

3.13 Deputy T.M. Pitman of the Chairman of the Privileges and Procedures Committee regarding an investigation into apparent breaches of the Members' Code of Conduct by the Assistant Minister with responsibility for External Affairs:

Given that the Privileges and Procedures Committee has the power to initiate investigations into apparent breaches of the Members' Code of Conduct, will the Chairman clarify whether his Committee have started an inquiry yet into the answers given by the Assistant Minister with responsibility for external affairs regarding the confidentiality issues raised by 2 local businessmen travelling on the same flight from Gatwick?

The Connétable of St. Helier (Chairman, Privileges and Procedures Committee):

The Committee has not started an inquiry. The Privileges and Procedures Committee has not received a complaint regarding the matter cited by the Deputy, neither, given previous exchanges in the Assembly regarding the matter, has P.P.C. considered whether it has possession of or access to information that would warrant the commencement of a Code of Conduct investigation.

3.13.1 Deputy T.M. Pitman:

Of course, P.P.C. do not need a complaint and, of course, the Chairman, as I hope he will acknowledge, was copied into the original email from the businessman, including his name and who he is, so why has nothing been done or does he need an actual complaint, which I am happy to do if that is the case?

The Connétable of St. Helier:

The Deputy is right. Standing Order 157 provides that where P.P.C. has information, whether or not received from a complainant, that suggests that an elected Member may have acted in breach of the Code of Conduct it shall, without undue delay, inform the Member and investigate the act. I would simply repeat that this matter has been raised in question time on a number of occasions. I was indeed copied in by an email that the Deputy relates to, but as Chairman I get copied into quite a lot of emails. I am subject to "reply to all" trigger finger behaviour in some cases from Members and it is quite difficult sometimes to know quite what to make of the sort of emails that come into one's inbox. However, P.P.C. is willing to pursue the matter in due course and I am sure if it is necessary P.P.C. will.

3.13.2 Deputy T.M. Pitman:

I am just concerned rather at the P.P.C. Chairman's apparent attitude to why things are investigated. They are certainly very quick off the mark on occasions and, it has to be said, it is nearly always against what you might call anti-establishment figures. Is there some hidden code that we do not know about? How is the criteria met? How is it monitored? If is not consistent, then perhaps really the Chairman ought to go away and come up with something that is a bit better, does he not agree? Could I just point out to correct - I am sure it was a slip of the tongue - there should not be any confusion with that email because it came directly from a member of the public. It was not just an email from a colleague, which I know many of us would probably just put straight into the "deleted" bin.

The Connétable of St. Helier:

I think in response to Deputy Pitman's question the reason I personally have not been pursuing this is because I have been aware that it has been a subject of questions in the Assembly and certainly the normal course of events if a Member is pursuing something like this is to get in touch with P.P.C. Indeed, I have given the Member advice privately of the correct procedure to follow if that is the case. With regard to his concern that P.P.C. only pursues anti-establishment Members, having been pursued by P.P.C. myself in not too recent history I do not think that is true unless he regards me as anti-establishment, of course.