

4.5 Deputy M.R. Higgins of the Chairman of the Privileges and Procedures Committee regarding complaints made to the Committee by the States of Jersey Police over the past 12 months against States Members:

Can the Chairman advise whether any complaints have been made to the Privileges and Procedures Committee by the States of Jersey Police over the past 12 months against States Members and if so how many complaints, what were the underlying issues and which States Members were they made against?

Deputy J.M. Maçon of St. Saviour (Chairman, Privileges and Procedures Committee):

There have been no complaints to P.P.C. (Privileges and Procedures Committee) by the States of Jersey Police in the last 12 months. P.P.C. would not normally comment in public about complaints received by the committee but in the interests of transparency and to avoid unnecessary speculation I am willing, on this occasion, to state that a joint complaint was received in 2012 from the States of Jersey Police and the Jersey Data Protection Office about a question asked in the Assembly that related to an ongoing police investigation. The police were concerned that a question of this nature could prejudice the ongoing inquiry and invited P.P.C. to consider whether Standing Orders should be amended to prevent questions of this nature. There is no complaint against an elected Member that could be considered under the Code of Conduct as the question was asked in the Assembly and Standing Order 156(2)(c) states: "The Privileges and Procedures Committee shall not accept any complaint from a person who is not a Member of the States regarding words spoken or actions of an elected Member during a meeting." As the matter could not be considered a complaint the elected Member, who had asked the question referred to, did not need to be notified about the inquiry as no investigation by P.P.C. was necessary.

4.5.1 Deputy M.R. Higgins:

Could the Chairman tell us if it is usual for States departments to complain to P.P.C. about questions that are being asked in this House by Members who are trying to hold those departments into account? Do they not realise the difference between parliamentary democracies and that States Members have the right to raise any issue they like without hindrance?

Deputy J.M. Maçon:

As Members will be aware I have only been the Chair of P.P.C. for a short time. We have not received any complaints from the States departments about States Members. So to answer the first question, no, it is not usual to receive these types of things before the committee. The second question I cannot answer in that the Standing Orders are drafted as they are and they are designed that way in order to protect parliamentary privilege of the Members of this Assembly.