on 3 March 2021 to be eligible to cast a vote in the Poll.** *Please note that this supplemental list is for this Poll only and those registered on it would not be eligible for jury duties as is the case with the Register of Electors.*

On Polling Day, polling stations will be setup around the Island and will open at 10am until 7pm to allow as many voters as possible to cast their vote.

Arrangements for Proxy Votes for those not currently on-Island and anyone requiring assisted voting will be in line with arrangements made in the Elections Ordinance.

Further details around how to register your name on the supplemental list, how to vote by Proxy, and the voting process as a whole, will be issued via local newspapers, radio stations, and social media.

All eligible persons are encouraged to have their say and cast their votes for this important Poll to help shape the future Governance of St Helena.



## The Poll Question

Legislative Council unanimously resolved at their meeting on 15 January 2021 that a consultative poll on Governance Reform be taken and that two questions be balloted. The below is an indicative ballot paper:

<b>Consultative Poll on Governance Reform - 17 March 2021</b>	
<b>BALLOT PAPER</b>	
1) Do you want the current system of governance to be changed? (Indicate either 'yes' or 'no' by placing an 'x' in the relevant box)	Yes <input type="checkbox"/>  No <input type="checkbox"/>
2) If the public will is for a change to the current system of governance, should the governance system be changed to:	
a) a revised Committee system of governance; or	<input type="checkbox"/>
b) a Ministerial system of governance	<input type="checkbox"/>
(Indicate which system is your preference by placing an 'x' in the relevant box)	

*Regardless of your answer to Question One, you can still provide an answer to Question Two. This is because if the majority will of the public is to change the Governance System, even if you voted for no change, you can still have your say on which system you would prefer if a change is to happen.*

*For more information on the Current Governance System see page 4*

*For more information on the Revised Committee System see page 6*

*For more information on the Ministerial System see page 8*



*Sandy Bay Beach, St Helena Island*



## **Public Information Sessions**

To ensure you have all the information required, and will be in the best position possible to cast your vote on your preferred Governance System for St Helena, Public Information Sessions are being scheduled for the week commencing 22 February 2021.

At these Public Information Sessions the current and two proposed Governance Systems will be discussed further and you will have the chance to ask questions to help you understand how each system will work so that you can make your decision based on your knowledge of each system.

The current proposed schedule for these Public Information Sessions are as follows:

<b><u>Date</u></b>	<b><u>Time</u></b>	<b><u>Venue</u></b>
Monday, 22 Feb 2021	7.30pm	Kingshurst Community Centre
Monday, 22 Feb 2021	7.30pm	HTH Community Centre
Tuesday, 23 Feb 2021	7.30pm	St Michael's Church, Rupert's
Tuesday, 23 Feb 2021	7.30pm	Blue Hill Community Centre
Tuesday, 23 Feb 2021	7.30pm	Jamestown Community Centre
Wednesday, 24 Feb 2021	7.30pm	Silver Hill Bar
Wednesday, 24 Feb 2021	7.30pm	Guinea Grass Community Centre
Wednesday, 24 Feb 2021	7.30pm	Harford Community Centre
Thursday, 25 Feb 2021	7.30pm	St Mary's Church, The Briars
Thursday, 25 Feb 2021	7.30pm	Sandy Bay Community Centre

Please listen to your local radio stations, check out the newspapers, and visit the SHG Social Media pages for confirmed dates, times, and venues for these Public Information Sessions.



## Contact Details

Below you will find contact details for all 12 Elected Members currently serving on Legislative Council.

**Hon Clint Beard** - [clint.beard@helanta.co.sh](mailto:clint.beard@helanta.co.sh) - Tel: 22351

**Hon Cruyff Buckley** - [Councillor.buckley@helanta.co.sh](mailto:Councillor.buckley@helanta.co.sh) - Tel: 63503

**Hon Gavin Ellick** - [Councillor.Ellick@helanta.co.sh](mailto:Councillor.Ellick@helanta.co.sh) - Tel: 23392

**Hon Jeffrey Ellick** - [jeffrey.ellick@helanta.co.sh](mailto:jeffrey.ellick@helanta.co.sh) - Tel: 51210

**Hon Corinda Essex** - [cs.essex@helanta.co.sh](mailto:cs.essex@helanta.co.sh) - Tel: 22038

**Hon Anthony Green** - [anthony.green@helanta.co.sh](mailto:anthony.green@helanta.co.sh) - Tel: 24208

**Hon Lawson Henry** - [lawson.henry@helanta.co.sh](mailto:lawson.henry@helanta.co.sh) - Tel: 24458

**Hon Brian Isaac** - [brian.isaac@helanta.co.sh](mailto:brian.isaac@helanta.co.sh) - Tel: 24452

**Hon Cyril Leo** - [ckleo@helanta.co.sh](mailto:ckleo@helanta.co.sh) - Tel: 24600

**Hon Christine Scipio** - [christine.scipio@helanta.co.sh](mailto:christine.scipio@helanta.co.sh) - Tel: 24638

**Hon Derek Thomas** - [DEREKTHOMAS@helanta.co.sh](mailto:DEREKTHOMAS@helanta.co.sh) - Tel: 23647

**Hon Russell Yon** - [russellk.yon@helanta.co.sh](mailto:russellk.yon@helanta.co.sh) - Tel: 23200

## Questions?

To find out more information, or to put forward a question with regards to Governance Reform and the different Governance Systems please contact any Elected Member via their details above.

Alternatively you can contact Deputy Speaker of the House, Maureen Thompson, on email: [maureen.thompson@helanta.co.sh](mailto:maureen.thompson@helanta.co.sh) or the SHG Press Office via telephone: 22470 or email: [liam.yon@sainthelena.gov.sh](mailto:liam.yon@sainthelena.gov.sh).

**Look out for articles in your local newspapers, posts on Social Media, presentations on local TV, and listen out for radio announcements as well as more detailed radio discussions over the coming weeks to help gain further knowledge on the different Governance Systems in the lead up to Polling Day on Wednesday, 17 March 2021.**

***Thanks for reading and don't forget to cast your vote!***



