

**WRITTEN QUESTION TO THE CHAIRMAN OF PRIVILEGES AND PROCEDURES
COMMITTEE**

**BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 24th MARCH 2015**

Question

Will the Chairman inform members whether, whilst parliamentary privilege means that a member may not be pursued legally for any words (or actions) said during and at States sittings, the member is still subject to the Code of Conduct for Members of the States and, as such, were an allegation of lying to the Assembly to be made, or evidence of lying to emerge, this would be able to be considered as a possible breach under the Code of Conduct?

Answer

The Code of Conduct for elected Members applies to Members at all times, whether inside or outside the States Chamber.

Generally speaking, Members tend to voice allegations that a colleague has not been truthful immediately, as soon as the suspected or alleged falsehood has been uttered. However, in doing so, they need to ensure that they are not alleging improper motives, directly or by innuendo, and their claims may result in either a point of order being raised by another Member or a direct intervention by the Presiding Officer, seeking the withdrawal of the allegation.

Nevertheless, should evidence of having misled the Assembly emerge at a later date, a complaint can be brought under the Code of Conduct. The complaint would be considered by the Privileges and Procedures Committee. Importantly, Standing Order 156(2)(c) states that the Committee shall not accept any complaint *“from a person who is not a member of the States, regarding words spoken by or actions of an elected member during a meeting.”* This guideline exists to safeguard parliamentary privilege.