THE STATES OF DELIBERATION Of the ISLAND OF GUERNSEY

STATES' ASSEMBLY & CONSTITUTION COMMITTEE

APPEALS COMMISSIONER REPORT ON A COMPLAINT UNDER THE CODE OF CONDUCT

The States are asked to decide:

Whether, after consideration of the findings in the attached Report by the Guernsey Appeals Commissioner regarding Deputy St Pier's appeal against the Commissioner for Standards' conclusions and recommendation dated 7th July 2025, relating to a Code of Conduct Complaint, they are of the opinion:

1. That Deputy Gavin St Pier should be suspended from the States for 25 days pursuant to the Code of Conduct for Members of the States of Deliberation.

The above proposition has been submitted to His Majesty's Procureur for advice on any legal or constitutional implications in accordance with Rule 4(1) of the Rules of Procedure of the States of Deliberation and their Committees.

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The Presiding Officer States of Guernsey Royal Court House St Peter Port

21 October 2025

Dear Sir

1. Executive Summary

- 1.1 In January 2025, the Commissioner for Standards investigated a complaint against Deputy Gavin St Pier which alleged breaches of five sections of the *Code of Conduct for Members of the States of Deliberation* ("the Code"). The Commissioner upheld the complaint and recommended a 30-day suspension from the States of Deliberation and its Committees. Deputy St Pier appealed on four grounds. The matter was then considered by the Guernsey Appeals Commissioner. The Appeals Commissioner dismissed three of the grounds but partially upheld the fourth ground, recommending a reduced sanction of 25 days.
- 1.2 This Policy Letter does not express any view on the findings or the recommendations. Its purpose is to bring the Appeals Commissioner's report before the States of Deliberation as required under paragraph 40 of the Code of Conduct and given that Article 20F (3) of the *Reform (Guernsey) Law, 1948,* ("the Reform Law") provides that:

"People's Deputies must comply with a code of conduct in all aspects of their public life and are bound by any decision made under it."

The phrase "decision made under it" in this context refers, ultimately, to the decision of the States of Deliberation, by resolution, made in accordance with the Code of Conduct process. The recommendations of the Commissioner and Appeals Commissioner inform that decision but are not binding on the Committee (Reform Law, First Schedule 5(6)).

2. Process and Background

- 2.1 When the Commissioner for Standards receives a complaint, it is acknowledged and shared with the Member concerned. A preliminary assessment determines whether it is admissible or whether it can be resolved through remediation. A flowchart outlining the process, produced by the Commissioner as part of her statement made and published under the Reform Law (First Schedule 7(1)), is appended to this policy letter.
- 2.2 As set out in Part I of the Code, if the complaint is admissible, the Commissioner conducts a full investigation in accordance with the procedure established in her published statement. On completion, the Commissioner provides her report to the States' Greffier, who sends copies to the complainant and the Member concerned.
- 2.3 If no appeal is lodged, the States' Greffier forwards the report to the States' Assembly & Constitution Committee (SACC) in accordance with the Code of Conduct, which provides that the Commissioner's report shall be submitted to SACC for laying before the States of Deliberation (Code of Conduct Part II paragraph 40).
- 2.4 Either party may appeal the Commissioner's decision to the Appeals Commissioner in accordance with paragraph 41 of the Code of Conduct, which provides that:

"A Member has a right of appeal against a decision of the Commissioner for Standards in accordance with the provisions of the First Schedule to the Reform (Guernsey) Law, 1948 and the mechanism established by the Commissioner for Standards thereunder."

The Appeals Commissioner reviews the case against the specific grounds permitted under Article 8A (2) to the First Schedule to the Reform Law and reports his findings to the States' Greffier, who notifies the parties and transmits the report to SACC. The Committee then submits a policy letter appending the report to the States for their determination (as directed by paragraph 40 of the Code).

2.5 While the Committee recognises that it is not bound by the conclusions or recommendations of the Commissioner for Standards or the Appeals Commissioner, it ensures that their reports and recommendations are laid before the States of Deliberation for determination by the Assembly.

3. The Complaint and the Appeal

- 3.1 The Commissioner for Standards received a complaint, on 22nd January 2025, that alleged Deputy St Pier had breached five sections of the Code of Conduct. The Commissioner upheld the complaint. Her full report is attached as Appendix Two to the Appeals Commissioner's report, which is itself appended to this policy letter. The Commissioner recommended that Deputy St Pier should be suspended from the States of Deliberation and their Committees for 30 days.
- 3.2 In July, Deputy St Pier lodged an appeal on four grounds. This was investigated by the Appeals Commissioner who dismissed three of the four grounds for appeal. The fourth ground, which related to the proportionality of the sanction recommended by the Commissioner, was given consideration in relation to those issued in comparable Parliaments. The Appeals Commissioner recommended a reduced suspension of 25 days rather than the 30-day suspension recommended by the Commissioner for Standards.
- 3.3 SACC's role, at this stage of the complaint, is procedural, as set out in paragraph 40 of the Code: to transmit the Appeals Commissioner's findings to the Assembly so that the States of Deliberation, as the final decision-making body, may determine whether to accept, modify or reject the recommendation.

4. The States' determination of the matter

- 4.1 In considering the reports, Members may wish to have regard to the general principles which apply in democratic parliaments across the world when considering disciplinary matters relating to their peers, and which emphasise due process, proportionality and accountability, and the importance of such proceedings being fair and transparent and conducted in accordance with natural justice. These principles provide a recognised framework for parliaments when exercising their role in such matters, focusing on the integrity of process and the proportionality of outcome rather than on the re-examination of evidence (which is generally subject to independent review).
- 4.2 The Appeals Commissioner states in his report that "The Commissioner determines and balances what weight she gives to the varying views, opinions and evidence during her investigation". He has confirmed that he considers this discretion was exercised lawfully and within the limits of the Code.
- 4.3 In considering this matter, the role of the States is not to re-examine the evidence but rather to look at the conclusions and decide whether they are proportionate, fair and reasonable. The reports set out the Commissioner's reasoning and the Appeals

- Commissioner's review of them, together providing the basis on which the States may make this determination.
- 4.4 At the same time, Members may, in exercising their discretion, take account of the broader constitutional and parliamentary context including how the issues raised relate to Members' wider responsibilities and the standards of conduct expected under the Code provided this is done without investigating or re-examining the evidence considered by the Commissioner in accordance with her functions.
- 4.5 It should be noted that the Appeals Commissioner acknowledged in his report Paragraph (3.4.6) that "The lack of relevant direct comparators for the length of suspension in the Guernsey Parliament will have made settling on the final length of proposed suspension challenging for the Commissioner." The States' determination in this case will therefore establish a benchmark for the level of sanctions that are applied in future.

5. Compliance with Rule 4 of the Rules of Procedure

- 5.1 Rule 4 of the Rules of Procedure of the States of Deliberation and their Committees sets out the information which must be included in, or appended to, motions laid before the States.
- 5.2 In accordance with Rule 4(1):
- a) The proposition contributes to the States' objectives and policy plans by ensuring that the processes set out in the Reform Law and the Code of Conduct are followed.
- b) In preparing the proposition it has been treated with the strictest confidence and as such no consultation has been undertaken.
- c) The proposition has been submitted to His Majesty's Procureur for advice on any legal or constitutional implications.
- d) There are no material financial implications to the States of carrying the proposal into effect.
- 5.3 In accordance with Rule 4(2):
- a) The propositions relate to the Committee's duties and powers with respect to the requirements for the Code of Conduct

b) Three members of the Committee resolved to submit the proposition to the States for their consideration. As the subject of the findings, Deputy St Pier recused himself. The Committee acknowledged that political parties are in their infancy, and therefore without sufficient internal party structures and party-political balance on the Committee, Deputy Rylatt also recused himself.

Yours faithfully

S. Hansmann Rouxel President

Y. Burford Vice President

J. Gollop

PAN-ISLAND

GUERNSEY PROCESS FOR COMPLAINTS

AGAINST STATES MEMBERS

COMMISSIONER FORSTANDARDS

NOTIFICATION

Commissioner will notify complainant

and Member who is subject of the complaint





COMPLAINT

Sent directly to the Commissioner for Standards (by a Member or member of the public)

Sent to the States' Greffier who forwards complaint to the Commissioner for Standards (subject to complainant's consent)



Commissioner acknowledges complaint and sends a copy of the complaint and any evidence received to the Member who is the subject of the complaint

PRELIMINARY ASSESSMENT

Commissioner does a preliminary assessment, usually seeking a written reply from the Member in relation to the allegations

DECISION

If admissible

Commissioner decides whether the complaint is admissible or inadmissible or whether it is of a minor nature which could be dealt with through remediation

If inadmissible

INVESTIGATION

Commissioner will undertake an investigation into the complaint in accordance with established procedures

COMMISSIONER'S REPORT

Commissioner issues investigation report to the States' Greffier who provides a copy to the Complainant and the Member concerned.

If there is no appeal of the Commissioner's decision, The States' Greffier sends a copy of the report to SACC who then forward the report to the States Assembly

APPEAL

The Complainant or Member can appeal the Commissioner's decision to the Appeals Commissioner ("AC") provided there are sufficient grounds as set out in the appeals process. The Appeals Commissioner will report their findings to the States' Greffier who will notify the Complainant and the Member and will send the report to SACC for them to forward to the States Assembly



The States



Appeal

Deputy Gavin St Pier – On the findings of the Commissioner for Standards (09.07.25) about a complaint from Dr Sandie Bohin

Martin Jelley QPM DL
Guernsey Appeals Commissioner

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1. Background of the case

- **1.1.**On 22nd January 2025, the Commissioner for Standards for the Guernsey States of Deliberation, Dr Melissa McCullough, received a complaint from Dr Sandie Bohin, a Consultant Paediatrician.
- 1.2. Dr Bohin alleged that Deputy Gavin St Pier had attempted to influence National media coverage about her unfairly, by sharing misleading and inaccurate information and that previous findings of misconduct by Deputy St. Pier related to behaviour that could be perceived as similar. Dr Bohin characterised this behaviour as a wider "vendetta" against her by Deputy St Pier.
- 1.3. At the core of this case is a telephone conversation between Deputy St Pier and a journalist, Felicity Lawrence, acting for the Guardian newspaper, that took place in November 2024. Subsequently, the journalist wrote to Dr Bohin asking her detailed questions about her practice and involvement in paediatric cases as she intended to publish a story. Dr Bohin contended that much of the information was untrue and misleading, and given that Deputy St Pier was referred to in the letter from the journalist, she concluded he was seeking to maliciously undermine her professionalism.
- 1.4. Deputy St Pier acknowledges communicating with the journalist but states he had previously refused an interview with her, and his contact with her in November 2024 was fact-checking around the number of cases reported to him by members of the public. The communication to Dr Bohin from the journalist sought her detailed views on a range of allegations with the aim of publishing an article in the Guardian. This was ultimately the catalyst for the complaint.
- **1.5.** Rather than repeat the full contents of the Commissioner's 24-page report on this misconduct case, it is attached as Appendix 1 and should be read as an accompaniment to this appeal.

2. Summary of Complaints and Findings from the Commissioner's report dated 09.07.25

2.1 Dr Bohin, in her complaint letter, alleged breaches of Section 8 of the Code that relates to observing standards and principles in public life, specifically that aspects around selflessness, integrity, accountability, openness, and honesty had not been met by Deputy St Pier. Breaches of Section 9, resolving appropriately the balance between private and public interest. Section 10, reputation of the states, namely alleging that the reported behaviour had the potential to damage the reputation of those who hold public office and the wider States of Guernsey.

- **2.2** Additionally, Dr Bohin alleged breaches relating to the direct conduct/duties performed by Deputy St Pier (Section 11) and that his behaviour constituted harassment and unwanted behaviour (Section 12).
- **2.3** The Commissioner, after investigation, ultimately found that Deputy Gavin St Pier committed six breaches of the Code as detailed below.

Section 8 – Principles of Public Life

Deputy St Pier failed to uphold the Seven Principles of Public Life in relation to the following:

- Integrity: Acted with personal bias rather than in the public interest.
- Selflessness: Prioritised personal interests over public duty.
- Objectivity: Relied on unsubstantiated claims rather than upheld and substantiated evidence.
- Accountability: Failed to take responsibility for the accuracy and consequences
 of his statements.
- Openness: Misled the public by conflating informal and formal complaints.
- Honesty: Shared inaccurate information without clarifying its status.
- Leadership: Undermined public trust rather than setting a positive example.

Section 9 - Public vs Private Interest

Deputy St Pier's decision to confirm the details regarding complaints about Dr Bohin to the journalist was not in the public interest. He was conflicted in relation to Dr Bohin and should have made no comment. His decision to share unsubstantiated and informal complaint details provided to him in his capacity as a State's Deputy was not in the public interest and fell short of the impartiality expected of an elected representative. It risked misleading the public, undermining trust in oversight processes, and misusing the authority of his office. Further, he should have given greater consideration to his duties as a Data Controller under the Data Protection (Bailiwick of Guernsey) Law 2017 and Article 8 of the Human Rights (Bailiwick of Guernsey) Law 2000 in relation to the information he shared.

Section 10 - Reputation of the States

By confirming numbers and details of complaints with a national media outlet, and without clarifying their unsubstantiated nature, Deputy St Pier jeopardised the reputation of the States of Guernsey. Such actions can create the perception that Members use their positions to pursue personal grievances or attack individuals, eroding public trust in both the States and its complaint processes. This not only harms Dr Bohin's reputation but also undermines confidence in the fairness and professionalism of public office.

Section 11 - Conduct of Duties

Elected officials are entrusted with significant privileges and have a duty to act with integrity, honesty, and care. By confirming unsubstantiated serious claims without providing proper context, Deputy St Pier failed to meet these obligations. He

blurred the line between informal, unexamined concerns and formally examined and upheld complaints, misleading the public and causing serious harm to Dr Bohin's reputation.

Section 12 – Harassment and Unwanted Behaviour

Deputy St Pier's actions, in this case, confirming confidential and seriously inaccurate and misleading information, coupled with similar behaviour, including making "seriously and fundamentally misleading" statements about Dr Bohin for which he was reprimanded in October 2024, suggest a pattern of unacceptable behaviour that I consider to be bullying.

Section 24 Confidentiality

By confirming complaint details to a journalist, Deputy St Pier breached his duty to protect confidential and sensitive information received in his official capacity. Whilst he claims to have had the consent from the families, he did not have Dr Bohin's consent. This violated the trust placed in him as a senior elected representative.

3. Grounds of Appeal.

Deputy Gavin St Pier submitted an appeal on the 7th of August 2025 in relation to the misconduct findings of the Commissioner as detailed in her report (Appendix 1). In summary, his 16-page appeal was brought forward based on the following 4 appeal grounds, which are summarised below. (Appendix 2)

- 1. The Decision of the Commissioner was unreasonable.
- 2. There were material errors in the relevant investigation by the Commissioner that affected her decision.
- 3. The process followed by the Commissioner in reaching her decision was flawed.
- 4. That the sanction imposed was disproportionate (relevant only if the other grounds for appeal are dismissed).

3.1 Appeal Grounds 1 – The decision of the Commissioner was unreasonable.

- **3.1.1** Deputy St Pier makes a range of points under this appeal heading. For the avoidance of doubt, I have carefully considered all points raised, along with their relevance to the matter in hand. My key observations and findings are as follows.
- 3.1.2 The appeal raises concerns that the Commissioner ignored evidence, which has subsequently led to unreasonable decisions being made. My role as Appeals Commissioner is not to carry out a reinvestigation, but to assess whether what the Commissioner did was fair and reasonable. The Appeal is framed in a legalistic way, but this process is not a court forum, so the evidentiary rules that would apply in a court are not the same.

