
STATES OF JERSEY



CODE OF CONDUCT FOR ELECTED MEMBERS: COMPLAINTS RECEIVED AGAINST DEPUTY N.B. LE CORNU OF ST. HELIER

**Presented to the States on 16th September 2014
by the Privileges and Procedures Committee**

STATES GREFFE

REPORT

The Privileges and Procedures Committee has considered a number of complaints received under the Code of Conduct for Elected Members against Deputy N.B. Le Cornu of St. Helier, 4 received from members of the States and one from a member of the public.

The complaints all related to the content of a tweet which had been published on the Deputy's Twitter account on 4th September 2014 which read; "*SHE is back and so conveniently in time, faking it like all good girls do.*".

The Committee initially met on 9th September 2014 to consider whether the complaints merited investigation under the Code of Conduct and concluded that they did.

Senator S.C. Ferguson, who had already expressed views to the media about the tweet, Deputy J.A. Martin of St. Helier, who shares an electoral district with Deputy Le Cornu, and Deputy M. Tadier of St. Brelade, took no part in the Committee meetings about these complaints; and the complaints were therefore considered by the Chairman, Senator B.I. Le Marquand, the Connétable of St. Clement and Deputy J.H. Young of St. Brelade.

After the meeting of 9th September 2014, the Committee notified the Deputy as required that it intended to investigate the complaints in accordance with Standing Orders and forwarded the complaints to him. The Committee invited him to attend a meeting in accordance with Standing Order 157(9) which states that: "*the elected member whose act is being investigated shall have the right to address the persons conducting the investigation... and, when doing so, to be accompanied by a person of his or her choice.*".

Consequently, Deputy Le Cornu, accompanied by a member of the public, attended upon the Committee on 15th September 2014.

Deputy Le Cornu confirmed that his above-mentioned tweet had referred to the current Deputy of St. Peter, but indicated that he had intended no malice towards the Deputy of St. Peter, nor had his use of the word 'faking' been intended to imply in any way that the Deputy had faked her recent serious illness. He explained that the words had instead been directed towards what he described as the "right wing" element of Jersey politics which he considered had sought to take advantage of an unwell States member by persuading her to stand again as a candidate in the forthcoming public elections. He acknowledged that whereas his choice of words had been designed not to impart any particular meaning, but rather to be somewhat 'cryptic', they were capable of being interpreted in a number of ways. The Deputy considered that the complaints received had been made by way of an 'emotional' response by those who had misunderstood his intentions and felt strongly that the local media had also treated him extremely unfairly in relation to this matter.

Upon further questioning by the Committee, Deputy Le Cornu confirmed that he had not sought the removal of the words from his Twitter account as he considered that no purpose would be served by so doing.

The Committee has concluded that, whatever interpretation Deputy Le Cornu may seek to place on the words, the tweet was in clear breach of paragraph 5 of the Code of Conduct, which states that –

“5 Maintaining the integrity of the States

Elected members should at all times conduct themselves in a manner which 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.

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.”

The Committee considered what action, if any, should be taken in respect of the breach. The Committee has taken into account the fact that Deputy Le Cornu made a Personal Statement to the States Assembly on 9th September 2014 to apologise for the tweet, and that he had also e-mailed the Deputy of St. Peter to apologise to her personally. Having considered the text of the Personal Statement, the Committee accepts that the public apology it contained was unqualified and genuine. The Committee notes Deputy Le Cornu’s comments that removing the tweet from his own account at this point would serve little purpose as it has been widely circulated and reproduced in other ways, but the Committee has nevertheless concluded that he should remove it from his own account as a public gesture to confirm that his apology was genuine and heartfelt.

In other circumstance the Committee might have considered whether it would have been appropriate to lodge a vote of censure for debate by the Assembly, but has concluded that at such a late juncture in the political cycle, with public elections due to be held on 15th October 2014, this is simply not possible and it would not be appropriate or acceptable to lodge a proposition for debate by the new Assembly.