

2024.03.19.

5.3 Deputy M.B. Andrews of St Helier North of the Chair of the Privileges and Procedures Committee regarding the Commissioner for Standards (OQ.41/2024)

Will the Chair state whether it is her assessment that the provisions of the Commissioner for Standards (Jersey) Law 2017 mean the commissioner is compromised, or conflicted, when investigating complaints submitted about the States Members involved in the appointment to the office of commissioner?

The Connétable of St. Martin (Chair, Privileges and Procedures Department):

Candidates for the role of Pan-Island Commissioner for Standards were interviewed in February last year. I was part of the recruitment panel, along with the Greffiers of the States of Jersey and Guernsey, the Chair of the Guernsey States Assembly Constitution Committee and the Chair of the Jersey Appointments Commission, as a non-voting member. The appointment was then endorsed by P.P.C. and this Assembly through publication of R.21/2023. It is usual practice in other jurisdictions for politicians with responsibility for standards to take part in the appointment process for commissioners, but this does not exempt those members from accountability. Our standards legislation does not provide immunity for the chair of P.P.C., and neither should it. Like other Members of this Assembly, I am accountable for my actions and bound by the code of conduct. As it stands, it is for the Commissioner, herself, to determine if she is conflicted in relation to any complaint. I have spent no time with her alone and have no personal connection with her. I would emphasise that my involvement with her to date has been limited to the hour in her company when she was interviewed, and any additional contact with her has been on the same basis as other Members, either on Teams calls with the rest of P.P.C. when reviewing her findings reports, or when she ran a briefing in November in the Chamber, or when I was interviewed as a witness. In fact, I would imagine that other members have spent considerably longer time in the Commissioner's company while she has been investigating complaints against them. I do not consider that the Commissioner is conflicted or compromised when investigating complaints against any of the 49 Members of this Assembly. She looks at the facts of each individual case objectively and treats us all equally in an impartial, fair, thorough and transparent manner. I will not and cannot be drawn into discussions about complaints, particularly any that are ongoing. It is important that the Commissioner for Standards' investigation processes are respected and that they remain confidential until the findings are published.

5.3.1 Deputy M.B. Andrews:

Will the Chair of the P.P.C. discuss this with the panel to see whether there is a potential amendment required to the Commissioner for Standards (Jersey) Law 2017, and if not, why not?

The Connétable of St. Martin:

I am happy to discuss this with other members of the P.P.C.