- **3.1.3** The appeal seeks to suggest that the Commissioner stated that the conclusions reached from Ms Lawrence's letter about in essence, the phrase "Mr St Pier told us" were unreasonable. I find that this is really a matter of interpretation; the Commissioner's view is clearly different to Deputy St Pier's, but I do not find they were unreasonable.
- **3.1.4** The appeal seeks to make the point that a letter from Jane St Pier, provided at the point that the Commissioner had written her report and her findings of fact had been shared, is key. In Deputy St Pier's own words, "I provided a letter from my wife, Jane, in which she confirms that having acted in the role of Families Representative, she was the source of information disclosed to Ms Lawrence and that I had no involvement".
- 3.1.5 It is regrettable that perhaps this information was not provided much earlier, when there was ample opportunity in written submissions and interviews to do so; however, the Commissioner, in her inquisitorial approach, has the opportunity to decide her lines of enquiry and weigh the relative value of a witness and what they might provide. Whatever the extent of Jane St Pier's interaction with the Guardian journalist, it doesn't change in my opinion the findings of fact that helped the Commissioner reach her conclusions around breaches of the code.
- 3.1.6 The appeal references correspondence over a complaint between the HSC and MSG, where the appeal seeks to raise concerns that the Commissioner ignored evidence which led to unreasonable conclusions. The Commissioner carries out her own investigation and how much weight she affords to correspondence/findings in another forum, which will not be focused specifically around the misconduct investigation, is a matter for the Commissioner.
- 3.1.7 The appeal challenges the finding of bullying, primarily focussing on the word "intends" in the bullying definition referred to in paragraph 52 of the Commissioner's report (Appendix 1). Deputy St Pier states in summary that he had no "intent", so the Commissioner has unreasonably inferred from his actions an intention that never existed. In short the Commissioner in her report concludes "confirming or sharing confidential information which was misleading due to its inaccurate and unsubstantiated nature demonstrated an intention to harm Dr Bohin's reputation and to create an environment of distrust around her work". I am satisfied that the Commissioner has given appropriate consideration to "intent" in the definition of bullying where her conclusions are consistent with the evidence.
- **3.1.8** The appeal in this section also suggests that the findings by the Commissioner impinge on the Deputy's duties and responsibilities when it comes to confirming data with the media, effectively impinging on freedom of speech. Additionally, the appeal suggests some factual inaccuracies in the

complaint that were untested by the investigation. I find no substance in these elements of the appeal that would affect the Commissioner's substantive finding or that could reasonably suggest her decision-making was unreasonable.

Appeal Grounds 1 not upheld.

3.2 Appeal Grounds 2 – There were material errors in the relevant investigation that affected her decision.

Deputy St Pier makes a range of points under this appeal heading. For the avoidance of doubt, I have carefully considered all points raised, along with their relevance to the matter in hand. My observations and findings are below under each of the seven appeal headings, which are taken directly from the headings used in this section of the appeal document.

- a) Mistaken characterisation of my exchange with the journalist.
- 3.2.1 This appeal aspect centres on the contention from Deputy St Pier that he did not himself proactively disclose information about complaints to Ms Lawrence, and it was his wife acting as the Families Representative who had the more substantive contact, and that Ms Lawrence herself mentions local media reporting where she could have picked up complaints information. This is one view, but the Commissioner's is clearly different, and there is nothing here when I have compared it to the evidence and findings that lead me to believe the Commissioner has not properly understood the extent of Deputy St Pier's interaction with the journalist.
- b) The definition of "complaint": Formal v Informal.
- **3.2.2** The contention in the appeal is that the Commissioner has behaved unreasonably in seeking to characterise and define the difference between Formal and Informal complaints without supporting authority, and that her interpretation of the difference at para 47 (Appendix 1) adversely impacts her decision-making, therefore undermining her findings of fact.
- 3.2.3 Having carefully considered this aspect, I have concluded that whilst there may not be readily available a definition of what constitutes a Formal v Informal complaint, the characterisation of how the Commissioner views the distinction at paragraph 47 is a fairly comprehensive one, and is one that would make sense to a reasonable, independent person picking up her report for the first time. Given that I think her approach to setting out the difference is reasonable in the context of this case, it does not, in my view, undermine her findings of fact.
- c) Investigations of complaints and their finding.

- 3.2.4 In this section of the appeal, there is a focus on suggesting that the Commissioner was unfair in her assessment, as a small number of the complaints that Deputy St Pier says he referenced had, in fact, been subject to investigation and reporting by the relevant body. Therefore, there was a material error that fundamentally flawed the decision-making process.
- 3.2.5 My assessment on this is that the Commissioner says in paragraph 44 of her report that "The figures and details Deputy St Pier disclosed do not match formal complaint records" and "are starkly different". This seems to me, on the evidence available, to be an accurate and fair summary. The commissioner goes on to say in paragraph 53 that "confirming or sharing confidential information which was misleading due to its inaccurate and unsubstantiated nature demonstrated an intention to harm Dr Bohin's reputation".
- **3.2.6** The findings of fact are consistent with the report when taken in its totality. I do not find this appeal ground a compelling one.
- d) Time period discrepancies.
- **3.2.7** The appeal contends that information about a change in named doctor status that Deputy St Pier states he was made aware of on 15th December 2021 undermines paragraph 8 of the Commissioner's report, which is headed background and context. I find this unconvincing as evidence that undermines the thrust of what is said in paragraph 8.
- 3.2.8 Additionally, an element of the appeal criticises the Commissioner's selection of the timescale between 2021 and 2024 and the subsequent conclusions she drew on the relevant complaints data, including from the MASH. My observations on that are that it is a matter for the Commissioner how she presents data and what timeline she uses. Deputy St Pier is entitled to hold his particular view, but nothing in this section of the appeal, in my view, is substantial in nature.
- e) Misinterpretation causing material error.
- f) Public V Private interest.
- g) Data protection.
- 3.2.9 I will deal with these three items together for brevity. The appeal contends that because the Commissioner did not state explicitly that she had seen no evidence that Deputy St Pier had directly represented that Dr Bohin was responsible for neonatal deaths, this was a material error that ultimately affected her decision-making. This, again in my view, is a peripheral point, the issue at hand is that by confirming what was misleading complaints data to the Guardian reporter which included 16 complaints which referenced Dr Bohin, 2 of which involve neonatal deaths in the manner laid out in the report, he was breaching the code and opening the door to this misleading information being

put into the public domain by the journalist, therefore unfairly damaging the reputation of Dr Bohin.

- **3.2.10** The Public v Private interest contention aspect of the appeal is an interesting one. I naturally am a huge supporter of this important freedom, but there are limits. The Commissioner sets out her thoughts on this at paragraph 56 of her report. The Appeal contends that the nature of Deputy St Pier's interaction with the journalist "fell within the range of reasonable decisions a Deputy could make". Having considered both perspectives, I see nothing to suggest that the Commissioner's decision-making when balancing competing views is flawed; her decision appears thought through and reasonable.
- 3.2.11 The appeal contends that there was a material error that relates to data protection in the Commissioner's decision-making and judgment. I am satisfied that this is a personal perspective from Deputy St Pier that has no real substance. The Commissioner in paragraph 60 of her report deals with this issue, which she refers to under the banner of Confidentiality. The report comments, "By confirming complaint details to a journalist, Deputy St Pier breached his duty to protect confidential and sensitive information received in his official capacity. Whilst he claims to have had the consent of the families, he did not have Dr Bohin's consent".

Appeal Grounds 2 Not upheld

3.3 Appeal Grounds 3 – The process followed by the Commissioner in reaching her decision was flawed.

Deputy St Pier makes a range of points under this appeal heading. For the avoidance of doubt, I have carefully considered all points raised, along with their relevance to the matter in hand. My observations and findings are below under each of the seven main appeal headings, which are taken directly from the headings used in this section of the appeal document.

- a) The Commissioner has not taken into consideration all the evidence submitted to her.
- 3.3.1 I have considered the aspects put forward under this heading, and I am not persuaded that they show the Commissioner has not reasonably taken into account all the evidence submitted to her. The Commissioner determines and balances what weight she gives to the varying views, opinions and evidence that is gathered during her investigation. It is clear Deputy St Pier put forward complaints, information and correspondence aimed to support his assertions on the data. It is also clear from paragraph 44 of her report that the Commissioner considers "The figures and details Deputy St Pier disclosed do not match formal complaint records". The commissioner is not reasonably required to go further than she has done on this aspect in her report.

- b) The Commissioner has not conducted interviews or corresponded with all people who could be classed as directly related to the allegations.
- 3.3.2 The main thrust of this part of the appeal is that the Commissioner did not take up the offer of interviewing Jane St Pier, who was acting as a Representative of Families who had raised concerns. To better understand and be able to assess the Commissioner's thinking on this particular aspect, through the States' Greffier, Mr Simon Ross, I requested that the Commissioner explain to me why she did not interview Mrs St Pier. The Commissioner responded promptly to my request with a comprehensive response. In summary, she said she was happy to include Mrs St Pier's letter in her report but interviewing her at this late stage would have been inconsequential to her findings as she had already determined that she could not independently corroborate with the reporter whether her husband Deputy St Pier had had any involvement in the family aspects of the allegations in the letter to Dr Bohin. She went on to say that she needed to follow evidence that was relevant and not simply pursue matters because someone else insists.
- **3.3.3** Having looked at the Commissioner's rationale, I think not interviewing Mrs St Pier was logical, fair and reasonable in this case.
- 3.3.4 Additionally, the appeal shares new documentation, as I understand it from some families who had concerns about Dr Bohin. Deputy St Pier asks me to view this as potential fresh evidence to support his appeal. The documentation which I have read does not, in my mind, go anywhere near being of a standard where it has any real prospect of affecting or undermining the decisions of the Commissioner, particularly around the key findings of fact listed at paragraph 38 of the report.
- 3.3.5 This section of the appeal also raises concerns that the Commissioner failed to interview or correspond with either HSC or MSG after receiving what Deputy St Pier Characterises as corroboratory evidence that he did not provide information to the Guardian. The Commissioner carries out her own investigation and has to decide what proportionate lines of enquiry to pursue. Other bodies' investigations will naturally focus on their own concerns and agendas, which is why the Commissioner needs to carry out her own independent investigation that focuses on the State's conduct provisions. The Commissioner's report focuses on and concludes that Deputy St Pier confirmed confidential information that was sensitive and misleading to the journalist. What other sources may have contributed to what the journalist knew is a secondary issue. The core remit of the Commissioner is to determine whether the code has been breached by a parliamentarian or not. I am not persuaded by the appeal on these points.

- c) The Commissioner took into account irrelevant considerations.
- 3.3.6 The appeal suggests that the Commissioner's own opinions on the previous Code of Conduct investigation should not have been factored into her decisionmaking on this complaint, with the contention being that the latest complaint was in essence a repeat of allegations that had already been considered.
- 3.3.7 I disagree, the behaviour complained of was new, having happened relatively recently after the conclusion of the previous misconduct matter in October 2024, for which Deputy St Pier received a Reprimand. These were not simply 'repeat' allegations, but new behaviours complained about, that could be seen as an ongoing pattern of behaviour. I am also satisfied from what I have seen that the Commissioner's own knowledge of the previous case has not adversely affected her decision-making and findings of fact in this case.
- d) Unconscious bias.
- **3.3.8** The appeal in this section, in summary, seeks to raise the potential for unconscious bias from the Commissioner that inadvertently manifests itself as bias in favour of the medical profession, which, of course, if true, could be to the benefit of the complainant, Dr Bohin.
- 3.3.9 The evidence cited in support of this was documented in part previously to the Commissioner by Deputy St Pier and focuses on some specific parts of the interview transcript where the Commissioner spoke about her own professional background, some personal and anecdotal experiences, as well as paragraph 49 of the report.
- **3.3.10** The Commissioner refuted any unconscious bias suggestion in her response to Deputy St Pier on 8th July 2025, stating that her "background in medical ethics and law has only served to strengthen [her] ability to understand and analyse the facts of this case in an objective and balanced manner. This should reasonably be considered an advantage rather than a source of bias".
- **3.3.11** Having looked at the relevant sections of the transcript, my sense was that the Commissioner was attempting to build rapport in what reads as an uncomfortable interview and at the same time demonstrate both empathy and concern for those involved. I don't interpret what was said by the Commissioner in both the interview and report to demonstrate unconscious bias, nor do I feel it would give the appearance of such to an independent person.
- e) Not all evidence provided.
- 3.3.12 Under this section of the appeal, Deputy St Pier takes issue with a list of documents, data, correspondence and reports that he states helped inform the Commissioner's decision-making, but to which he was not given an opportunity

- to review and respond to before the report was finalised. His contention is that this material should have been shared if this were a fair and just process.
- 3.3.13 Paragraph 38 of the Commissioner for Standards statement for Guernsey, which deals with the process around Commissioner investigations, states, "If the Commissioner's investigation has uncovered material evidence that is at variance with the member's version of events, she will put this to the member, who will have the chance to challenge it. Before finalising her report, the Commissioner will share with the member a draft of her findings of fact and provide the member with an opportunity to comment".
- **3.3.14** It is clear that, in accordance with the process, the Commissioner shared her key findings of fact with Deputy St Pier, who challenged certain aspects, some of which resulted in the Commissioner making changes.
- 3.3.15 I have considered whether the material listed in the appeal reaches the bar of being considered "material evidence", which, in simple terms, means it is highly significant and has the potential to undermine the Commissioner's decision-making and findings. I am satisfied that the Commissioner complied with her responsibilities, and the material Deputy St Pier contends should have been shared would not reasonably be expected to have altered the findings. I would add that this is an inquisitorial process that does not come with the same disclosure responsibilities as a court. If the Commissioner had to share every document, witness interview, correspondence, or piece of data that had some variance with the views of the person being investigated, the complaints system would be disproportionately burdensome.
- **3.3.16** Additionally, the appeal disputes an aspect of the way a GP is characterised in the Commissioner's report as being a "family friend" (paragraph 36). This may or may not be an accurate description, but it is how the complainant perceived the situation. In any case, it is not a significant point that has any bearing on the outcome of this case.
- f) Challenges to findings of fact
- 3.3.17 The appeal contends that the first findings of fact supplied to Deputy St. Pier by the Commissioner, to which he comprehensively responded, were "significantly different" from those in the final version of the Commissioner's report. The Commissioner's refusal to grant him a further right of reply, the appeal contends, is a departure from principles of natural justice and procedural fairness.
- **3.3.18** Having thought carefully about this, my observations would be that the changes that occurred between the first iteration of the findings of fact and the ones in the final report are clear for all to see. Deputy St Pier believes these are significantly different, which is clearly his view, but to an independent

observer, I find the changes less dramatic. In short, I am satisfied the Commissioner has been reasonable and fair in following the required process.

Appeal Grounds 3 – Not Upheld

Appeal ground 4 - That the sanction imposed was disproportionate (relevant only if the other grounds for appeal are dismissed).

