
STATES OF JERSEY



COMMISSIONER FOR STANDARDS: INVESTIGATION OF COMPLAINT OF BREACH OF THE CODE OF CONDUCT FOR ELECTED MEMBERS BY DEPUTY M. TADIER OF ST. BRELADE

**Presented to the States on 15th July 2020
by the Privileges and Procedures Committee**

STATES GREFFE

INTRODUCTION

The Privileges and Procedures Committee has received a report from the Commissioner for Standards into an alleged breach of the Code of Conduct for Elected Members by Deputy M. Tadier of St. Brelade.

The Commissioner for Standards has found that Deputy Tadier did not breach the Code of Conduct for Elected Members.

The Privileges and Procedures Committee accepts the Commissioner's report, which is attached and considers that no further action is necessary.

PRIVILEGES AND PROCEDURES COMMITTEE

REPORT OF THE COMMISSIONER FOR STANDARDS

Submitted on 9th July 2020

Introduction

On 12th June 2020, I received a complaint alleging that Deputy M. Tadier of St. Brelade had breached the Code of Conduct for Elected Members owing to posts he had made [11th June 2020] on social media involving a statue of Sir George Carteret. I believe it is relevant to highlight that Sir George Carteret was involved in the 'Slave Trade' and that Deputy Tadier's postings appeared to be linked to the wider 'Black Lives Matter' wave of protest which occurred throughout the world following recent events in the USA. That initial complaint was followed by three further complaints, all of which I received on 15th June 2020. I dismissed all four complaints on the basis that they concerned a Member's views or opinions. However, on 17th June 2020, I received another complaint in the form of an email from Mr. William Grant [the complainant]. This complaint was more detailed and Mr. Grant alleged that Deputy Tadier had indirectly mocked victims of child abuse in Jersey. On 18th June 2020, Mr. Grant clarified that he was alleging that Deputy Tadier had breached Article 5 of the Code of Conduct for Elected Members. In the circumstances, namely that Deputy Tadier's actions had given rise to multiple complaints and the serious nature of Mr. Grant's complaints, I decided that it was in everyone's interests that I conduct a formal investigation. I advised Mr. Grant accordingly and requested Deputy Tadier to provide a full and accurate account of the matters in questions.

Summary

Mr. Grant complained that Deputy Tadier had breached Article 5 of the Code of Conduct for Elected Members by reason of his posts. Mr. Grant provided a screenshot of the postings to which he took exception. Mr. Grant claimed that the postings brought the States, or its Members generally, into disrepute. The article also requires Members to treat members of the public with respect and courtesy.

The facts

The facts in this case are not in dispute. The postings are a matter of public record.

Deputy Tadier's response

Deputy Tadier supplied a comprehensive response dated 9th July 2020. He clarified that his posts were on a Facebook Forum 'Politics Jersey'. He intended 'to make a legitimate political point in an online political debating group' and not to cause offence. Deputy Tadier sets out the background to his posts and the subsequent forum reaction and indeed forum management.

Analysis and findings

I was very conscious at the outset that Deputy Tadier's posts could rightly be said to be no more than an expression of his views and/or opinions. However, I reiterate my view that in all the circumstances an investigation was warranted. Deputy Tadier has clarified the background to his posts and I am satisfied that he did not breach the Code of Conduct by his actions. He acknowledged that he has learnt a lesson about social media postings, and I believe many opinion formers worldwide have realised that truncated posting fora are often poor environments for detailed, nuanced, and complex debates.

I do not believe further guidance is required in respect of social media comments by Elected Members. I have made it clear that I will not, as a rule, investigate such disputes in the absence of aggravating factors, such as foul language or an allegation of malicious intent.

Paul Kernaghan, C.B.E., Q.P.M.

Commissioner for Standards