

4.6 The Deputy of St. Mary of the Chairman of the Privileges and Procedures Committee regarding the Code of Conduct for Elected Members in Standing Orders:

Concerning the Code of Conduct for elected Members in Standing Orders, and in the light of the debate and decision of the last sitting about sanctions for Members breaching the code, could the Chairman tell Members whether her committee regards some breaches of the code as more important than others and, if so, explain the committee's position?

Connétable J. Gallichan of St. Mary (Chairman, Privileges and Procedures Committee):

Yes, P.P.C. (Privileges and Procedures Committee) does consider that some breaches are more serious than others and considers that this is inevitable with any code of conduct of this nature. A Member may breach the code in a relatively minor way, for example by making a slightly ill-judged remark to a member of the public and thereby breaching the need to treat people with respect and courtesy, whereas another Member might commit a very serious breach such as, for example, taking a decision which resulted in a significant financial gain or another material benefit for themselves, their family or friends. While not wishing to trivialise any complaint or any breach, I am sure all Members would agree that a complaint in relation to the second example, if upheld, would constitute a far more serious breach of the code than the first example. Any proposed sanction under the code would quite rightly be very different in the 2 examples where the first might simply result in an admonishment, particularly if it was the first breach on this aspect of the code by the Member concerned, whereas the second could possibly merit a debate on suspension in the Assembly. It is important to remember that Standing Orders set out the way in which potential breaches of the Code of Conduct are investigated. P.P.C. adheres to the Standing Orders in every case and considers each case objectively and on its merits.

4.6.1 The Deputy of St. Mary:

I thank the chairman for that answer and I am comforted by it. I just wanted to raise, with the question of misleading the House and where that fits in in the scale of seriousness, and there seems to be no specific reference in the Code of Conduct to the issue of misleading the House; I have many examples which I will not go into, but the only aspect of the code that seems to cover it is integrity and the duty of maintaining the reputation of the House and I just wanted her to comment on it. I would like her to comment on this aspect of what to do about misleading statistics, statistics where figures are omitted and actual misleading statements made in reports.

The Connétable of St. Mary:

I have not been in receipt of any complaints of that nature so I am unable to make any comment.

4.6.2 Deputy M. Tadier:

The Chairman of P.P.C. just mentioned about trivial acts. What would happen if, during the hearing of P.P.C., a certain person who had, let us say, said a comment on the radio which was not wise, then misled P.P.C. by changing the reasons behind that as an excuse; would P.P.C. be willing to take further action against that?

The Connétable of St. Mary:

I am not able to give hypothetical answers to hypothetical questions; I can only repeat that there is a procedure for investigating complaints ...

The Bailiff:

I agree; these questions are all hypothetical and out of order, I think.