- **3.4.1** Given that the first 3 Appeal grounds have been considered and dismissed, it now becomes relevant to consider if the recommended sanction imposed was disproportionate. It is worth noting that the Appeals Commissioner has the authority to recommend upholding, reducing, or increasing the sanction proposed by the Commissioner.
- 3.4.2 The appeal contends that the 30-day proposed suspension is disproportionate and cites that ultimately no article was ever published, that Deputy St Pier refused to be interviewed and had not solicited the journalist's approach. There are other factors put forward as to why the sanction is disproportionate, the most compelling one being a selective table of sanctions against some MPs, predominantly in the English parliament, but also one case from the Northern Ireland assembly. These read alone without context could reasonably lead an independent person to feel a 30-day suspension for bullying and other breaches for Deputy St Pier when compared to similar suspensions in other parliaments for sexual misconduct, financial lobbying, or a criminal breach of lockdown rules, could be disproportionate.
- 3.4.3 The English Parliament, unlike the States of Deliberation in Guernsey, has a recall petition, which in effect means that an MP found to have breached parliamentary standards and suspended for 10 sitting days or more can be subject to a recall petition that ultimately means they may lose their seat. What this in effect means is that the Standards Commissioner for the House of Commons is very thoughtful about sanctions that may trigger this process. I say this simply for completeness when comparing sanctions for misconduct across parliaments because each parliament is distinct and each has its own idiosyncrasies.
- 3.4.4 The challenge for the Pan Island Commissioner in this case is the lack of comparators from within the Guernsey Parliament when considering the length of suspension because of the lack of cases that reach this threshold. I asked the States' Greffier, Mr Simon Ross, for other States of Deliberation cases where a suspension had been deemed appropriate in recent memory and was provided with just the one case, that of Deputy C Le Tissier, who in June 2021 received a one-year suspension for several breaches that related to seven complainants, where issues of his social media abuse were investigated. I am not sure this solitary example is particularly helpful in this case.

- 3.4.5 The main aggravating factors in this case were that Deputy St Pier was found by the Commissioner to have breached six sections of the code. This included a case of bullying, and the conduct exhibited was serious and repeated in nature, with some similarities to misconduct that he had been formally reprimanded for in October 2024. Additionally, the same complainant, Dr Bohin, has undoubtedly suffered as a result of what she clearly believes was a vendetta against her.
- 3.4.6 Given the factors above and the findings of fact, the Commissioner had no choice but to recommend a sanction of suspension. The lack of relevant direct comparators for the length of suspension in the Guernsey Parliament will have made settling on the final length of proposed suspension challenging for the Commissioner. The sanction tariff will also set a new precedent for Guernsey, which warrants careful thought.
- **3.4.7** Having weighed the substantive findings of fact, alongside aggravating factors, the appeal grounds listed, and having looked at a range of sanctions in other UK parliaments, I do believe a 30-day suspension is at the very highest level of what could be expected. For those reasons, I recommend that Deputy St Pier be suspended for 25 days.

Appeal Ground 4 – Partially upheld.

Suspension recommendation reduced to 25 days.

4. Summary of Findings

4.1 The first three appeal grounds were considered and dismissed as I did not find that the decisions of the Commissioner were unreasonable or that there were material errors in the investigation that adversely affected her decision-making. Additionally, I did not find that the process followed by the Commissioner in her decision-making was flawed. In relation to Appeal Ground 4, that the sanction was disproportionate, I partially upheld the appeal in so much that whilst suspension was proportionate, I believe when considering comparators in other Parliaments and the specific findings of fact, that a 30-day suspension was too high, and 25 days is a more appropriate recommendation.

Martin Jelley QPM DL

Guernsey Appeals Commissioner

Deputy Gavin St. Pier

Les Quartiers Farms Route des Quartiers St Sampson's Guernsey GY2 4GB

States Greffier
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St Peter Port
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7th August 2025

Dear Sir

Appeal from Report by the Commissioner for Standards dated 9 July 2025 in respect of a complaint against Deputy Gavin St Pier by Dr Sandie Bohin (the "Report")

1 Introduction

- 1.1 I am writing to set out the grounds for my appeal against the findings of the Report by the Commissioner for Standards (the **Commissioner**), pursuant to paragraphs 41 to 53 of the Commissioner's Statement for Guernsey¹, to be determined by the Appeals Commissioner.
- 1.2 I have set out in the Appendix some background into matters prior to the complaint made by Dr Sandie Bohin (**Dr Bohin**) on 22 January 2025 (the **Complaint**)², as well as details of the Complaint, the Commissioner's investigation into the Complaint, her findings of fact and the Report.
- 1.3 Unless otherwise stated, references to paragraph numbers below are references to paragraphs in the Report. In the Attachment List to this letter, I set out a procedural chronology to assist in clarifying the timings of this matter and dates of relevant correspondence.

2 Executive summary

- 2.1 The heart of this further complaint by Dr Bohin is a short unsolicited telephone call I received in November 2024 from a journalist, Felicity Lawrence (Ms Lawrence), from The Guardian. I refused an interview with her, and simply confirmed the accuracy of information she already possessed. This included information in the public interest, such as the number of complaints that Guernsey families had made to me about their experience of paediatric care in the island. Confirming the accuracy of facts to the media is a Deputy's responsibility. At no point did I express any personal opinion on the nature of the complaints.
- 2.2 Shortly after Dr Bohin lodged her complaint, the Medical Specialist Group (MSG) lodged a similar complaint in relation to the same matter with the Committee for Health & Social Care (HSC). Although I was a member of HSC at that time, I was (rightly) recused from HSC's consideration of the complaint. On completion of its

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¹ The **Statement**, dated 9 August 2024 (Attachment 7).

² Attachment 1

investigation, HSC advised the MSG that it would not be taking any action, not least because "the Committee understands that since the MSG submitted its letter new information has been provided to the MSG that makes it clear that the source of the information shared with the Guardian newspaper is not Deputy St Pier." Despite no article being published, and despite evidence proving that I was not the newspaper's source, I nonetheless have been subject to an extensive, stressful and exhausting investigation, resulting in a recommendation that I be suspended from the States of Deliberation for 30 days.

- 2.3 The Complaint contained a number of factual inaccuracies and multiple allegations, supported by little or no evidence submitted by the complainant.
- 2.4 The Commissioner has chosen, in essence, to relitigate the prior complaints lodged by Dr Bohin in 2022, which resulted in findings that I had not abused parliamentary privilege but should be reprimanded under the extant Code of Conduct.
- 2.5 This Appeal is made on four grounds:
 - (a) The decision was unreasonable;
 - (b) There were seven material errors in the investigation by the Commissioner that affected the decision;
 - (c) The process followed by the Commissioner in reaching the decision was flawed, with four evidential flaws and three additional process flaws;
 - (d) The sanction recommended is disproportionate.
- 3 Appeal Ground 1: the decision was unreasonable
- 3.1 The Commissioner says at paragraph 43 that my assertion was "not truthful" when I stated that Ms Lawrence did not say that I provided the information. This is a very serious allegation and should not have been made without careful consideration and detailed support. Instead, the Commissioner appears merely to argue that the words "told us" in Ms Lawrence's letter amounts to the same as "disclosed" and that therefore my assertion was untrue.
- 3.2 However, Ms Lawrence explains to Dr Bohin in her letter that "several of these families have shared details of their experience with us" and that she has "seen significant documentary evidence to support the families' allegations", without suggesting at all that I was the source of this information or documentary evidence.
- 3.3 Second, as part of my challenge to the Commissioner's initial draft findings of fact (a topic I revisit later) I provided a letter from my wife, Jane, in which she confirms that having acted in the role of Families' Representative³ she was the source of information disclosed to Ms Lawrence and that I had no involvement.
- 3.4 Third, as noted in paragraph 4.5 below, the Commissioner had also been privy to correspondence between the MSG and HSC in relation to a complaint that the MSG had raised with HSC against me with regards to the disclosure of information. The Commissioner had been copied to HSC's response (Attachment 3) to this correspondence. That response stated, "the Committee understands that since the MSG submitted its letter

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³ See Appendix, para xi for background to this role

new information has been provided to the MSG that makes it clear that the source of the information shared with the Guardian newspaper is not Deputy St Pier."

Conclusion: pursuant to this letter, HSC has effectively evidenced that there is independent confirmation that I did not disclose the information to the MSG. This acts as corroboration for my explanation that I did not "tell" Ms Lawrence the information and that on balance my account is more accurate.

3.5 I challenged the Commissioner's initial findings by means of a letter and appendices on 25 June 2025. In the Commissioner's response on 8 July 2025 to my challenge to her findings, she asserts that she had "not taken any of the issues raised in [the HSC/MSG correspondence] into account in my investigation". However, whether or not this was the case before I brought the matter into evidence by referring to it in my challenge, the Commissioner certainly should have used her powers to seek further explanation from the MSG when I informed her of HSC's comments.

Conclusion: these points demonstrate that the Commissioner has ignored evidence, and this has led her to reach unreasonable decisions regarding my conduct (including at paragraph 58 of the Report).

Finding of bullying

- 3.6 The Commissioner has found (paragraph 59) that my confirmation of the complaint figures falls within the definition of bullying, being⁴: "an abuse or misuse of power in a way that <u>intends</u> to undermine, humiliate, criticise unfairly or injure someone, whether through persistent behaviour or a single grossly unacceptable act." (paragraph 52) (emphasis added)
- 3.7 The Commissioner further says (paragraph 53) that choosing to confirm the figures to Ms Lawrence indicates a "conscious willingness to share information that could reasonably and foreseeably be expected to damage [Dr Bohin] personally and professionally, irrespective of the journalist's actual intentions".
- 3.8 A key part of the definition of bullying is the inclusion of the word 'intends'. In confirming the figures my intention was to ensure that accurate information was being disseminated on the basis of knowledge that I believed (and still believe) to be true to the best of my knowledge. My 'intention' was not to cast criticism or to undermine any of Dr Bohin's comments or actions. I wished to provide accurate figures in response to legitimate fact checking questions from a journalist, in good faith, and for the welfare of the Guernsey public. Confirming figures by itself does not demonstrate any intention to seek humiliation, injury or to undermine Dr Bohin. It is clear from my interview with the Commissioner, as well as my letter of 5 February 2025, that I categorically refused to be interviewed by Ms Lawrence. This was precisely to avoid expressing any opinion on the complaints against Dr Bohin.
- 3.9 In short, there was no subjective intention nor objective conduct (isolated or in pattern) which could possibly constitute an abuse or misuse of power within the definition of bullying in the Code or indeed any form of bullying.

Conclusion: the Commissioner has unreasonably inferred from my actions an intention that never existed.

Liaison between Deputies and the media

⁴ Though the Commissioner does not cite the source for her definition, it is from the Code of Conduct, paragraph 59.

3.10 Further to the above, confirmation of data to the media is within the remit of a Deputy's duties, which also encourages freedom of speech and the independence of the media. Not being able to do so would limit the abilities of Deputies to fulfil their responsibilities and would be an infringement upon free speech.

Potential factual inaccuracies in Complaint untested by investigation

3.11 At page 3 of the Complaint, Dr Bohin asserts: "The stress and pressure of waiting for this process to conclude took a major toll on my health. I felt unsafe to work and therefore did not work for 5 months. I remain under medical review."

I am not aware that the Commissioner asked for, or received, any proof that Dr Bohin did not work for five months, such as a medical note. If the Commissioner did receive such proof, it should at least have been noted in her findings, even if not appended to them. This is all the more important, given that as a matter of public record Dr Bohin attended the Lucy Letby trial as an expert witness from October 2022 onwards and, presumably would have done a significant amount of preparation for that role in line with the usual duties of expert witnesses.

3.12 At page 3 of the Complaint, Dr Bohin also asserts: "On my return to work I stopped undertaking any safeguarding work, despite being the most qualified paediatrician in safeguarding on Guernsey, as the ongoing adverse comments from Dep St Pier made this untenable."

However, as noted elsewhere, I had already been informed (Attachment 5) on 15 December 2021 by Dr Rabey, Medical Director of the States of Guernsey, that there had "been a change in the Named Doctor at MSG" (i.e. Dr Bohin,) months *before* she alleges she was too unwell and unsafe to work.

- 4 Appeal Ground 2: there was a material error in the relevant investigation by the Commissioner that affected the decision.
- 4.1 There are seven material errors in the relevant investigation that affected the Commissioner's decision:
 - (a) Mistaken characterisation of my exchange with the journalist;
 - (b) The definition of 'complaint': formal vs informal;
 - (c) Investigation of complaints and their findings;
 - (d) Time period discrepancies;
 - (e) Misinterpretation causing material error;
 - (f) Public v Private Interest; and
 - (g) Data Protection.
- (a) Proactive "disclosure" to the journalist
- 4.2 The Report states in its summary and at paragraph 63 that that I decided to (publicly) "disclose" information to Ms Lawrence about complaints made against Dr Bohin. As framed, this statement suggests that I proactively revealed the existence of these complaints, and that is a material error.

- 4.3 First, the letter from Ms Lawrence itself mentions that she was aware of the complaints from the local media and that she had spoken to and obtained information from several of the families.
- 4.4 Second, my wife Jane's letter of 25 June 2025⁵ states that she was the one who, having acted as Families' Representative, provided information to Ms Lawrence and that I had no involvement in the transmission of the details of these complaints to Ms Lawrence.
- 4.5 Third, the Commissioner had already been made aware of independent corroboration from Committee *for* Health & Social Care (**HSC**) to the same effect (by their letter dated 13 June 2025⁶ to the Medical Specialist Group (**MSG**)). As I note above at paragraph 3.5, I brought this to the Commissioner's specific attention as supporting evidence for my position in my letter of 25 June 2025.

Conclusion: The above evidence proves that I did not proactively disclose information about the complaints to Ms Lawrence. Despite this evidence, the Commissioner erroneously determined that the assertions I made about my involvement were not truthful (paragraph 43) which clearly affected her decisions.

- (b) The definition of "complaint": formal vs informal
- 4.6 In the Report, the Commissioner places a great deal of emphasis between 'formal' and 'informal' complaints. The Commissioner at paragraph 47 attempts to clarify what she means by each of these terms as follows:

"There is a critical distinction between informal complaints or expressions of concern received directly by a Member and formal complaints properly lodged and processed through official channels. Informal complaints refer to information, concerns, or grievances shared directly with a Member, whether through letters, emails, conversations, or other informal means. These remain unverified and do not constitute evidence of misconduct or wrongdoing. In contrast, formal complaints are those which have been formally submitted to a recognised authority or complaints body, are properly documented, and are investigated impartially in accordance with established procedures. Only after such an investigation can a complaint be considered substantiated or upheld."

4.7 However, no supporting authority is given for this distinction. That is because there is no supporting authority. It is an arbitrary distinction which the Commissioner has made up herself. While the Commissioner's investigatory powers are extensive, she has no power to create rules and regulations, nor is she a law-making body. Her reliance on arbitrary distinctions and failure to provide sources for her statements of principle – here and elsewhere – is inappropriate and fundamentally unfair.

<u>Conclusion: The Commissioner's distinction between these different types of complaint is artificial and erroneous in the context of an assessment of conduct.</u>

4.8 Indeed, the imposition of this distinction is inconsistent with the governing definition set out at section 5 of HSC's 'Dealing with Complaints' Joint Complaints Policy document G107⁷ ("A complaint may be defined as an expression of dissatisfaction with some aspect of service the service user receives that requires a response."). Nowhere does the policy support the artificial separation introduced by the Commissioner; rather, it provides an inclusive and pragmatic definition that more accurately reflects the realities of complaint handling within the service, particularly in respect of families with children who are

⁵ Attachment 15.

⁶ Attachment 3.

⁷ Attachment 4.

understandably fearful – whether rational, founded or not – of the consequences of complaining about those on whom they are relying for ongoing care.

Conclusion: the Commissioner's distinction does not reflect the reality that I was not asked by Ms Lawrence to confirm only a specific type of complaint. It is therefore a material error for the Commissioner to have imposed such a distinction which has affected her decisions (including her third and fourth findings of fact)⁸.

