

### **3.13 Deputy M. Tadier of the Chairman of the Comité des Connétables regarding the use of Parish resources, funds and amenities to promote one side or another in the forthcoming referendum:**

Will any guidelines be issued regarding the use of Parish resources, funds and amenities, including Parish halls, Parish magazines and Parish websites to promote one side or another in the forthcoming referendum and what safeguards, if any, will there be to ensure that ratepayers' money is not used to fund a political campaign either for or against maintaining the automatic right of Constables to sit in the States?

#### **Connétable J.L.S. Gallichan of Trinity (Chairman, Comité des Connétables):**

It is not clear who is expected to issue guidelines. The States decided that it was not appropriate to involve the Connétables in the organisation of the referendum and so neither do we consider it appropriate for the Comité des Connétables to take an active role. The Comité des Connétables will not be issuing guidelines. The Parish financial year runs from May to April and when setting budgets last year, no provision will have been made for a referendum as it was not known that one would be held. In the event, the costs of a referendum are met in full by the States so ratepayers' money will not be used for this purpose. Parish finances are ultimately under the control of the Connétable and the Procureur du Bien Public and they are answerable to the Parish Assembly for their use. It is for the Privileges and Procedures Committee to consider whether taxpayers' money will be used to fund any campaigns by those promoting one or other options.

#### **3.13.1 Deputy M. Tadier:**

Perhaps the question was not clear enough and I am obviously going on the basis of what it says in the Code of Good Practice on referendums which I am sure my colleagues at P.P.C. (Privileges and Procedures Committee) and the Comité des Connétables will be interested in, perhaps the former more so which says that: "Administrative authorities must observe their duty of neutrality." It would be interesting to find out whether individual Constables are an authority in their own right and have to observe that and that public funds should not be used which I am grateful to have that confirmation. But the real question is, as a Comité, the 12 Constables are self-regulating and the guidelines were really asking about whether the guidelines would apply to the Connétables themselves. I already know, for example, that one Parish website has been used to promote a particular point of view. That may or may not be valid but that has obviously been set up by ratepayers' money which pays for the domain name and pays for the web space. That has already happened so will the Comité talk to the rest of the Constables and decide what the legitimate parameters are for campaigning using Parish resources?

#### **The Connétable of Trinity:**

I believe the Comité has already decided that but as you said, Deputy, one of the Connétables has obviously used his website. He is an individual person. He is a Connétable, he has got his views and this is why the Connétables will not be issuing guidelines because, as you can understand, there are some who have different views to others.

#### **3.13.2 Deputy M.R. Higgins:**

Will the Comité des Connétables not only be speaking to the Constables but also speaking to all the administrative staff in the Parish Halls to make sure that they do not embark on a campaign? It is one thing as individuals but using Parish Hall systems and their colleagues to make sure there is no campaigning either for or against. I am not saying any particular view but they should not be getting involved in an active campaign as part of their parochial duties.

#### **The Connétable of Trinity:**

Normally, and it goes whether it is a referendum or an election, anyone who commits to one side or the other or to a member of the public who may be standing for election has no right to be an *Adjoint* or to have any communications with the Parish system at all so on that case, I am happy that as you can see, the Connétables will be taking no administration on the referendum at all. That will be now handed over to the Parish Secretary and it is up to the Parish Secretary to inform those who are taking part as *Adjoints* at the referendum count that they have no commitment and they have not been supportive of one side or the other. It has to be a very neutral referendum.

**3.13.3 The Connétable of St. Helier:**

Is the Chairman aware that having a blog on the internet does not cost anything, it does not cost the ratepayers and indeed the only cost is the time of the person who does the blog?

**The Connétable of Trinity:**

As I do not have a blog, I would not know. [Laughter]

**3.13.4 Deputy G.P. Southern:**

Is the Chairman of the Constables' Committee, in the light of the statement by the Constable of St. Helier, aware of the guidelines from the Venice Commission, 2.2, equality of opportunity? This entails a neutral attitude by administrative authorities, in particular with regard to referendum campaigns.

**The Connétable of Trinity:**

Yes, we are aware of that.

**3.13.5 Deputy G.P. Southern:**

Does the Chairman consider that expressing an opinion in a blog is not being neutral?

**The Connétable of Trinity:**

I think the blog is not neutral because it is not supporting option B. I am saying that everyone's view is not ... we have to be neutral. The Constable of St. Helier has decided to go on a blog which is his freedom and he has said now that he thinks it has nothing to do with Parish ratepayers so that is the main thing that as long as ratepayers' money is not being used to promote ... you have to be fair. Ratepayers' money could be a variation of people. You could have someone who supports A, you could have someone who supports B, and someone who supports C so it is not right that the Connétables should be using ratepayers' money to promote either of these options.

**3.13.6 Deputy M. Tadier:**

I feel like I am telling tales out of school because I agree with the contents of this particular blog and, as far as I know, no other blog exists from the Parishes but the point is that this blog is not a personal blog, it is Parish registered domain name and to an impartial bystander it could be perceived to be the view of the Parish rather than the view of the individual who happens to be a Connétable. What I would like to seek reassurances from the Chairman is that in the next couple of weeks, for example, Parish magazines will not be used or if they are used that articles should be allowed to be put in from contributors on both sides, for example, and that Parish Hall access will either be that no one will be allowed to have Parish meetings or every group campaigning will be allowed to have Parish meetings, *et cetera*, so that equality of arms are made available to everybody. I am sure that the Chairman, being fair-minded, is probably going to agree to that anyway but it would be helpful to have something on the record.

[11:15]

**The Connétable of Trinity:**

I did have something on Parish magazines which I will now do because the Deputy had 3 questions in his question. I found it was a bit long for an oral question so I just did the first part. I was amazed he did not come back and ask me about Parish Halls and magazines but now he has. Parish magazines have different models for operation and many have independent editors. One of the editors is a States Deputy. If the editor determines the contents of that magazine may include some columns, then it is down to each Parish but I believe - I am not too sure because we do not have a Parish magazine in Trinity - that most of them are already out and have been already printed so they will miss the referendum date. So I think on that case that most of the magazines are already out and the result of the vote 2 weeks ago was not known so there will be very little referendum items in. I would be saying if I was putting anything out myself ... you have to say that you want people to turn out and make sure that the 3 options are explained to your parishioners and that they turn out and vote for either of those options.