

I am getting in touch with you regarding the Scrutiny panel Redress and Accountability in Jersey. I had cause to raise an issue with the Greffe on where I believed that a member had breached the Standing Orders of the States of Jersey. The matter was passed onto the Standards Commissioner. In the first instance, he dismissed it as he mistakenly believed that it concerned an event in a meeting. The rules he applied mean that a member of the public cannot raise a complaint about a member's behaviour in a meeting - even if they breach the code of conduct. Only a member can do this. Effectively this means that members must 'police' themselves. You will see that to do this they must 'gentlemanly' take one another aside to point out and resolve misdemeanours. Effectively, the Standards Commissioner has demonstrated that the public has no redress to a member who has potentially breached the States Code of Conduct in a meeting. It is effectively, not worth the paper it is written on.

Graciously, the Standards Commissioner acknowledged his mistake when it was pointed out that the meeting had not yet taken place. However, explained that the member would be able to take part in the meeting due to Standing Order 106b, where a member can take part if they have something in common with a 'class of persons'. This is rather vague as a member could have anything in common with anyone. This rule stands in contradiction with Standing Order 106a which clearly aims to stop a member acting in their own financial interest. Indeed, the Standards Commissioner would seem to be trying to justify the actions of the member. The standards of personal conduct of members (stated in the Standing Orders) are: selflessness, integrity, objectivity, accountability, openness, honesty, leadership.

It goes on to say:

Conflict between public and private interest Elected members should base their conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public interest. (p108)

No mention was made of this in the Standards Commissioner's response. It should not be up to a member of the public to do his job for him.