

# Code of Conduct Panel

## Panel members

Jeremy La Trobe Bateman, Chairman

Hazel Fry

Anne Sturman

Peter Cole

Peter Cuneen

*6<sup>th</sup>. December 2021*

## Interim Report

on Complaints against **Conseiller John Guille** submitted by **Alan Witney-Price**.

### Introduction.

On the 30<sup>th</sup>. December 2021 the Panel Chairman, Jeremy La Trobe Bateman, received documentation containing complaints, dated 16<sup>th</sup>. and 19<sup>th</sup>. November 2021, against the conduct of Conseiller John Guille, forwarded from the Seigneur, Christopher Beaumont (Chairman of the Appointments Committee).

At the time of receipt by the Seigneur, the Code of Conduct Panel was not fully filled, hence the delay in actioning the complaints.

On receipt, the Panel Chairman immediately wrote, by letter dated 30<sup>th</sup>. November, to Mr Witney-Price (a.k.a. as Alan Jackson) and Conseiller Guille informing them that the complaints had been received and an **Initial Assessment** would take place, as per the “Code of Conduct – Conseillers of Chief Pleas” (“the Code”) government procedures document, and they would be informed of the outcome within 10 days.

As permitted by the Code, the Chairman elected to seek the assistance of another Panel member and consulted Peter Cole, an ex university lecturer and widely experienced. Peter Cole was a member of Chief Pleas some years ago and is fully conversant with its motions.

The Chairman forwarded the complaints document to Mr Cole, without comment, and a meeting between the two to discuss the matter took place on Thursday 2<sup>nd</sup>. December 2021.

## The Complaint

Mr Witney-Price alleges that Conseiller Guille has misused his position as Chairman of the Policy and Finance Committee in the following areas:-

- Failed to treat others with respect.
- Intimidated, or attempted to intimidate others.
- Conducted himself in a manner which is contrary to Chief Pleas' duty to promote and maintain high standards.
- Has compromised or attempted to compromise the impartiality of anyone who works for or on behalf of Chief Pleas.
- Improperly disclosed confidential information.
- Has brought the office of Chief Pleas into disrepute.
- Improperly used his position to confer an advantage, or disadvantage, on his self or another.
- Improperly used the resources of Chief Pleas.

All the above relates to an ongoing dispute between the Policy and Finance Committee and Mr Witney-Price, Managing Director of Sark Electricity.

It is noted that the complaints contains references to the Committee Secretary and the Committee itself, as well as persons unknown – none of which concerns the Code of Conduct Panel, which is **only** concerned with individual conseillers. (Complaints 1 and 3)

## Assessment

The Chairman and Mr Cole, having reviewed the submission of Mr Witney-Price and discussed the contents exhaustively, do not believe that there is any merit in the complaints that justifies the matter being taken further to a full panel hearing. And we deal with the complaints in order to justify the above:

1. Complaint 2. Conseiller Guille's alleged attempt to intimidate the Seigneur concerning wayleaves . "*SEL believes this was done in an attempt to intimidate the Seigneur into....*" This is pure supposition on SEL part, as there could be any number of reasons for Cons. Guille to discuss matters with the Seigneur. In the absence of any evidence, or comment / affidavit from the Seigneur as to whether he felt intimidated or not, we are compelled to reject Complaint 2.
2. Complaints 4 and 5 concerns a statement made by Cons. Guille in Easter 2021 Chief Pleas concerning the alleged failure of SEL to provide detailed maps of underground cabling to landowners and the need, therefore, for Chief Pleas to sanction a survey. Mr Witney-Prices position is that Cons. Guille deliberately misrepresented the situation concerning who was to provide what, thereby squandering C.P. resources. However, no evidence has been provided to demonstrate **deliberate** intent to deceive; that is was "deliberate" is only Mr Witney-Prices opinion. Cons. Guille, protected by "privilege" whilst in Chief Pleas, is entitled to express his opinion on matters before his committee, indeed, that is the job of the Chairman. Other conseillers can question any statement, should they choose to do so.
3. Complaint 6. That Cons. Guille misrepresented to Chief Pleas the extent of the correspondence between Policy and Finance and SEL. Mr Witney-Price appears to be suggesting – and it is not easy to extract his meaning from the text provided - that this bulk of correspondence indicates ongoing progress between the parties. It could

equally mean that negotiations were going nowhere; and Mr Witney-Price admits having zero confidence in Policy and Finance. We cannot see where Cons. Guille has offended to the extent that requires the censure of Chief Pleas.

4. Complaint 7 follows on from 6 and concerns Cons. Guille giving an interview to the media after the Chief Pleas meeting repeating elements of his statement given within the Assembly. Our view is that C.P. is held in public, his statement was made before the public in C.P. and it is perfectly reasonable - almost normal procedure - to repeat the gist of the statement outside the assembly to the media if invited to do so. Mr Witney-Price is at liberty to respond if he feels the statement erred.

To summarise, in our opinion, Mr Witney-Prices “scattergun” approach contains no evidence of misdeeds by Cons. Guille sufficient to warrant a full investigation by the Panel and we do not believe it would be in the public interest to do so. Consequently, here the matter ends.

Jeremy La Trobe Bateman

Peter Cole