(c) Investigation of complaints and their findings

- 4.9 If the distinction the Commissioner makes between the different types of complaints is accepted as appropriate, it remains a material error for the Commissioner to say at paragraphs 29, 44, 53, 55, 56, 57, 58 and 63 of her Report (which also affected her third and fourth findings of fact) that the complaints which I confirmed to Ms Lawrence were 'unsubstantiated' (i.e. not 'formal' complaints which had been considered and investigated)⁹.
- 4.10 In accordance with my letter of 11 March 2025 (paragraphs 2.1/2.2 therein), and indeed Dr Bohin's original complaint at page 4 to 5¹⁰ and even paragraph 49 of the Report itself, there has been evidence that certain of the complaints I received *were* investigated and reports detailed findings of and recommendations from those investigations.

4.11 These reports include:

- (a) The report by the Islands Child Protection Committee (ICPC) completed on 15 January 2016 and amended on 3 and 11 February 2016 (the ICPC Report¹¹) The ICPC report concluded that no safeguarding referral had been made to the MASH but did suggest that communications should have been clearer, and that a contact Dr Bohin made could have waited for two weeks¹².
- (b) The report by Sue Walters dated September 2021 and the appendix thereto entitled "Learning Following a Local Investigation into Complaints From Families About The Use Of Safeguarding Processes" dated September 2021 (the **Walters Report**)¹³ (it is noted that the families have never been granted access to the full report by Sue Walters into Dr Bohin, but only the appendix thereto described above (the **Walters Report Appendix**)¹⁴. If the Commissioner has had sight of the formal report and made findings based on the evidence contained therein, the report should have been provided to me.) Further, in a letter from Dr Rabey, the Responsible Officer, to the families involved in the complaints dated 1 October 2021¹⁵ Dr Rabey said this report found that the complaints were partially upheld in that there were "observations and suggestions for the doctor [Dr Bohin] to consider and to reflect on, which it would not be appropriate for me to share; but I can assure you that the

¹² This was noted at section 4.5 of the Appeal Commissioner's findings regarding the previous Code of Conduct breach referenced at paragraph 2.4 above, and is available publicly on the gov.gg website.

⁸ Finding 3: "The complaint information that Deputy St Pier confirmed to the journalist was misleading as there is no evidence that these complaints were ever formally examined or upheld.

Finding 4: Deputy St Pier failed to clarify to the journalist that the complaints details that he confirmed to her were not formally examined or upheld."

⁹ This is the definition of unsubstantiated provided by the Commissioner at paragraph 29 of the Report.

¹⁰ "Moreover between 2015 and 2024, I was subject to a number of regulatory complaints (investigating the complaints of all of the children to which the 25 November Letter refers)."

¹¹ Attachment 18.

¹³ Information regarding the Walters Report can be found at paragraphs 28, 31 and 97 of Appendix 2 to the Privileges Panel's report of their findings regarding the allegation of my abuse of privilege (document P.2023/106, available publicly on the gov.gg website).

¹⁴ Attachment 19.

¹⁵ Attachment 20.

issues raised by families and staff have been taken on board by the investigator" before concluding "I was genuinely sad to hear the experiences you described, and I believe in terms of services we offer to families such as yours that we can, must, and need to do better in future."

- (c) The Invited Review Report by the Royal College of Paediatrics and Child Health dated 1 May 2024 (the **RCPCH Report**) which was initiated by Mark de Garis, Guernsey's Head of the Public Service and which partly upheld the complaint and contained criticism which fell short of disciplinary action. Following this report, the Head of Governance at MSG, Dr Graham Beck wrote in a letter to the families: "I apologise on behalf of myself and all my colleagues at MSG and HSC for the failings identified in these reports and will strive to do better in the future." The RCPCH Report made recommendations and the Investigation Report noted that: "Dr Bohin will be asked to discuss her communication style at her next appraisal and consider personal development opportunities that will help her improve the style of written communication. As part of the appraisal process 360 feedback should be obtained for Dr Bohin. This should include staff at all levels and patients/representatives."
- (d) The findings and recommendations in these investigations are not consistent with Dr Bohin's assertion in the Complaint at page for that, "None of those complaints were upheld."
- (e) I also invite the Appeals Commissioner to investigate what comments were made in the decision of the General Medical Council (**GMC**) regarding the complaint about Dr Bohin dated 3 June 2025 (the **GMC Investigation Decision**), in relation to the same matter as the subject of the RCPCH Report, and note again that the Commissioner herself was invited to speak to the families and chose not to.
- 4.12 The first three reports were commissioned by the Responsible Officer. Each of the reports identified areas of failings and noted areas for improvement. The first resulted in a letter of apology from the MSG co-signed by Dr Bohin (Attachment 6).
 - Conclusion: The above clearly shows a material error which affected the Commissioner's third and fourth finding of fact (paragraph 38) that there is no evidence that any of the complaints details that I confirmed were ever formally examined or upheld. (In particular, the RCPCH Report specifically partly upheld the complaint.)
- 4.13 Having determined at paragraph 40 of the Report that "there is insufficient evidence to the required standard" relating to either the "provision of information regarding the GMC complaint by Deputy St Pier to the Guardian journalist" or "[e]vidence relating to the status of the GMC complaint" the Commissioner then at paragraph 51 of the Report says "I have not seen the original complaint, but if these are the families claims, they do not appear to align with the evidence which has repeatedly found no fault with Dr Bohin's clinical care. Criticisms made in past reports relate only to tone or communication style, not medical competence. Conflating style issues with clinical failings is deeply misleading and unfair, risking serious reputational damage. As a party to the GMC complaint, Deputy St Pier should have ensured that no misleading information was presented to the regulator."

Conclusion: The above clearly shows a material error by the Commissioner drawing conclusions on evidence she admits she has not seen. No reasonable person could conclude that I should have ensured no misleading information was presented to the regulator if they do not know what information was presented to the regulator.

(d) Time period discrepancies

4.14 At paragraph 8 of the Report, the Commissioner notes in her background explanation of this matter that "the public nature of the misleading and unsubstantiated accusations [in relation to the statements made by me in the States of Deliberation on 27 April 2022] harmed and undermined Dr Bohin's professional credibility and contributed to her stepping away from her safeguarding role." (emphasis added).

Conclusion: this statement is a material error since I had been informed on 15 December 2021 by Dr Rabey, Medical Director of the States of Guernsey, that there had "been a change in the Named Doctor at MSG" (i.e. Dr Bohin,) months *before* I spoke in the States of Deliberation (Attachment 5).

4.15 Further, at paragraphs 31 to 34 the Commissioner examines "Official Complaints Data" and "Official Safeguarding Data on Referrals" from the MSG/HSC database regarding complaints received with the inclusion of two tables (figures 1 and 2). The date ranges over which this data has been provided stems in the former from 2021 to 2024 and in the latter 2022 to 2025. The Commissioner has used the data from these time frames to indicate the total of complaints during these periods to suggest that the figures and details I confirmed to Ms Lawrence did not match with the formal complaints records.

This is a material error since the restrictive time period of 2021 to 2024 has never been suggested by either me or Dr Bohin as the appropriate time period spanning the complaints in question. Indeed, Dr Bohin had expressly stated at pages 4 to 5 of her Complaint that "between 2015 and 2024, I was subject to a number of regulatory complaints". Further, the complaint in relation to my family's complaint and a significant proportion of the complaints in question that followed predated 2021. Both my submissions and Dr Bohin's own chronology expressly confirm that the relevant events and complaints extend as far back as 2015.

4.16 Further, when at paragraph 34(2) of the Report the Commissioner refers to Multi-Agency Safeguarding Hub (MASH) referrals, she states that "Dr Bohin's referrals accounted for significantly less than 1% of the total safeguarding referrals from HSC". Referrals to MASH played no part in the information I confirmed to Ms Lawrence or in relation to the content of the complaints. The Commissioner has erroneously assumed that all the complaints received related to safeguarding issues which might engage MASH: as a matter of fact, they did not.

Conclusion: the Commissioner's reliance on an arbitrarily narrow timeframe for 'official data' (2021 to 2024) and then suggesting my figures did not match is therefore materially erroneous and affected her decisions. Further, it is a material error for the Commissioner's decisions to have been informed by the irrelevant MASH figures and statistics.

(e) Misinterpretation causing material error

4.17 At paragraph 49 of the Report, the Commissioner states that she had seen "no evidence to suggest [Dr Bohin] was responsible for any neonatal deaths." (emphasis added). Any suggestion that I represented in my confirmation to Ms Lawrence that Dr Bohin was "responsible" for two neonatal deaths is materially erroneous. I have never suggested any responsibility on the part of Dr Bohin or any other clinician in relation to the complaints concerning neonatal death that I confirmed to Ms Lawrence. The letter from Ms Lawrence does not refer to my confirmation that Dr Bohin was responsible for any neonatal deaths (paragraph 17 of the Report). As can be seen from page 6 the transcript of my interview with the Commissioner, she mentioned that I had stated that I never alleged in any form that Dr Bohin's conduct resulted in two neonatal deaths. These points were raised in my letter of 5 February 2025 before my interview in April 2025 and confirmed in my letter of 25

June 2025 stating that Dr Bohin's involvement in two neonatal deaths is "without any attribution of alleged responsibility in respect of any clinician".

Conclusion: the Commissioner failed to state that she had also seen no evidence to suggest that I had represented that Dr Bohin was responsible for any neonatal deaths, the absence of which was another material error which affected her decisions.

(f) Public v Private Interest

- 4.18 The Commissioner suggests at paragraphs 46 and 56 of the Report that by confirming the information to Ms Lawrence I have in some way acted against the best interests of the public. This is an unreasonable view of the scope of public interest. It cannot reasonably be in the public interest to withhold clarification and correction of facts when approached by the media seeking to verify information. Providing accurate confirmation safeguards the wider community from the harm of misinformation and upholds the standard of informed public debate expected in a democratic society, especially in matters touching on the welfare of vulnerable individuals.
- 4.19 Even if it is accepted that I had an interest in the ongoing group complaint with the GMC, this by itself does not mean that I was incapable of providing confirmation of information provided to me in an impartial manner.
- 4.20 The ambit of proper decision making by a Deputy is not binary and includes a *range* of reasonable decisions. Whilst the Commissioner disagrees with the judgment call made to confirm figures and suggests I should have made no comment, it was entirely reasonable for me in the circumstances to regard confirming certain details as being within the public interest. It *is* in the public's interest to have knowledge of complaints which have been made regarding health services which are provided in Guernsey. This decision fell within the range of reasonable decisions a Deputy could make in this situation and did not breach any of the principles of public life.

Conclusion: it is reasonable for Deputies to act in the public interest notwithstanding causing upset and distress to particular groups. If Deputies who seek to confirm matters they regard as being of public interest are punished for so doing, it will set a dreadful precedent, by constraining, or potentially constraining, future generations of States Members from speaking freely. The Commissioner made a material error in determining that confirming the accuracy of information regarding the complaints could not be in the public interest and that this affected her decisions (including at paragraphs 56, 57 and 58 of the Report).

(g) Data Protection¹⁶

4.21 As stated in my letter of 25 June 2025, the complaints could not amount to confidential information on the part of Dr Bohin which required her consent before confirming any data in relation to them. However, even if some or all of this information could be considered personal data from a Data Protection perspective, on the basis of exceptions for public interest and journalism I would have been permitted to confirm the detail of the complaints. My confirmation of figures to Ms Lawrence was made with the intention of protecting the public's welfare, in particular that of children with medical needs. I only confirmed minimal information to Ms Lawrence (without expressing any personal opinion on it) for the benefit of the welfare of the Guernsey community. As stated above, this disclosure would be in the public interest.

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¹⁶ Paragraphs 56 and 60 of the Report

Conclusion: the Commissioner made a material error in concluding that confirming the numbers of complaints by others about Dr Bohin was her personal data and/or it would not have been in the public interest to confirm the accuracy of that information before it entered the public domain by publication in a national newspaper.

4.22 It is also relevant here to note the 2016 decision of the Office of the Data Protection Commissioner (Attachment 21) that there had been breaches of Data Protection legislation by the MSG in respect of my family's information transmitted onwards by MSG in the context of the original complaint.

5 Appeal Ground 3: the process followed by the Commissioner in reaching the decision was flawed

- 5.1 In the summary to the Report, the Commissioner states that she has carried out a "thorough investigation, including a detailed review of all submitted evidence, interviews including with Deputy St Pier and various correspondence with those directly related to the allegations including the Guardian journalist and legal team, Sir David Davis MP and the General Medical Council." However, the Commissioner's statement is inaccurate for the following reasons:
 - (a) The Commissioner has not taken into consideration all evidence submitted to her;
 - (b) The Commissioner has not conducted interviews or corresponded with all people who could be classed as directly relevant to the allegations;
 - (c) The Commissioner took into account irrelevant considerations:
 - (d) The Commissioner displayed unconscious bias;
 - (e) The Commissioner did not provide to me, the subject of the complaint, with all the evidence she based her findings on;
 - (f) The Commissioner did not provide me with a chance to comment on any of her ultimate findings of fact.
- (a) The Commissioner has not taken into consideration all evidence submitted to her
- 5.2 Within my response to the Commissioner of 25 June 2025, I referred her specifically to the correspondence between HSC and the MSG on 13 June 2025 to which she was copied as further evidence that I was not the source of the information disclosed to Ms Lawrence.
- 5.3 The Commissioner determined in her letter of 8 July 2025 not to factor "any of the issues raised in that complaint into account in [her] investigation". Whilst it was correct of the Commissioner not to factor in any of the substance of the complaint raised by the MSG, particularly where HSC did not decide to further investigate the complaint, it was incorrect of the Commissioner not to take into account the evidence corroborating my own representations to her regarding the source of the information provided to *The Guardian*, as this was specifically something I referred to as independent corroboration of proof as part of my evidence.
- 5.4 At paragraph 44 of the Report the Commissioner states that she had not been provided with evidence from me that the complaint details I confirmed to Ms Lawrence had been formally considered and upheld. I consider that this statement demonstrates that the

Commissioner ignored evidence I had provided. I did provide details in my letter of 11 March 2025¹⁷, at paragraphs 2.1/2.2 therein:

"Four families made a joint complaint to the Medical Director (having pursued prior individual complaints through the MSG complaints process) in April 2021; this led to an independent investigation, including a report with recommendations, following which there was a meeting with, amongst others, the Head of the Public Service.

One family made a complaint to the Head of the Public Service and the Medical Director (having pursued a prior complaint through the complaints process) in October 2023; this led to an investigation by the Royal College of Paediatrics and Child Health, including a report with recommendations.

One family asked me to submit their complaint on their behalf in November 2023.

One family lodged a complaint in September 2024.

Eight families made a group complaint to the GMC in June 2024, and a further family joined this complaint in September 2024. The GMC are still considering this complaint."

