

STATES OF JERSEY



SENATOR S. SYVRET: EXPRESSION OF DISAPPROVAL FOR CONDUCT

**Lodged au Greffe on 13th March 2007
by Deputy G.C.L. Baudains of St. Clement**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

- (a) to express their disapproval of Senator Stuart Syvret's conduct following the publication of his open letter to Mr. Richard Brocken; and
- (b) to request Senator Syvret to resign his membership of the Privileges and Procedures Committee.

DEPUTY G.C.L. BAUDAINS OF ST. CLEMENT

REPORT

It is with sadness that I bring this proposition, and I do so as a private member and without malice. It is purely out of concern that if we allow the Senator's actions to go unchallenged we may as well throw away our Code of Conduct.

All members are obliged to obey this Code. By his actions the Senator has proven that not only does he believe the Code should not apply to him, but, as can be seen from his e-mails to the Privileges and Procedures Committee and a wider audience, he has no respect for that body either.

He attempted to put significant pressure on PPC by insulting and being derogatory towards that Committee. His analysis of PPC was that they were 'silly little men'. As a member of that Committee, not only does he include himself in the insult, but his perceptory skills have to be in question. None of us are particularly little, I don't believe any of us are silly, and one of us is clearly not a man. Some of his utterances were in fact bizarre, and one has to wonder the purpose of making them. Others were clearly designed to frustrate the Committee in its work.

The e-mails concerned are published in R.16/2007, so I do not reproduce them here, but in order to clarify the issue for the purposes of this proposition, I make reference to some relevant Standing Orders –

Standing Order 155 states that *“an elected member shall at all times comply with the code of conduct set out in Schedule 3”*.

Under paragraph (5) of the Code it states *“Elected members should at all times conduct themselves in a manner that will tend to maintain and strengthen the public's trust and confidence in the integrity of the States of Jersey and shall endeavour, in the course of their public and private conduct, not to act in a manner which would bring the States, or its members generally, into disrepute”*. I believe the Senator has failed to do that.

The second part of paragraph 5 of the Code reads –

“Elected members should at all times treat other members of the States, officers, and members of the public with respect and courtesy and without malice, notwithstanding the disagreements on issues and policy which are a normal part of the political process”. I submit the Senator has manifestly failed to adhere to these principles either.

Paragraph (8) of the Code states that *“Elected members shall co-operate when requested to appear and give evidence before or produce documents to - ... (d) the PPC”*. The Senator refused to assist the PPC unless it was on his own terms.

Throughout the whole investigation into whether the Senator had breached the Code by writing his letter, PPC was treated very badly by the Senator. He was not available to meet the Committee. He couldn't recall what the issue was about, despite PPC informing him in writing at the outset. He threatened legal action. He would need several months to prepare his case because he would need assistance from the House of Lords. The PPC had no right to enforce the Code and that doing so 'is utter madness'. He accused the process as being 'comically tragic ignorance'.

Throughout his many, and long, e-mails both to the Committee and its individual members, the Senator kept up a constant stream of insults and pressure, some of it patently ridiculous: 'Please note I and some members of the public will shortly submit a formal complaint against the Privileges and Procedures Committee on the grounds that the Committee is in breach of the following parts of the Code'. He goes on to suggest the PPC is bringing the States into disrepute! His letters contain references to Voltaire, Franco's fascists and others, to the extent one is struck by the sheer irrationality of some of the utterances.

The issue is, do we simply ignore this behaviour, or express our disapproval and reprimand the member for it? My view is that if we ignore it, the Code itself becomes meaningless, whereby a member can effectively decide which parts of it, if any, he or she will abide by.

The second issue concerns the Senator's membership of the Privileges and Procedures Committee. Given his clearly stated contempt of it, I believe it would be hypocritical were he to continue as a member. There is already hypocrisy: the Senator made a complaint to PPC that Deputy Le Claire had breached the Code; a Code he himself refuses to comply with it. Ironically, it transpired the Senator's comments about the Deputy were the more offensive of the two. A precedent for this latest performance. The Senator also shows ignorance of Standing Orders in the quotes he has made in his e-mails. It is therefore difficult to see how he can remain a member of a body he finds so loathsome.

There are no financial or manpower implications arising from this proposition.