

2024.11.25

2.7 Deputy M.R. Scott of St. Brelade of the Chair of the Privileges and Procedures Committee regarding the Code of Conduct review: (OQ.228/2024)

Further to Written Question 377/2024, will the Chair advise how many Members responded to the Code of Conduct review, whether the consultation process is now closed following its extension, and when the committee will be sharing the results of the review?"

Connétable K. Shenton-Stone of St. Martin (Chair, Privileges and Procedures Committee):

A total of 18 people responded to the Code of Conduct consultation, and having only received 10 responses at the end of the first month-long consultation period, P.P.C. (Privileges and Procedures Committee) then extended the process twice in order to allow Members sufficient opportunity to engage with this incredibly important review of the rules which govern our behaviours. We closed the consultation and the matter was included on P.P.C.'s agenda on 11th November but, due to competing pressures, we were unable to dedicate sufficient time for there to be a detailed discussion. We agreed, instead, to meet specifically to consider this matter on Monday, 2nd December, and it is anticipated that in due course a revised code will be brought forward for endorsement by this Assembly. The responses from the consultation will be included as an appendix to the report, which will accompany any proposed revisions. Although the formal consultation has ended, I would urge any Member, who still wishes to make a submission, that they are still able to. In answer to the second part of the question, I will be in a better position to know when we will share the results after we have met to specifically discuss this.

2.7.1 Deputy M.R. Scott:

In the committee's comments on proposition P.75/2023, presented to the Assembly on 10th October 2023, the committee agreed the Code of Conduct should be revised and reported the Commissioner of Standards had, at that time, already identified a number of issues with the code. Here is the question: how do members of the Privileges and Procedures Committee justify the consultation being a cause of delay of the bringing of specific changes to the code that reflect the commissioner's recommendations, given that the States of Guernsey implemented changes to its Code of Conduct in response to her recommendations in January of this year, importing content that discourages bullying and discrimination?

The Connétable of St. Martin:

I would like to assure the Deputy and the Assembly that this is something that we take incredibly seriously and we had really hoped that something as important as this would be answered by more Members, so we extended the review deadline which is why we have been delayed in making our ... sorry, in releasing the report so this is why we ... sorry. We have agreed to meet on 2nd December, we will be in a better place to report on this. I am really disappointed that so many Members chose not to respond, especially as the deadline was extended twice and the purpose of the code is to build a common understanding of what behaviours and attitudes we wish to promote. These are the rules which underpin our working practices and engagement with our electorate, they protect and enhance the reputation of this Assembly and help to instil public trust in us as parliamentarians. They also ensure accountability and transparency and I had hoped that by extending the consultation we would hear from a wider range of Members, as this code applies to us all. But less than a third of Members chose to respond. I hope that helps the Deputy.

Deputy M.R. Scott:

That does not answer my question.

The Deputy Bailiff:

Which part was not answered, Deputy?

Deputy M.R. Scott:

The question why the committee delayed bringing the specific changes in response to the commissioner's recommendations rather than wait for the results of the consultation.

The Deputy Bailiff:

Yes, that particular part of the question; do you want to respond to that?

The Connétable of St. Martin:

We thought it would be better to actually have the results of the consultation before we fully implemented the changes.

Deputy M.R. Scott:

But that does not ...

The Deputy Bailiff:

No, I think you have had the answer.

2.7.2 Deputy M. Tadier of St. Brelade:

Would the Chair indicate how this session, this term, compares with other previous terms in terms of the number of complaints that have been received by the commissioner, including perhaps the number of vexatious complaints that have been put to the commissioner?

The Connétable of St. Martin:

I obviously do not have that to hand and I have only been Chair for this session. But I would say that it is my opinion that there have been far more vexatious complaints than in previous Assemblies.

2.7.3 Deputy M.R. Scott:

How does the committee square the lack of transparency in its process with the current Code of Conduct's principle of conduct of openness? What lessons and conclusions has the committee reached regarding the lack of engagement by States Members with the States Greffe?

The Connétable of St. Martin:

I do not really agree that there has been a lack of transparency. I cannot see that if we go out to consultation and we do not receive the results ... we have been very open about this. We put out the consultation 3 times, and after this I will be sending out another link to see whether any States Members wish to respond. We have said that we are having a specific meeting to discuss this and I do not really see that there has been a lack of transparency with this.