- 5.5 This was clear evidence provided by me that some of the complaints had been formally considered and investigated.
- 5.6 Further Dr Bohin in her Complaint at pages 4 to 5 refers to the regulatory complaints against her which investigated the complaints of all children to which the 25 November letter from Ms Lawrence refers. Whilst Dr Bohin suggests these have not been upheld, this does not mean that the complaints were not considered. Certain of the complaints (such as the GMC group complaint) have not had the opportunity to be investigated and thereby upheld due to being out of time.
- (b) The Commissioner has not conducted interviews or corresponded with all people who could be classed as directly related to the allegations
- 5.7 In her letter to the Commissioner, Jane offered an interview to the Commissioner for her to be able to understand the liaison Jane had had as Families Representative with the families who raised concerns and the information provided to Ms Lawrence.
- 5.8 The Commissioner's wilful decision to forego Jane's offer of further interview or information, despite the clear relevance of her evidence, calls into serious question the rigour and impartiality of the investigative process. To then declare in categorical terms that the information provided was "seriously inaccurate and misleading" unfairly discounts relevant testimony.
- In this regard, I have now obtained consent from relevant families to share some of their testimony as I see fit. (For the avoidance of doubt, I obtained this consent without disclosing the existence or details of the Complaint to the families, since the Commissioner refused my request for permission to do so.) I am submitting this evidence consistent with the requirement¹⁸ to provide sufficient evidence to support this appeal and as credible fresh evidence within the meaning of paragraphs 44(d) and 46 of the Commissioner's Statement (Attachment 7). The testimony can be found at Attachment 22.

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¹⁷ Attachment 11

¹⁸ Paragraph 45 and note 5 of the Commissioner's Statement

- 5.10 The Commissioner failed to interview or correspond with either HSC or the MSG having received corroboratory evidence from HSC that that I did not provide information to the *Guardian*.
- (c) The Commissioner took into account irrelevant considerations
- 5.11 The transcript of my interview with the Commissioner shows at page 12 the Commissioner's views on the findings of the previous Code of Conduct complaint investigation. However, the Commissioner's own opinions on the <u>previous</u> complaint should not have factored into her decision making on <u>this</u> complaint particularly where, as part of the Commissioner's own process (paragraph 6 of the Commissioner's Standard)¹⁹, repeat allegations already the subject of consideration should not be taken into account.

(d) Unconscious bias

- 5.12 As noted in my letter of 25 June 2025, I referred the Commissioner at paragraph 29 to various points in our interview in April 2025 (pages 13, 18, and 20 of the transcript) where the Commissioner made reference to her own professional background in science, medical education, and medical ethics, alongside her *personal* anecdotal experiences and opinions of safeguarding as well as her thoughts on the previous 2022 Code of Conduct complaint. Purporting that her comments were "off the record" (page 19 of the transcript) was inappropriate in the context of a formal interview. Noting that although the above could be indicative of interest in the issue, I raised with the Commissioner the potential for unconscious bias in favour of the medical profession, particularly where she cited her own personal anecdotal experience of safeguarding which was not of any relevance to the Complaint.
- 5.13 The Commissioner in her response of 8 July 2025 gave only a blanket denial of bias stating that her " background in medical ethics and law has only served to strengthen [her] ability to understand and analyse the facts of this case in an objective and balanced manner. This should reasonably be considered an advantage rather than a source of bias."
- 5.14 However, considering that favourable interpretations have been made by the Commissioner of the contents of medical reports and considerable reliance has been placed on letters from other doctors where there is evidence which calls their credibility into question (which could have been produced, had the Commissioner informed me that this was being taken into account as evidence) this reasonably raises the possibility of bias. For example:
 - (a) at paragraph 49 of the Report, the Commissioner cites the report from Dr Jean Price as 'independent' when it clearly was not, having been commissioned by Dr Bohin's professional indemnity insurers;
 - (b) This is even more evident where extracts of the transcript which have been redacted relate to these personal anecdotes and so appear to conceal mention of irrelevant matters which could evidence her bias.

Conclusion: I respectfully submit that the Commissioner's own extensive professional background in the medical field, coupled with the explicit reference to her personal anecdotes, raises the serious risk of unconscious bias in her approach to the evidence. Objective justice demands not only actual impartiality, but the appearance thereof,

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¹⁹ "6. The Commissioner will conduct a preliminary assessment of all complaints. The Commissioner cannot consider complaints that fall outside the scope of the Code or complaints which she deems frivolous or vexatious. She will not consider complaints that substantially repeat allegations which have already been the subject of consideration (unless there is fresh evidence in their support)." (emphasis added)

<u>especially in cases where so much turns on a personal, subjective and nuanced</u> interpretation of professional conduct.

This perceived unconscious bias undermines the impartiality of the Commissioner's decision making process.

(e) Not all evidence provided

- 5.15 Paragraph 38 of the Commissioner' Statement provides: "If the Commissioner's investigation has uncovered material evidence that is at variance with the Member's version of events, she will put this to the Member, who will have the chance to challenge it." (emphasis added). As detailed in the Report (at paragraphs 9 and 10), the Commissioner has referenced and/or used the following evidence as part of her reasoning for her decision but none of this evidence has been put before me to permit me the opportunity to challenge it.
 - (a) A copy of Dr Bohin's response to the *Guardian* dated 27 November 2024 (paragraph 9 of the Report);
 - (b) A copy of the transcript of Dr Bohin's interview with the Commissioner (paragraph 10 of the Report) (noting that a copy of my transcript whether redacted or not has formed part of the evidence attached to this report to be published and that there are several extracts in the Report of Dr Bohin's description (particularly at paragraph 36) which does not form part of the complaint document and could have stemmed from such interview);
 - (c) A copy of the correspondence between the Commissioner and Ms Lawrence (paragraph 10 of the Report);
 - (d) A copy of the correspondence between the Commissioner and the *Guardian* Newspaper's legal department (paragraph 10 of the Report);
 - (e) A copy of the correspondence between the Commissioner and Sr David Davis MP (paragraph 10 of the Report);
 - (f) A copy of the correspondence between the Commissioner and the GMC (paragraph 10 of the Report);
 - (g) A copy of the official complaints data from the joint MSG/HSC database over 2021-2024 (paragraph 31 and figure 1 of the Report);
 - (h) A copy of the safeguarding referral data from MASH (paragraph 33 and figure 2 of the Report);
 - (i) A copy of the formal report authored by Sue Walters (cited favourably by the Commissioner at paragraph 49 of the Report.)

Conclusion: all of the above evidential material has been referenced and used as evidence in the Report, but I was not afforded the opportunity as the target of the complaint to review this evidence and provide my response to it. As this information and documentation have been used throughout the report, I consider that this means that the Commissioner has uncovered material evidence which in accordance with a fair and just process should have been put to me, but was not.

5.16 There are also excerpts in the Report where the Commissioner has not confirmed the source of quoted information from Dr Bohin. It is not appropriate that quotes can be added

to this Report as part of the evidentiary reasoning for her decisions, without confirming where this evidence has come from or giving me, the subject of the complaint, full copies of such information. The snippets at paragraph 36 in particular contain factual inaccuracies (which I could have rebutted, if I had been given the opportunity) but which seek to undermine the credibility of concerns factored into the complaints against Dr Bohin in her favour. In particular, I refer to the excerpt at the bottom of page 15 to the top of page 16 of the Report which states

"The GP who was looking after her, who was a family friend, spoke to the safeguarding GP. Every practice has a safeguarding GP, so within that practice, the safeguarding GP said, 'Why isn't this kid going to school?' She said, 'I'm managing it.' That GP said, 'Is this a safeguarding concern?' The GP said, 'No, I don't think it is.' Then backed up by what I said, it wasn't a safeguarding concern, but the treating GP, who was a friend of the family, told the St Piers that people have been asking about safeguarding and had launched a safeguarding investigation. So, this is where it came from. Since then, it's been unshakeable. He can't see that there was no safeguarding investigation." (emphasis added)

- 5.17 I confirm that the repeated assertion that the GP who was treating the child in question was not a friend of the family. This was untrue. At one point Jane and the GP sat on the Board of the Children's Convenor at the same time, but this in no way constituted a personal relationship between them, and in the medical context our family only ever had a patient-doctor relationship with the GP. The repeated use of the phrase 'family friend' was, in my view, used by Dr Bohin as an attempt to suggest bias in my favour and to diminish the credibility of the GP's concerns. It had no basis in reality and should not have been accepted by the Commissioner unquestioningly.
- (f) Challenges to findings of fact
- 5.18 At paragraph 38 of the Report, the Commissioner details the final findings of fact. These were as follows:
 - "1. Deputy St Pier confirmed to a journalist from The Guardian the accuracy of specific complaints information, including the number and details of complaints that he received as States Deputy involving Dr Sandie Bohin.
 - 2. The information confirmed to the journalist by Deputy St Pier was sensitive and confidential information that he received in his capacity as a States Deputy.
 - 3. The complaint information that Deputy St Pier confirmed to the journalist was misleading, as there is no evidence that these complaints were ever formally examined or upheld.
 - 4. Deputy St Pier failed to clarify to the journalist that the complaints details that he confirmed to her were not formally examined or upheld."
- 5.19 The Commissioner then goes on to state at paragraph 39 of the Report "Both Deputy St Pier and Dr Bohin were given the opportunity to challenge any of the above findings before I finalised my report. I did not receive any challenges to my findings of fact from Dr Bohin. I did receive challenges from Deputy St Pier." (referencing my letter of 25 June 2025 in response to the draft findings of fact) (emphasis added).
- 5.20 I consider it relevant to point out that the challenges I raised were <u>not</u> to the findings of fact detailed in paragraph 38 but to the <u>previous</u> draft findings of fact which the Commissioner provided to me on 24 May 2025 which were as follows:

"On the balance of probabilities, I have found the following facts:

- 1. Deputy St Pier disclosed confidential information concerning the number and nature of complaints he received in his capacity as a States Deputy, specifically relating to Dr Sandie Bohin.
- 2. Deputy St Pier confirmed to a journalist from The Guardian the accuracy of specific confidential complaint information, including the number and categorisation of complaints he received as States Deputy involving Dr Sandie Bohin.
- 3. The information confirmed by Deputy St Pier to the journalist was misleading, inaccurate, and unsubstantiated.
- 4. Deputy St Pier failed to clarify that the complaints referenced were unverified and unsubstantiated allegations submitted to him in his role as a Deputy of the States of Guernsey."
- 5.21 These two sets of findings of fact are significantly different in scope (which is at odds with the Commissioner's suggestion that "*I have not made substantial changes*" in her letter of 8 July 2025), reflecting the challenges I posed to the initial draft findings.
 - Conclusion: after being provided with significantly different findings of fact, I made a reasonable request to be afforded an opportunity to provide full submissions in reply. The Commissioner's refusal to grant this right of reply represents a departure from principles of natural justice and procedural fairness, all the more striking given the significance of the changes made.
- 5.22 Whilst I understand from paragraph 39 of the Commissioner's Statement (Attachment 7) that if, having considered the Member's comments, the Commissioner considers that there remain significant contested issues of fact, she will prepare her own account of the facts of the case, while drawing attention to those points which are contested, it is a flawed process that the findings of fact can change so significantly and that the subject of the complaint not be afforded the opportunity to address those new and altered findings.

Appeal Ground 4: in the alternative, the sanction imposed was disproportionate

- In the circumstances that this appeal is unsuccessful on any of the above three Grounds in establishing that the findings of fact of the Commissioner should be set aside, I rely on this appeal ground to argue that the sanction recommended is disproportionate. The sanction recommended of a 30 day suspension is disproportionate considering that the following factors:
- 6.1 No article has ever been published by the *Guardian*, so the information confirmed to the journalist will not be offered for public scrutiny other than by virtue of Dr Bohin's complaint to the Commissioner and the subsequent process, if the complaints against me remain upheld.
- 6.2 I did not solicit the journalist's approach.
- 6.3 I refused to be interviewed.
- 6.4 I confirmed the accuracy of information which the journalist already possessed and the confirmation of which I reasonably believed was in the public interest. I did not express any personal opinion on the nature of the complaints.

- 6.5 I had no intention at any time of harming Dr Bohin, and there is no evidence of such an intention. To the extent that the Code is found to have been breached (which I do not accept), it was therefore inadvertent.
- 6.6 The recommended sanction is disproportionate by comparison to recent precedents in other jurisdictions in the British Isles as evidenced from the following table:

Year	Member	Chamber	Breach	Recommended sanction
2018	Ian Paisley MP	House of Commons	Failing to declare holidays paid by Sri Lankan government	30 days
2021	Natalie Elphicke MP	House of Commons	Breach of code	1 day
2021	Owen Paterson MP	House of Commons	Paid advocacy - using position to benefit financially	30 days
2021	Rob Roberts MP	House of Commons	Sexual misconduct	6 weeks
2023	Margaret Ferrier MP	House of Commons	Criminal breach of lockdown rules	30 days
2023	Peter Bone MP	House of Commons	Sexual misconduct	30 days
2024	Scott Benton MP	House of Commons	Lobbying for financial reward	35 days
2024	Steve Aiken MLA	Northern Ireland Assembly	Breaching confidentiality	2 days

Conclusion: in light of the above factors, if the Commissioner's findings are not set aside, I ask the Appeal Commissioner to consider a lighter sanction in the circumstances than the one proposed.

Yours faithfully

[No physical signature - produced electronically]

Deputy Gavin St. Pier

Appendix - Background

Before the Complaint

- i. By way of background and as is in the public domain, I was subject to a previous Code of Conduct investigation which determined breaches to sections 3, 6, 7, 8, 9, and 11 of the Code in 2022.
- ii. Around June 2024, a journalist, Felicity Lawrence (**Ms Lawrence**) from *The Guardian* contacted me about Dr Bohin. She was concerned about Dr Bohin's role as an expert witness in the Lucy Letby trial and, from internet research had come across our family's situation following my naming Dr Bohin in the States of Deliberation and all that followed as described at paragraph i. above.
- iii. Ms Lawrence asked me for an interview, but I refused.
- iv. In November 2024, Ms Lawrence contacted me again by telephone to fact check the numbers of cases reported to me by members of the public.
- v. On 25 November 2024, Dr Bohin received an email from Ms Lawrence regarding an article that was being prepared directly concerning Dr Bohin (Attachment 8). The information which I confirmed to Ms Lawrence pursuant to our telephone conversation at paragraph iv. above is referenced in paragraphs 45 and 46 of Ms Lawrence's email to Dr Bohin.

The Complaint

vi. On 22 January 2025, Dr Bohin complained to the Commissioner that I had breached the Code of Conduct including "attempts to induce a media outlet in England to publish an article on the basis of misleading and inaccurate information and pertaining to conduct for which [I had] already been formally reprimanded in the Bailiwick of Guernsey in [my] capacity as a States member." (Attachment 1.)

The Commissioner's investigation

- vii. Following receipt of this complaint the Commissioner wrote to me on 22 January 2025 informing me of the Complaint. In response I wrote back to the Commissioner on 5 February 2025 with my initial position regarding the Complaint (Attachment 9). Following further correspondence from the Commissioner posing some further questions on 19 February 2025 (Attachment 10), I responded with further answers on 11 March 2025 (Attachment 11).
- viii. On 23 April 2025, I was interviewed by the Commissioner to answer further questions. Following this I received a copy of the transcript of my interview (Attachment 12).

Initial Findings of Fact and my challenge

- ix. On 24 May 2025, the Commissioner provided me with a draft copy of her initial findings of fact and notified me of my right of challenge to any of the findings (Attachment 13). Any challenge to them was to be received by 29 May 2025.
- x. On 28 May 2025, I wrote to the Commissioner requesting an extension in order to provide a fully reasoned challenge, which the Commissioner agreed to extend the time for reply to 25 June 2025.

