

KS/SB/60

PRIVILEGES AND PROCEDURES COMMITTEE

(20th Meeting)

(Business conducted by electronic mail)21st January 2019**PART A (Non-Exempt)**

All members were present, with the exception of Deputy S.M. Wickenden of St. Helier, Deputy M.R. Le Hegarat of St. Helier and Deputy C.S. Alves of St. Helier, from whom apologies had been received.

Deputy R. Labey of St. Helier, Chairman  
 Connétable A.S. Crowcroft of St. Helier  
 Connétable C. H. Taylor of St. John  
 Deputy J.M. Maçon of St. Saviour

In attendance -

Dr. M. Egan, Greffier of the States  
 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 Deputy  
 M.R. Higgins.  
 1497/99/1(2)

A1. The Committee, with reference to its Minute No. B3 of 8th January 2019, recalled that it had met with Deputy M.R. Higgins of St. Helier on 19th December 2018 in order to discuss with him a report by the Commissioner for Standards ('the Commissioner') in respect of the latter's investigation into a complaint that Deputy Higgins had breached the Code of Conduct for Elected Members.

The Committee recalled that former Senator A.K.F. Green had complained to the Committee, as previously constituted, that Deputy Higgins had breached the Code by virtue of his contributions to an in committee debate, which had taken place during July 2017. It was alleged that during the debate, Deputy Higgins had wrongly identified an officer by referencing an incorrect job title, had accused an officer of 'manufacturing the evidence', had discussed confidential details relating to a vulnerable family and had misrepresented the facts.

Having investigated the complaint, the Commissioner had not found that Deputy Higgins had compromised the identity of the family and accepted that he had made a mistake in respect of the job title. However, he had concluded that Deputy Higgins had not fully co-operated with his investigation, despite being legally required to do so and had failed to address one of the allegations made against him. As a consequence, he had concluded that the Deputy had breached the Code.

The Committee accepted the findings of the Commissioner that Deputy Higgins had breached the Code by not fully co-operating with the Commissioner's investigation, but noted the explanation with which it had been provided by Deputy Higgins. Accordingly, it was not minded to take any further action in relation to this case.

91

20th Meeting

21.01.19

The Committee decided to publish the Commissioner's report in the Reports series and requested the Committee Clerk to append a preamble from it to the report and to send the same to Deputy Higgins before arranging for its formal presentation to the States.