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PRIVILEGES AND PROCEDURES COMMITTEE

(36th Meeting)

(Business conducted by electronic mail)5th January 2022**PART A (Non-Exempt)**

All members were present.

Deputy C.S. Alves of St. Helier, Chair
 Senator T.A. Vallois, Vice-Chair
 Connétable A.S. Crowcroft of St. Helier
 Connétable K. Shenton-Stone of St. Martin
 Deputy R. Labey of St. Helier
 Deputy M.R. Le Hegarat of St. Helier
 Deputy G.C.U. Guida of St. Lawrence

In attendance -

K. Boydens, Principal Committee and Panel Officer

Note: The Minutes of this meeting comprise Part A only.

Commissioner
 for Standards -
 report into a
 complaint
 against Deputy
 M.R. Higgins

A1. The Committee, with reference to Minute B1 of 20th December 2021, recalled that Deputy M.R. Higgins had attended its meeting following an investigation by the Commissioner for Standards into a potential breach of the Code of Conduct for Elected Members.

Deputy Higgins had expressed his views on the investigation and the Commissioner's findings. The Committee had accepted the Commissioner's finding that Deputy Higgins breached Article 8 of the Code which specifically enjoined Members to have regard to all relevant data protection legislation when dealing with confidential information. The Committee had also noted, however, that Deputy Higgins had not disputed the error and had apologised for it.

The Committee had also accepted the Commissioner's finding that Deputy Higgins breached Article 6 of the Code which was explicit that a complaint against a States' employee was a confidential matter. The Committee noted the explanation provided by Deputy Higgins that he had only used job titles during the meeting, however, by doing so, he was still in breach of the Code. The Committee had concurred with the Commissioner's suggestion that Deputy Higgins should write a personal letter of apology to Mr. Capern.

To that end, the Committee received and considered a report, prepared by the Principal Committee and Panel Officer, which set out its views following its meeting held on 20th December 2021. The Committee agreed to publish the report, along with the Commissioner's findings, without appendices. The Committee requested the Principal Committee and Panel Officer to make the necessary arrangements for it to be presented to the Assembly as soon as practicable.