

**WRITTEN QUESTION TO THE CHIEF MINISTER
BY DEPUTY M.R. HIGGINS OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 20TH JUNE 2017**

Question

Will the Chief Minister advise what action is prescribed in circumstances where a Minister or official becomes aware of alleged criminality regarding the States of Jersey and other public officials and does not report it to the police, the Chief Minister and the Chief Executive?

Answer

There is no general legal obligation for anyone who knows about a crime to report it to the police.

Where there is alleged criminality and a member of the public who is a witness or victim of that alleged criminality wants the conduct to be investigated, that person should report the matter to the police at the earliest opportunity.

The Code of Conduct published by the States of Jersey Human Resources Department positively encourages employees to raise any concerns about fraud, corruption or malpractice associated with States activities. The Code recognises that it might be difficult to report suspicions about a colleague, but states that it is incumbent on all staff to report concerns without delay. The Code provides that no one will be penalised for making an allegation that is subsequently proved to be groundless where the allegation has been made in good faith. Any concerns raised with a designated person are confidential.

The Code of Conduct and Practice for Ministers and Assistant Ministers expects that the highest standards of propriety will be upheld through observance of the seven principles of public life, which include integrity, accountability and honesty.

Ministers are also required to comply at all times with the Code of Conduct for Elected Members that is published as Schedule 3 to the Standing Orders of the States of Jersey. This Code requires all elected members to take decisions solely in the interests of the public and states that holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Ministers and public officials should encourage witnesses and victims to report alleged crimes to the police, which could then help prevent further crimes being committed and protect others from becoming victims. For people who wish to remain anonymous, Jersey Crimestoppers provides an alternative and secure means to provide such information to the police.