- xi. On 23 June 2025, I asked the Commissioner for permission to disclose to my wife, Jane, the initial complaint letter, my correspondence with the Commissioner and the transcript of our interview as she might have pertinent information to assist with the Commissioner's investigation. (This is because from November 2022, Jane had been the Families Representative at meetings with HSC to implement the recommendations in the Walters Report Appendix (see paragraph 4.11 above.) In that role, Jane became the prime point of contact for families with paediatric-related complaints.) The Commissioner permitted me to do so.
- xii. On 25 June 2025, I provided a full written challenge to the Commissioner against her draft findings of fact (Attachment 14), accompanied by a letter from Jane of the same date (Attachment 15).
- xiii. On 8 July 2025, the Commissioner provided me with her amended findings of fact, responding to various of the points made in my 25 June 2025 letter (Attachment 16). As there were issues I wished to raise on these new findings, I requested on 9 July 2025 the opportunity to provide a substantive reply. However, the Commissioner informed me that the process would not involve any further correspondence (Attachment 17).

PAN-ISLANDCOMMISSIONER FOR STANDARDS



Report by the Commissioner for Standards on a complaint against Deputy Gavin St Pier by Dr Sandie Bohin

States of Deliberation Guernsey-Confidential

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Summary

On 22 January 2025, I received a formal complaint against Deputy Gavin St Pier by Dr Sandie Bohin, a consultant paediatrician.

Dr Bohin alleged that Deputy St Pier had sought to influence national media coverage by sharing misleading and inaccurate information about her, despite previous findings that had already refuted similar claims. She further alleged that his actions breached the standards expected of a States Member, caused her significant personal and professional distress, and undermined public confidence in Guernsey's institutions.

I carried out a thorough investigation, including a detailed review of all submitted evidence, interviews including with Depuy St Pier and various correspondence with those directly related to the allegations including the *The Guardian* journalist and legal team, Sir David Davis MP and the General Medical Council.

The investigation found Deputy St Pier's decision to publicly disclose details of informal, unsubstantiated complaints that were serious in nature and that he received in his capacity as a Deputy of the States, was incompatible with the duty to act impartially and in the public interest. It risked misleading the public and undermining trust in both the complaint processes and the institutions of public accountability. It represents a misuse of the platform afforded to Deputy St Pier by virtue of his public office and the seriousness and repeated nature of behaviour constitutes bullying. In the public interest, Deputy St Pier should have resolved the conflict by providing no comment to the journalist.

In confirming details of the informal and unsubstantiated allegations Deputy St Pier failed to acknowledge the conflict he has on all matters relating to Dr Bohin and failed to resolve the conflict in favour of the public interest. Instead, he acted in a way that prioritised his own personal or political interests over the public interest. Furthermore, by conflating informal complaints with formal substantiated complaints, he risked misleading the public and caused further harm and reputational damage to Dr Bohin. His conduct fell short of the Seven Principles of Public Life.

Evidence shows a deliberate and sustained effort to unfairly criticise, to discredit, and to cause harm to Dr Bohin's professional and personal reputation. In my view, this pattern of behaviour fits squarely within the established definition of bullying and is entirely inconsistent with the values of respect, fairness and accountability expected of members.

In conclusion, it is my view that Deputy St Pier breached Sections 8, 9, 10, 11, 12 and 24 of the Code of Conduct. I recommend that Deputy St Pier be suspended from the States of Deliberation for a period of 30 days.

INTRODUCTION

- On 22 January 2025, I received a complaint from Dr Sandie Bohin alleging that Deputy Gavin St Pier breached the Code of Conduct by attempting to induce a media outlet in England to publish an article based on misleading and inaccurate information.
- 2. Dr Bohin received an email dated 25 November 2024 from Felicity Lawrence, a journalist at *The Guardian*, indicating that she was preparing an article directly concerning Dr Bohin. Dr Bohin contends that the contents of the email contained several serious and defamatory statements regarding her professional reputation and judgement as a consultant paediatrician, as well as several significant factual inaccuracies. She believes that the initiative for the article was led, or at the very least involved active participation, by Deputy St Pier.
- 3. Dr Bohin alleges that Deputy St Pier's conduct, specifically the provision of untrue and misleading information and his alleged efforts to encourage media outlets and parliamentary figures to disseminate such misleading information, and the disclosure of a complaint about her to the General Medical Council ("GMC"), constitutes a breach of the Code of Conduct. She further asserts that his actions have caused her significant personal and professional distress and have had wider negative repercussions for the Island community as a whole.

ALLEGATIONS

4. The following sections of the Code of Conduct¹ are being alleged by Dr Bohin to have been breached by Deputy St Pier:

Section 8 (Seven Principles of Public Life)

Members shall observe the following general principles of conduct for holders of public office: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

Dr Bohin alleges:

Selflessness: Deputy St Pier has not acted solely in terms of the public interest. He has allowed his own personal issues to cloud his judgement and has continued a sustained vendetta against me. He has solicited members of the public to make complaints against me and has publicised a referral to the GMC, something I know nothing of but something that will undoubtedly be seen negatively by members of the public.

Integrity: Deputy St Pier, in liaising with the journalist and UK politician, facilitating the provision of misleading and untrue information to further his own interests is acting contrary to the general principles of integrity. This is further aggravated given the decisions of the Panel which he has clearly chosen to ignore.

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¹ Code of Conduct

Accountability: Deputy St Pier has failed to heed the findings of the Panel ^{2,3} and in continuing to pursue his vendetta against me is in breach of this principle.

Openness: Deputy St Pier was clearly not open in his actions in deliberately misleading the press and wider public in relation to the inaccurate statements about me, the incorrect assertions once again regarding the safeguarding process and a failure to correct the same. This is of particular significance in circumstances where factual determinations have previously been made by the Panel in relation to the same matters. Deputy St Pier has used inaccurate information in an attempt to undermine my role as an expert witness in the Lucy Letby trial, despite the fact that there was no legal challenge to my evidence at the Court of Appeal case.

Honesty. Members have a duty to be truthful. Deputy St Pier has facilitated the provision of information to others that he knew to be untrue. He alleges that I negligently misdiagnosed patients, that my conduct resulted in two neonatal deaths and that I am a vindictive practitioner who seeks to punish parents. He also continues to assert that his family were subject to a safeguarding referral, despite significant evidence to the contrary. There is significant documentation which does not support the allegations made. He has used false information in an alleged referral to the GMC in an attempt to undermine my role as an expert witness and further damage my reputation.

Section 9

Members shall 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.

Dr Bohin alleges:

Deputy St Pier has breached section 9 of the Code by his personally motivated conduct and the conflict between his personal interest and the public interest. There has been no resolution of the conduct in favour of the public interest as provided for in section 9 of the Code.

Section 10

Members shall 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 Deliberation and never undertake any action which would bring the States, or its Members generally, into disrepute.

Dr Bohin alleges:

Deputy St Pier has not conducted himself in a manner which maintains and strengthens the public's trust and confidence in the integrity of the States of Deliberation. In deliberately misleading third parties (and ignoring the findings of the Panel) with a view to defaming my character and through his perpetuation of such misleading statements he brings the States into disrepute. It must therefore be the case that his actions would not strengthen the public's trust and confidence in the integrity of the States of Deliberation.

² Guernsey Appeal Commissioner Report 9 September 2024

³ Hansard 23 October 2024

Section 11

Members shall at all times treat other Members, civil servants 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. Members shall act in good conscience and exercise the privileges and discharge the duties of public office diligently and with civility, dignity, care and honour.

Dr Bohin alleges:

Deputy St Pier has been discourteous to me as a member of the public in seeking to defame my character and ruin my professional reputation. Given the findings made against him by the Panel and the Guernsey Appeal Commissioner, and his continued personal interest, this was motivated by malice. His vendetta was compounded as evidenced by his reference to a Member of Parliament and the English media. This conduct goes way beyond what is a normal part of the political process.

Section 12

Members must not engage in unwanted behaviour, harassment, bullying or discrimination.

Dr Bohin alleges:

Deputy St Pier has continued to behave in a manner which is certainly unwanted by me. This is clearly a case of continued, relentless harassment and bullying. He has been publicly reprimanded in Guernsey and having exhausted any local appeal, is seeking to discredit me in a different arena with no regard for the truth of matters or the findings of the Panel.

Commissioner identified provisions of the Code

Section 24

In addition, Members shall not disclose publicly, or to any third party, personal information about named individuals which they receive in the course of their duties, unless it is both lawful and clearly in the wider public interest to do so. Members must, at all times, have regard to all relevant data protection, human rights and other legislation when dealing with confidential information and must be aware of the consequences of breaching confidentiality.

Relevant Legislation

- 5. The Data Protection (Bailiwick of Guernsey) Law, 2017⁴
- 6. Article 8 of the Human Rights (Bailiwick of Geurnsey) Law, 2000⁵

Everyone has the right to respect for his private and family life, his home and his correspondence.

⁴ The Data Protection (Bailiwick of Guernsey) Law, 2017

⁵ The Human Rights (Bailiwick of Guernsey) Law, 2000

There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of crime, for the protection of health or morals, or for the protection of the rights and freedom of others.

BACKGROUND AND CONTEXT

- 7. On 27 April 2022, Deputy St Pier publicly named Dr Bohin in the States Chamber and levelled accusations concerning her clinical decisions and safeguarding practices. These accusations were later found to be seriously misleading and unsubstantiated by the Code of Conduct Panel, made up of the Very Reverend John Guille, Dame Mary Perkins and Mr Stephen Trevor. The Panel's findings were upheld by the Guernsey Appeals Commissioner, Mr Martin Jelley QPN, DL on 9th September 2024. As a result, Deputy St Pier received a formal reprimand in the Sates on 23rd October 2024.⁶
- 8. The public nature of the misleading and unsubstantiated accusations harmed and undermined Dr Bohin's professional credibility and contributed to her stepping away from her safeguarding role. The Code of Conduct Panel commented that the impact on Dr Bohin had been "heavy".⁷
- 9. The following is an important timeline for the purposes of my consideration of this complaint and was evidence that Dr Bohin incorporated into her complaint as evidence of a sustained vendetta and pattern of behaviour.

27 April 2022	Deputy St Pier names Dr Bohin in the States Meeting
25 May 2022	Code of Conduct Complaint submitted by British Medical Association
30 June 2022	Code of Conduct Complaint submitted by the Medical Specialist Group LLP
01 July 2022	Code of Conduct Complaint submitted by Dr Bohin
21 April 2023	Code of Conduct Panel Report completed addressing all three complaints
30 April 2024	Deputy St Pier becomes member of Health and Social Care Committee
09 Sept 2024	Appeal Commissioner Report published; appeal not upheld
23 Oct 2024	Deputy St Pier formally reprimanded in the States
Pre-25 Nov 2024	Deputy St Pier corresponds by telephone with journalist from <i>The Guardian</i>
25 Nov 2024	The Guardian journalist emails letter to Dr Bohin
27 Nov 2024	Dr Bohin responds to <i>The Guardian</i> journalist
07 Jan 2025	Sir David Davis MP mentions in the House of Commons Dr Bohin's name and the existence of a GMC complaint against her
22 Jan 2025	Dr Bohin lodges this Code of Conduct complaint against Deputy St Pier

⁶ Hansard 23 October 2024

⁷ Code of Conduct Panel Report

INVESTIGATION

- 10. As part of my investigation, I carried out the following:
 - Reviewed the complaint and evidence received from Dr Bohin
 - Reviewed the responses received from Deputy St Pier to the complaint and further questions
 - Interviewed Deputy St Pier
 - Interviewed Dr Bohin
 - Corresponded by email with Ms Felicity Lawrence, The Guardian journalist
 - Corresponded by email and telephone with The Guardian Newspapers Legal Department
 - Corresponded by email with Sir David Davies MP
 - Corresponded with the General Medical Council MC

EVIDENCE

The Letter from The Guardian journalist

- 11. A principal piece of evidence relevant to this complaint is the 25 November 2024 email received by Dr Bohin from Ms Felicity Lawrence, a freelance journalist for *The Guardian*. (referred to in this report as "the letter").
- 12. Dr Bohin provided a redacted version Ms Lawrence's email in her complaint submission. It would be inappropriate to attach to this report the journalist's letter in full due to the sensitive information it contains which are not relevant to this complaint. However, given that the email forms the crux of the complaint, it is necessary to include, explain, and refer to the sections that are most relevant to the complaint against Deputy St Pier.
- 13. In the opening of her email, Ms Lawrence confirms that she had previously contacted Dr Bohin earlier in the year, inviting her to respond ahead of publication to certain allegations being made to *The Guardian* regarding expert witness evidence in the Lucy Letby trial. Ms Lawrence expresses gratitude for Dr Bohin's (then) prompt response. She then states:

"I am writing to you again because I am preparing another article for *The Guardian* that relates to you directly. It is a feature which describes complaints made by several Guernsey families about the island's paediatric service, and about your behaviour and care in particular."

14. Ms Lawrence goes on in the letter to say:

"Several of these families have shared details of their experience with us. The thrust of their allegations is that you misdiagnosed their children's complex problems, that you failed to listen to parental concerns or recognise the limits of your knowledge, obstructed referrals for or input from second opinions, and displayed inappropriate behaviour that was "incredibly aggressive", "dismissive" and "accusatory", when they questioned plans or complained. They have alleged that you wrote things in notes that weren't true. They also allege that you "weaponised" safeguarding processes against them when they sought second opinions, declined treatment, or complained, and that no parental harm or neglect was found, and this traumatised the families. A group of families have resorted to making a complaint about you to the GMC."

"Many details of complaints against you have already been aired in the local media, and debated in the Guernsey States, where deputy Gavin St Pier used parliamentary privilege to name you. He told members that his family's letter to MSG complaining about his daughter's misdiagnosis "triggered a bizarre and Kaka-esque [sic] safeguarding investigation which our GP at the time described as the "weaponisation" of the safeguarding service." He named you as the doctor responsible for this 'weaponisation' not just in their case but in dealings with other parents of sick children. We understand you, MSG and the BMA complained about Mr St Pier's naming of you, and that he was cleared of abuse of parliamentary privilege but formally reprimanded for breaching the code of conduct for the same speech. We are aware the commissioner for standards ruled on appeal that his conflict of interest was not removed by him declaring it, and that his audience would have interpreted his speech as meaning you misdiagnosed his daughter when it was another locum paediatrician, which was misleading. The St Piers and several other families remain concerned about their experience and remain of the view that your behaviour and attitude to their questioning of the service was central to the problems they faced."

15. Having set out the context of Ms Lawrence's letter above, I now highlight the two specific extracts from her letter for the purposes of my investigation.

Letter Extract 1: "The family allege"

16. Ms Lawrence states the following in her letter to Dr Bohin relating to the St Pier family:

"The family allege":

- 1. Their daughter's illness was misdiagnosed by a locum paediatrician, and that you then failed to recognise the limits of your own knowledge ______, so that the misdiagnosis went unchallenged. The family say had her illness not been identified and treated privately at _____ it could have led to organ failure and death.
- 2. They say you had not met or the family in a professional capacity when dealing with the case.
- 3. That when they asked for a private referral it was refused and it was only through the help of a GP that they were able to get the help- privately- that they needed.
- 4. You pursued a safeguarding investigation after the family had complained to MSG. They say you went behind their backs to the school attendance officer and the school rather contact them and work with them over any safeguarding concerns as guidance 2 recommends. You breached data protection rules in sharing records with the school attendance officer and MDU legal advisers. The family think you acted disproportionately, a conclusion shared by the ICPC.
- 5. The parents and the GP understood that the safeguarding process was a response to their complaint. The GP described the episode as "a form of cruelty" throwing obstacles in the way of a family whose only concern was wellbeing.
- 6. When the matter was investigated by MSG you said that you were making safeguarding inquiries rather than making a safeguarding investigation but this was not the GP's understanding.
- 7. The family have told me that you say you lost all your notes of your calls reason safeguarding and this appears to be confirmed in reviews.
- 8. You and MSG apologised to the St Piers for failures of communication in their case.
- 9. The family say they were left deeply disturbed by your actions and that the GP confirmed that safeguarding concerns were unfounded."

