
STATES OF JERSEY



COMMISSIONER FOR STANDARDS: INVESTIGATION OF COMPLAINT OF BREACH OF THE CODE OF CONDUCT FOR ELECTED MEMBERS BY DEPUTY S.J. PINEL OF ST. CLEMENT

**Presented to the States on 20th June 2019
by the Privileges and Procedures Committee**

STATES GREFFE

INTRODUCTION

The Privileges and Procedures Committee has received a report from the Commissioner for Standards into an alleged breach of the Code of Conduct for Elected Members by Deputy S.J. Pinel of St. Clement.

The Commissioner for Standards has found that Deputy Pinel did not breach the Code of Conduct for Elected Members.

The Privileges and Procedures Committee accepts the Commissioner's report, which is attached, and considers that no further action is necessary.

PRIVILEGES AND PROCEDURES COMMITTEE

REPORT OF THE COMMISSIONER FOR STANDARDS

Submitted on 11th June 2019

Introduction

1. On 18th March 2019, I received a letter from Mr. D. Bull, in which he advised me that he was awaiting an answer from Deputy S.J. Pinel of St. Clement in relation to matters he had raised with her. I replied to Mr. Bull in a letter dated 25th March 2019, advising him in relation to the complaints procedure. On 13th May 2019, I received an e-mail from the office of the States Greffe, which contained confirmation that Mr. Bull wished to make a formal complaint against Deputy Pinel.
2. On 15th May 2019, I advised Mr. Bull by letter that I was accepting his complaint for investigation. I also wrote to Deputy Pinel setting out the complaint and inviting her to respond with a full and accurate account of the matters in question.

Summary

3. Mr. Bull alleged that Deputy Pinel had breached paragraph 2 of the Code of Conduct for Elected Members. Specifically, that she had breached the following requirement –

“Elected members have a general duty to act in what they believe to be the best interests of Jersey as a whole, and a special duty to be accessible to the people of the constituency for which they have been elected to serve and to represent their interests conscientiously.”

4. The full details of Mr. Bull’s concerns were set out by him. He felt that Deputy Pinel was not accessible to him.
5. Deputy Pinel replied in an e-mail dated 2nd June 2019.

The facts

In essence, Deputy Pinel did not reply to enquiries from Mr. Bull in what he felt was a timely manner. Deputy Pinel has accepted that she had forgotten about one contact, but highlighted that it was also difficult to contact Mr. Bull by telephone. Following my involvement, Deputy Pinel was able to leave a message for Mr. Bull and I advised him accordingly. I asked Mr. Bull to inform me if Deputy Pinel had contacted him, and on 5th June 2019 he contacted the office of the States Greffe and confirmed that Deputy Pinel had left a message and he intended to contact her later that day.

Analysis and findings

6. I am satisfied that the complaint arises from poor communication. I have no evidence to suggest Deputy Pinel consciously failed to respond to Mr. Bull and I am pleased that both Deputy Pinel and her constituent are now in communication. I find that she was not in breach of the Code of Conduct for Elected Members.

7. In one way this was a relatively minor matter, but it highlights both the requirements of the Code of Conduct and indeed the expectations of many constituents. *Prima facie* there was a valid complaint, but I am pleased investigation rapidly established the reality of poor communication.

Paul Kernaghan, C.B.E., Q.P.M.

Commissioner for Standards