

KS/MH/102

PRIVILEGES AND PROCEDURES COMMITTEE

(97th Meeting)

5th April 2018(Business conducted via electronic mail)**PART A (Non-exempt)**

All members were present, with the exception of Deputy J.A. Martin of St. Helier and Deputy S.M. Brée of St. Clement, from whom apologies had been received.

Connétable L. Norman of St. Clement, Chairman
 Connétable D.W. Mezbourian of St. Lawrence
 Deputy K.C. Lewis of St. Saviour (in attendance for item A2 only)
 Deputy S.Y. Mézec of St. Helier
 Deputy S.M. Wickenden of St. Helier (in attendance for item A1 only)

In attendance -

L.M. Hart, Deputy Greffier of the States
 K.L. Slack, Clerk to the Privileges and Procedures Committee

Note: The Minutes of this meeting comprise Part A only.

Commissioner
 for Standards –
 report in
 respect of a
 complaint
 against Senator
 A.K.F. Green
 and Deputy
 E.J. Noel.
 1497/99/1(8)

A1. The Committee received a report from the Commissioner for Standards ('the Commissioner'), following his investigation into a complaint that Senator A.K.F. Green and Deputy E.J. Noel of St. Lawrence had breached the Code of Conduct for Elected Members ('the Code'). The Committee recalled that the Commissioner was required to report to it on the outcome of any investigation referred to him.

The Committee noted that Messrs. A. Le Quesne and R. Huelin had complained to the Commissioner on 21st December 2017, alleging that Senator Green and Deputy Noel had breached the Code by providing Members of the States with information which was factually defective and misleading and had, thereby, conveyed a false impression to Members in the context of planning for the proposed 'future hospital'.

Having received a comprehensive response to the complaint from Senator Green and Deputy Noel, the Commissioner had found no evidence to suggest that they had breached the Code of Conduct for Elected Members.

The Committee decided, as it had done in relation to previous complaints against Members of the States, to publish the Commissioner's report in the Reports series, without the attachments which had been provided by the Commissioner. It was of the view that the body of the report contained sufficient evidence to justify the conclusions reached by the Commissioner, without the need to attach the supporting documentation.

The Committee requested the Committee Clerk to append a preamble from it to the Commissioner's report and to send the report, with preamble, to Senator Green and Deputy Noel in advance of arranging for it to be presented to the States.

Commissioner
for Standards –
report in
respect of a
complaint
against Deputy
R.G. Bryans.
1497/99/1(9)

A2. The Committee received a report from the Commissioner for Standards ('the Commissioner'), following his investigation into a complaint that Deputy R.G. Bryans of St. Helier had breached the Code of Conduct for Elected Members ('the Code'). The Committee recalled that the Commissioner was required to report to it on the outcome of any investigation referred to him.

The Committee noted that Senator A.K.F. Green had complained to the Commissioner on 23rd January 2018, that Deputy Bryans had breached the Code. The complaint centred on the receipt by the Director of Education of an anonymous letter which alleged over familiarity by Deputy Bryans with female members of staff at the Education Department; a specific allegation that Deputy Bryans had adjusted the dress zip of a female Deputy and general disquiet over Deputy Bryans' behaviour. In advance of making his complaint to the Commissioner, Senator Green had commissioned a report from a consultant, who had carried out various interviews and had recommended that the matter should be referred to the Commissioner.

The Commissioner, himself, had interviewed various witnesses in relation to the allegations *inter alia* members of staff at the Education Department, the female Deputy whose dress zip Deputy Bryans was alleged to have adjusted and other Members of the Council of Ministers. The Commissioner had also conducted an interview with Deputy Bryans and had subsequently sought clarification in relation to certain matters by electronic mail.

The Committee noted that the conclusion of the Commissioner was that Deputy Bryans had not breached the Code.

The Committee decided, as it had done in relation to previous complaints against Members of the States, to publish the Commissioner's report in the Reports series, without the attachments which had been provided by the Commissioner. It was of the view that the body of the report contained sufficient evidence to justify the conclusions reached by the Commissioner, without the need to attach the supporting documentation.

The Committee requested the Committee Clerk to append a preamble from it to the Commissioner's report and to send the report, with preamble, to Deputy Bryans in advance of arranging for it to be presented to the States.