Letter Extract 2: "Mr St Pier told us"

17. Ms Lawrence refers explicitly to what "Mr St Pier told us", followed by references to the number of complaints and additional details concerning Dr Bohin that he received in his capacity as a States Deputy.

"We understand the following:

- 43. Three families allege their child's problems were misdiagnosed by you.
- 44. Seven families made a group complaint to the GMC about you in the summer of this year which is currently under preliminary consideration with requests for more information. The basis of the complaint are the allegations above.
- 45. **Mr St Pier has told us** he has received complaints from 16 families (a total that includes his own) that relate specifically to you and the MSG paediatric service, in his capacity as a deputy in the States.
- 46. Of the 16 complaints relating to you, nine include some allegation of mothers being suspected unfairly of fabricating or inducing illness or doing harm; seven include complaints about your role in safeguarding procedures; two involve neonatal deaths."

Disclosure of the fact and details of the GMC Complaint

- 18. The details of the confidential GMC complaint are clearly stated by Ms Lawrence in her letter to Dr Bohin.
 - "47. The families' complaint to the GMC expresses "grave concern" that you were relied on as an expert witness in the Letby trial because they say they have personal experience of you being "careless with people and careless with the truth" and that many of the matters on which you gave evidence were those at which you fail yourself. They also say you do not listen, that your record-keeping is often sub-standard and that your behaviour demonstrates a readiness to find deliberate harm. In summary the complainants say they are deeply worried that "a poor clinician was relied upon to be an exacting, expert witness" in what was an important trial."
- 19. On 7 January 2025, a speech related to the Lucy Letby convictions was given in Parliament by Sir David Davis MP in which Dr Bohin was named.8

"Questions have also been raised about the second expert witness for the prosecution, Dr Sandie Bohin. Eight families are currently filing formal complaints against her over their children's care, which are being considered by the General Medical Council."

Deputy St Pier's Testimony

20. Deputy St Pier's response to this complaint and to subsequent questions can be found in Appendix A.9

⁸ Hansard Sir David Divis MP House of Commons 7 January 2025

⁹ Documents 1, 2 and 3

21. Deputy St Pier's position is that he did not take part in any interviews with Ms Lawrence. He stated that he had no knowledge of or involvement in what was said to Ms Lawrence about Dr Bohin to *The Guardian* journalist in "the family allege" part of the letter.

"I am not and was not a party to whatever gave rise to the content of the November letter." [G St Pier]

"I'm saying that I was not aware of the content of any conversations they had until this letter landed on my desk." [G St Pier]

"For the avoidance of doubt, I was not present during any interviews that Ms Lawrence may have undertaken, and have no knowledge of what may have been said by any interviewee." [G St Pier]

"I categorically refused to be interviewed. You asked me, she approached me, she asked me for an interview. I did not give her an interview. I refused to give her an interview. For the avoidance of doubt, I was not present during any interviews that Ms Lawrence may have undertaken and have no knowledge of what may have been said by any interviewee." [G St Pier]

- 22. In relation to Extract 2 "Mr St Pier told us", Deputy St Pier's position is that he confirmed to the journalist that there were complaints from sixteen families relating specifically to Dr Bohin and the MSG paediatric service. He further confirmed that nine of these complaints involved allegations that mothers were unfairly suspected of Fabricating or Inducing Illness (FII) or causing harm by Dr Bohin; seven involved Dr Bohin's role in safeguarding procedures; and two related to neonatal deaths.
- 23. On 25 June 2025, when responding to the Findings of Fact¹⁰, Deputy St Pier submitted a letter from Mrs St Pier as evidence.¹¹ In her letter, Mrs St Pier testifies that she provided information to Ms Lawrence with the permission of the families she acts as liaison for, but without the encouragement or involvement of her husband.
- 24. Deputy St Pier claims that Ms Lawrence initiated contact with him via telephone in November 2024. However, he was unable to recall the timeline of events leading up to her contacting him, why exactly she was contacting him, or when she first contacted him. He stated that he did not provide the complaint information to Ms Lawrence but confirmed the accuracy of the complaint facts and figures that he said she already knew.

Commissioner	Can you tell me how you came to be in contact with Felicity Lawrence, including when and how you met with her?
Deputy St Pier	She contacted me. I don't recall exactly when, but I think had clearly identified, come across my name as a result of the all the media coverage. Everything was in the public media around the previous code of conduct and the abuse of parliamentary privilege and so on.
Commissioner	What was her interest? I'm trying to just get to grips with when she contacted you, was she trying to find more information out, about what?
Deputy St Pier	To be honest, I'm not entirely sure what her angle was. I can't even recall the exact timeline of that initial contact, but I think it was probably there might have been some - clearly, I think at that stage in the media there was a

¹⁰ Document 5

¹¹ Document 6

connection between Dr Bohin and the Letby case as well, so I think that may have been part of her initial interest, what involvement there was there with this doctor who had had some coverage in Guernsey.

Deputy St Pier written testimony:

"In November 2024, Ms Lawrence approached me by 'phone in my public capacity as a Deputy, solely to fact check how many complaints I had received regarding the paediatric department in Guernsey. These were complaints received by me as a Deputy from constituents. At that point, it had already been reported by various media outlets – and was therefore in the public domain - that 17 families had approached me with their experiences. I confirmed to Ms Lawrence at the time of her enquiry (as matters of fact,) that: I had received complaints from 20 families, of which 16 referenced SB in some way; and in which nine felt there was an allegation of fabricating or inducing illness or doing harm; seven included complaints about safeguarding procedures; and two of which involved neonatal deaths (without any attribution of alleged responsibility in respect of any clinician.) For the sake of completeness, I confirm that I have represented and advocated for some of these constituents in my capacity as an elected representative and as befits the responsibilities of my office."

25. When questioned at interview as to how Ms Lawrence would have known the detail of confidential complaints which he had received as a Deputy of the States of Guernsey, Deputy St Pier asserted that the information was already in the public domain and that the families must have provided her with the information.

Deputy St Pier

As I've explained, my response to that is what I've said to you on 11th March.

In that call, she provided me with this detail, and I merely confirmed that that

was the information, was my understanding at that time.

Commissioner Yes, I'm taking in what you say, but I just don't know how she got that

information. It's very detailed, and you're the one collating the information, so

either...

Deputy St Pier Clearly she's had contact with a lot of families. There are families' groups that

she's clearly had contact with. I don't know how many people she's spoken to

in order to be able to collate that information and put it to me.

Commissioner I don't know how she could do that either, because you're the one collating

the info. How could anyone else know the info? Because these are confidential. I take confidentiality very seriously, I'm sure you do too, and I

don't know how she would have that information, because it's very

confidential, on neonatal deaths? That type of confidential information that somebody would give to you. I would be surprised that anybody else should

know that information from you. That's why it's not making sense to me.

Deputy St Pier All I can say is it can clearly and surely can only come from the families

concerned. The allegations can only come from the families concerned.

Commissioner But she's saying you told her. I'm just going by what she said.

Deputy St Pier I can't comment on the phraseology of her letter. I wasn't privy to it and I

didn't write it. All I can do is provide my, which I've done in good faith, I've

provided my response to that in response to your further inquiry.

26. Deputy St Pier accepts that it was a judgement call as to whether or not he should have confirmed any numbers or details in relation to the complaints information to *The Guardian* reporter.

Commissioner Even so, that you [even] confirmed them might be a problem too, because in

my head I'm going, should he have confirmed those, or should he have just said, 'I have no comment'? What do you think? Do you think there's a point I'm making here, that maybe you should have said, 'No comment,' or not?

Deputy St Pier I think yes, it is a judgement call. I absolutely accept that.

Complaints received and referenced by Deputy St Pier

- 27. On 29th September 2023 in the States, Deputy St Pier mentioned complaints he had received and stated that by April 2022 he had "exhausted all other avenues available, including the local complaint and regulatory processes".¹²
- 28. Deputy St Pier said at interview that he was unaware of whether the complaint details that he had confirmed to the journalist had been referred to any proper authority such as the HSC for consideration or not.

"I cannot categorically state whether each of the complaints made to me were referred to the States or any other body for consideration and investigation." [G St Pier]

29. Deputy St Pier did not inform *The Guardian* journalist that the details of the complaints that he confirmed to her were unsubstantiated (i.e. they were not formal complaints that had been considered and investigated). He explained that this was because Ms Lawrence did not ask him that question.

Commissioner When you spoke to Ms Lawrence, during the time when she asked you to

confirm the numbers, did you ever tell her that the outcome of the

investigated complaints, the outcome being that Dr Bohin wasn't found to have abused or misused the safeguarding process, did you ever tell her that?

Deputy St Pier No, I didn't, because I wasn't asked that question

Commissioner Did you include anything about explaining to her what you meant by

complaint and that it wasn't going through the HSC system necessarily?

Deputy St Pier No, again, because I wasn't specifically asked that question.

30. In his response to my findings of fact on 25 June 2025¹³, Deputy St Pier provided the following which highlights his view on the complaints handling issue:

"I note that there may be some confusion over the use of the word 'complaint'. Ms Lawrence is clearly giving the word its natural meaning and common usage, as I have. You commented in our

¹² Hansard 29 September 2023 at 1905

¹³ Document 5

interview that a complaint is not such unless it has been admitted for investigation – but that is, respectfully, an overly technical use of the word in the context of your own process. In the sense that a complaint is received by a deputy, it is the fact of the complaint which defines it as such. I note that this is also the way that HSC define it – in the Joint Complaints Policy document which I mentioned earlier, at '5. Definition of a Complaint', the comment is that 'A complaint may be defined as an expression of dissatisfaction with some aspect of service the service user receives that requires a response.'

In fact, HSC's approach to confidentiality and the nature of a 'complaint' is clearly a matter of practicality. If every complaint had to meet the standard set by official complaints processes before they were accepted as complaints, elected representatives would never be able to publicly challenge processes that are failing. There would, in fact, be a chilling effect on the capacity of elected representatives to advocate on behalf of constituents who are complaining about public services.

Drawing the above together, by confirming the number of complaints I was merely confirming their existence, not making comment of the merits of those allegations. Nothing in the evidence suggests that I confirmed positively that the complaints were proven or meritorious nor did I ever make such an assertion."

Official Complaints Data

31. Figures from the joint Medical Specialist Group LLP ("MSG")/Health and Social Care ("HSC") database on complaints over the four-year period from 2021 to 2024 indicate that a total of twenty-one complaints were lodged against the Paediatric Department during this time, of which eight related specifically to Dr Bohin.

Figure 1. MSG/HSC complaints data*

Year	Dr S Bohin	Paediatric Department
2021	1	4
2022	1	5
2023	2	5
2024	4	7
Total	8	21

^{*}Data from the MSG Governance Manager

- 32. Of those eight complaints against Dr Bohin in the four-year period:
 - 1. None were upheld
 - 2. None concerned safeguarding issues
 - 3. None concerned Fabricated or Induced Illness (FII)
 - 4. None concerned neonatal deaths
 - 5. One complaint referenced concerns regarding attitude, including allegations of aggression and not listening
 - 6. One submitted in 2024 was related to a minor issue that was ruled out due to being timeexpired

Official Safeguarding Data on Referrals

33. Safeguarding referrals for the period 2022–2025 show that Dr Bohin made a total of two referrals in total to the Multi-Agency Safeguarding Hub (MASH).

Figure 2 Safeguarding Referrals Data*

Year	Dr S Bohin	Other Paediatrician	Total MASH (safeguarding)
	MASH referrals	MASH referrals	referrals
2022	0	3	1757
2023	0	4	2190
2024	3	1	2465
2025	0	5	723
Total	3	13	7135

^{*}Data from the Team Manager MASH

- 34. In relation to the above MASH referrals:
 - 1. Of the three 2024 referrals by Dr Bohin, two concerned children in the same family.
 - 2. Dr Bohin's referrals accounted for significantly less than 1% of the total safeguarding referrals from HSC.

Dr Bohin's allegation of a sustained vendetta

35. In Deputy Bohin's complaint she alleges:

'He has allowed his own personal issues to cloud his judgement and has continued a sustained vendetta against me. He has solicited members of the public to make complaints against me, and has publicised a referral to the GMC, something I know nothing of, but something that will undoubtedly be seen negatively by members of the public.'

36. Dr Bohin described why she believes Deputy St Pier has a "sustained vendetta" against her and provided historical context:

"It goes back to 2015 when his daughter was seen by one of our locums. I wasn't the named doctor for safeguarding at the time, but I was the only non-locum doctor on the island, the other two were away, the safeguarding lead was away. So, I was asked about his daughter by a safeguarding lead GP and my head of governance to say this girl has been diagnosed with this rare condition, she's been treated, but she's still not back at school, is that correct or is that a safeguarding concern? So, I said, 'Well, it depends on who is overseeing her rehabilitation back to school. If the GP is overseeing it locally, then that's fine. If no one is overseeing it, then that's not fine because if you're treated and you're better, why aren't you going back to school?' This kid had missed a year of school or whatever, many terms of school. So, I said, 'I'll make enquiries.'

So, I phoned the school attendance service to find out who was rehabilitating this kid back to school, and they said the GP was doing it, end of story, no safeguarding concern, nothing. Somebody was dealing with it. That was my only involvement, that was it, I made two telephone calls to the school attendance service in 2015. The GP who was looking after her, who was a family friend, spoke to the safeguarding GP. Every practice has a safeguarding GP, so within that practice, the safeguarding GP said, 'Why isn't this kid going to school?' She said, 'I'm managing it.' That GP said, 'Is this a safeguarding concern?' The GP said, 'No, I don't think it is.' Then backed up by what I

said, it wasn't a safeguarding concern, but the treating GP, who was a friend of the family, told the St Piers that people have been asking about safeguarding and had launched a safeguarding investigation. So, this is where it came from. Since then, it's been unshakeable. He can't see that there was no safeguarding investigation.

Of course, there were about four investigations after that looking into it and all of them came out and said, no, there was no safeguarding investigation, but he can't let it go. As you see, it's in this letter to The Guardian, it was said in the States, and it's not true, there was no safeguarding investigation. He keeps saying, in some of the correspondence it says, 'Our GP thought there was a safeguarding investigation.' Well, that's irrelevant. There either is or there isn't. Somebody may have thought that but unless a referral goes to MASH there is no safeguarding investigation, and there wasn't."

37. At interview, Deputy St Pier said that he did not wish to speak about 2014/15 and what occurred then.

Commissioner ..it's my understanding from Dr Bohin that she wasn't looking after your

daughter. She says that second guessing another doctor's diagnosis isn't really what they do. Unless there's an MDT called where they're all meeting up, that wasn't really

what was happening there, so I just wanted to get your take on that.

Deputy St Pier I'm not sure I really want to get in, trawling back to 2014, in allegations that I did not

make.

Commissioner Okay, I understand.

Deputy St Pier I think what stands on the record in terms of the allegations, or no, in terms of the

comments I made about Dr Bohin are on the record of my speech in the States in April 2022, which have already been effectively litigated through the previous code of conduct. I've really got nothing to add to that. I don't really want to be commenting on, frankly, any of either whatever my family may have said, or indeed any of the other families may have said. Even though some of the information is familiar to me because

of what families had told me, but I did not relay that to Felicity Lawrence.

Commissioner Let me just move on to the investigations into Dr Bohin. Are you aware of the outcomes

of those investigations?

Deputy St Pier I'm not.

Commissioner The investigations by the Royal College.

Deputy St Pier Which one are you talking about?

Commissioner There's quite a number of them, let me just read them. The Waters, I believe. Four were

looked at by the Royal College of Paediatrics, I believe, and in that one in particular, I believe your family, I think you were inside of that complaint, am I correct? Let me get

the exact, get this. Excuse me one second, I'm scrolling.

Deputy St Pier No, I don't think we, and again, it trawls back to 2014. We were [over speaking

0:10:45.4].

Commissioner Here's the problem I'm having. I'm going to be very frank with you. This is not simply

we just "can't discuss it", because Felicity Lawrence's letter is harping back to '15, you understand? It's all based on this journey and it's all mentioned in there, so I can't but look at the full picture here. The full picture, what she's depicting as the full

picture, it seems to stem from the original - and please correct me if I'm wrong, and I know you don't necessarily want to go back, but I have to, because I have to understand. I know what happened with the Code of Conduct. I've read the report, I've read Martin Jelley, the Appeals Commissioner's findings. I understand what happened, and that's not what I'm looking at. Not that it doesn't inform some things, because what she's saying is there seems to be a vendetta against her by you.

That's what she's saying, and when I ask you about those reports, the reason I ask you about those reports is because in those reports, I can't find anywhere that she is found to be abusing the safeguarding process. Which then leads me to wonder why, if there's been reports and investigations into her behaviour, and I can see where one of them told her to reflect on her tone, but the actual substance of safeguarding, no. I just want to talk about that because I just feel like this could keep happening if we don't talk about it. I hope you follow what I'm trying to say here. I'm no counsellor, but I'm just simply saying I don't get why this has come to this point where Felicity Lawrence is getting information from you.

Deputy St Pier

She's not getting it from me. The heart of the complaint is an assumption that I have been in contact with Felicity Lawrence and David Davis.

Commissioner

No, and I have no evidence that you've been in touch with David Davis. I have none.

Deputy St Pier

But those are her allegations. In essence, that is the heart of her allegation, that this information has come- you say in your own guidance that in relation to each act or omission complained of, it needs to be substantiated by sufficient evidence.

FINDINGS OF FACT

38. I have found the following facts established to the required standard of proof:

- 1. Deputy St Pier confirmed to a journalist from *The Guardian* the accuracy of specific complaints information, including the number and details of complaints that he received as States Deputy involving Dr Sandie Bohin.
- 2. The information confirmed to the journalist by Deputy St Pier was sensitive and confidential information that he received in his capacity as a States Deputy.
- 3. The complaint information that Deputy St Pier confirmed to the journalist was misleading, as there is no evidence that these complaints were ever formally examined or upheld.
- 4. Deputy St Pier failed to clarify to the journalist that the complaints details that he confirmed to her were not formally examined or upheld.
- 39. Both Deputy St Pier and Dr Bohin were given the opportunity to challenge any of the above findings before I finalised my report. I did not receive any challenges to my findings of fact from Dr Bohin. I did receive challenges from Deputy St Pier.¹⁴ After careful consideration, I have made some changes to the wording of the findings, and these are highlighted in my letter to Deputy St Pier.¹⁵

¹⁴ Document 5

¹⁵ Document 7

- 40. There are allegations that I am unable to substantiate and have made no finding as there is insufficient evidence to the required standard:
 - 1. The provision of information in "the family alleges" part of the letter,
 - 2. The provision of information regarding the GMC complaint by Deputy St Pier to the Guardian journalist,
 - 3. The provision of information regarding any other complaints by Deputy St Pier to the Guardian journalist, and
 - 4. The provision of any information by Deputy St Pier to Sir David Davis MP
 - 5. Evidence relating to the status of the GMC complaint

ANALYSIS

41. My investigation focused solely on the alleged conduct of Deputy St Pier. The process I follow is inquisitorial rather than adversarial. This means that I actively seek information through discussions and by requesting documents from relevant parties rather than assessing competing arguments presented by opposing sides, as would occur in a court or tribunal. Accordingly, my investigation is not a form of litigation and does not require formal legal submissions or arguments, though a Deputy is, of course, entitled to seek legal advice if they so choose. Moreover, the strict evidentiary rules governing court proceedings do not apply. While I do not take evidence under oath, I remind Members at the outset of the interview of their statutory duty to provide truthful information to the Commissioner for Standards. In reaching my conclusions, I assess the reliability and completeness of all information provided, and I remain alert to whether statements or materials may be incomplete, contradictory or misleading. My determinations are made on the civil standard of proof, that is, on the balance of probabilities, meaning I decide whether it is more likely than not that a particular event or conduct occurred. All findings in this report are made on that basis.

Contact with journalist

42. Deputy St Pier was unclear about when or why the journalist first contacted him and he firmly denies providing his family's allegations to the journalist (Extract 1 "the family alleges"). He submitted a letter from Mrs St Pier confirming she alone shared the family's allegations, without his involvement. This fact is important because of the nine allegations made, many were repeated allegations that were not upheld by independent investigations. If repeated by him, this would have been misleading in my view. I was unable to verify the St Piers' account with the journalist, as when I reached out to Ms Lawrence and *The Guardian*'s legal department, I was told it is their policy "not to discuss any stories they may or may not be considering with third parties ahead of publication". I was unable to substantiate the allegations made by Dr Bohin in relation to "the family alleges" part of the letter or how initial contact was made between Ms Lawrence and Deputy St Pier.

Letter Extract 2: "Mr St Pier told us"

43. I was able to make findings in relation to what Ms Lawrence stated "**Mr St Pier told us**"—that is, the numbers and details of the complaints received by Deputy St Pier involving Dr Bohin. Deputy St Pier admitted that he confirmed information to the journalist, but he claims it was

¹⁶ Commissioner's Statement

¹⁷The Reform (Guernsey) (Amendment) Law, 2022

information that she already knew and that he didn't provide the information to her. In his response to my findings of fact, Deputy St Pier further stated: "She does not say in her letter that I provided the information, only that I confirmed it." However, the journalist's own words are clear — she says he "told" us, not "confirmed" (see the extract at para 17 above). Therefore, this assertion is not truthful. Furthermore, the assertion that the information he confirmed to her was already in the public domain is also misleading. I have received little evidence that would suggest to me that all of these details were in the public domain beforehand, making his explanation as to how she knew these details difficult to accept. In some ways there is no need to split hairs over this point in determining a breach of the Code, because regardless of whether he told her the details or confirmed the details she already (somehow) had, Deputy St Pier should not have engaged at all, as he clearly had a conflict of interest in relation to Dr Bohin.

Inaccurate and misleading figures

44. The figures and details Deputy St Pier disclosed do not match formal complaint records (see para 31 above). They are starkly different and do not appear to be the same complaints. I have received no evidence from Deputy St Pier that the complaint details he confirmed to the journalist have been formally considered and upheld. If perhaps they refer to informal (unverified and unsubstantiated) complaints he received in his role as Deputy, which appears to be the case in the absence of evidence to the contrary, sharing or confirming these figures publicly without such clarification was misleading and risked serious reputational harm to Dr Bohin.

Information gained in his official capacity

45. Deputy St Pier received these complaints in his capacity as a States Deputy. This is clearly reflected in Hansard, where he acknowledged this and encouraged complainants to come forward. It is my view that in order to be compliant with Section 24 of the Code of Conduct he would have required the consent of the families (which he says he had) but also the consent of Dr Bohin (which he did not have) in order to confirm the information to the journalist. Additionally, Deputy St Pier is considered a Data Controller is his own right. Therefore, there may be a question as to whether the processing of the data was in accordance with the Data Protection Act 2017, but this is a matter for others. 20

Private interest vs public interest

46. Deputy St Pier asserted that he acted appropriately and to uphold the public interest in declining to participate in a formal interview with Ms Lawrence. Due to his previous formal reprimand for misconduct involving Dr Bohin, Deputy St Pier was right to recuse himself from any involvement concerning her. However, his correct decision to decline an interview was annulled by his decision to confirm the detail regarding complaints about Dr Bohin to the journalist. This selective engagement undermines his claimed commitment to prioritising the public interest.

¹⁸ Document 5

¹⁹ <u>Hansard 29 September 2023</u> at 1895

²⁰ The Office of the Data Protection Authority

Information confirmed by Deputy St Pier

- 47. There is a critical distinction between informal complaints or expressions of concern received directly by a Member and formal complaints properly lodged and processed through official channels. Informal complaints refer to information, concerns, or grievances shared directly with a Member, whether through letters, emails, conversations, or other informal means. These remain unverified and do not constitute evidence of misconduct or wrongdoing. In contrast, formal complaints are those which have been formally submitted to a recognised authority or complaints body, are properly documented, and are investigated impartially in accordance with established procedures. Only after such an investigation can a complaint be considered substantiated or upheld.
- 48. I believe that Deputy St Pier blurred the line between informal complaints and formal complaints. By failing to clarify this distinction, he risked giving the impression that these informal concerns were formally upheld. By confirming that Dr Bohin was linked to complaints related to FII, inappropriate use of safeguarding processes and neonatal deaths (facts for which I have seen no evidence, and which contradicts the formal data I have received) risked distorting public understanding, unfairly damaging individual reputations, and undermining trust in both Members and public institutions more broadly. Members are required to act with integrity and honesty, and to ensure that any statements they make, particularly in a public forum, are accurate and not misleading. In this context, Deputy St Pier should have clearly indicated the nature and status of any complaints referenced, explicitly stated whether they had been formally lodged and investigated, avoided any implication that informal concerns were substantiated without evidence, and refrained from using unverified complaints to further personal or political objectives.
- 49. To be clear, I have seen no evidence of findings against Dr Bohin for unfairly suspecting or diagnosing FII or for misusing the safeguarding process. And there is no evidence to suggest she was responsible for any neonatal deaths. These are extremely serious and unfounded allegations. Independent reviews (most not publicly available in full) have consistently found no wrongdoing related to Dr Bohin's clinical judgement or her actions, including in relation to the original issue regarding Deputy St Pier's daughter in 2015. I was informed of the existence of these reports in Dr Bohin's evidence. In January 2016, the Islands Child Protection Committee (ICPC), Guernsey's then statutory body responsible for overseeing child safeguarding policies and practice, issued only minor criticisms, noting a procedural lapse regarding waiting for the GP's response on school attendance; crucially, it confirmed that no safeguarding investigation took place. The independent report by Dr Jean Price, commissioned by MDDUS, supported the findings of the ICPC and concluded that Dr Bohin acted correctly and with integrity. Both the formal report and the subsequent 'learning report' authored by Sue Walters in September 2021 concluded that while Dr Bohin's tone, communication, and procedural approach with families sometimes fell short, there was no evidence of wrongdoing or improper safeguarding conduct, that Dr Bohin was motivated solely by her commitment to her patients' best interests, and that the issues identified were systemic rather than individual. Furthermore, the Invited Review Report by the Royal College of Paediatrics and Child Health (unconnected to the St Pier family) did not criticise Dr Bohin's standard of care. Instead, its recommendations focused on systemic improvements to the paediatric service as a whole.

Disclosure of the GMC complaint

- 50. Deputy St Pier denies sharing information about the GMC complaint with either Sir David Davis MP or *The Guardian*. Dr Bohin was unaware of any such GMC complaint, as the GMC only informs doctors if a complaint is deemed serious enough to investigate she has received no such notification. GMC complaints are confidential because of their potential to seriously impact on a doctor's professional reputation. I asked Mr Davis how he learned of it, but he was unable to help, stating that he does not disclose "information passed to him by whistleblowers or information about sensitive sources more generally." It remains unclear how he or *The Guardian* became aware of the GMC complaint. Therefore, I have been unable to make a finding on this part of the complaint.
- 51. Ms Lawrence summarised the allegations made by the families (which includes Deputy St Pier) to the GMC. They claimed to the regulator that Dr Bohin was "careless with the truth," eager to "find deliberate harm," and a "poor clinician." I have not seen the original complaint, but if these are the families claims, they do not appear to align with the evidence which has repeatedly found no fault with Dr Bohin's clinical care. Criticisms made in past reports relate only to tone or communication style, not medical competence. Conflating style issues with clinical failings is deeply misleading and unfair, risking serious reputational damage. As a party to the GMC complaint, Deputy St Pier should have ensured that no misleading information was presented to the regulator.

Persistent harmful behaviour

- 52. On balance, and for all of the reasons analysed above, I conclude that Deputy St Pier's unacceptable behaviour falls within the definition of bullying. That is, "an abuse or misuse of power in a way that intends to undermine, humiliate, criticise unfairly or injure someone, whether through persistent behaviour or a single grossly unacceptable act".
- 53. In this case, confirming or sharing confidential information which was misleading due to its inaccurate and unsubstantiated nature demonstrated an intention to harm Dr Bohin's reputation and to create an environment of distrust around her work. Deputy St Pier stated that he was unaware of the journalist's agenda or her angle during their telephone conversation. Despite this claimed lack of awareness, he nonetheless chose to confirm details of harmful and unverified complaints about Dr Bohin to the journalist. This decision indicates a conscious willingness to share information that could reasonably and foreseeably be expected to damage her personally and professionally, irrespective of the journalist's actual intentions.
- 54. The persistence of his actions even after a formal reprimand in October 2024²¹, the impact of which was identified as profound both professionally and personally as discussed in the States even before this complaint^{22, 23, 24}, underscores a troubling disregard for established standards of conduct and a failure to reflect on or correct damaging behaviour. Taken

²¹ Code of Conduct Panel Report

²² Hansard 23 October 2024 at 2805 Correspondence from Chair of MSG

²³ Hansard 23 October 2024 at 2820 Correspondence from British Medical Association

²⁴ Hansard 23 October 2024 at 2825 Correspondence from Dr Claire Betteridge

together, these factors show a deliberate and sustained effort to criticise unfairly, to discredit, and to cause harm to Dr Bohin's professional and personal reputation. In my view, this pattern of behaviour fits squarely within the established definition of bullying and is entirely inconsistent with the values of respect, fairness and accountability expected of members.

FINDINGS ON ALLEGATIONS

Section 8 - Principles of Public Life

55. Deputy St Pier has failed to uphold the Seven Principles of Public Life in relation to the following (expanded on in more detail in subsequent sections):

Integrity: Acted with personal bias rather than in the public interest.

Selflessness: Prioritised personal interests over public duty.

Objectivity: Relied on unsubstantiated claims rather than upheld and substantiated

evidence.

Accountability: Failed to take responsibility for the accuracy and consequences of his

statements.

Openness: Misled the public by conflating informal and formal complaints.

Honesty: Shared inaccurate information without clarifying its status.

Leadership: Undermined public trust rather than setting a positive example.

Section 9 - Public vs Private Interest:

56. Deputy St Pier's decision to confirm the detail regarding complaints about Dr Bohin to the journalist was not in the public interest. He was conflicted in relation to Dr Bohin and should have made no comment. His decision to share unsubstantiated and informal complaint details provided to him in his capacity as a States Deputy was not in the public interest and fell short of the impartiality expected of an elected representative. It risked misleading the public, undermining trust in oversight processes, and misusing the authority of his office. Further, he should have given grater consideration to his duties as a Data Controller under the Data Protection (Bailiwick of Guernsey) Law 2017 and Article 8 of the Human Rights (Bailiwick of Guernsey) Law 2000 in relation to the information he shared.

Section 10 - Reputation of the States:

57. By confirming numbers and details of complaints with a national media outlet, and without clarifying their unsubstantiated nature, Deputy St Pier jeopardised the reputation of the States of Guernsey. Such actions can create the perception that Members use their positions to pursue personal grievances or attack individuals, eroding public trust in both the States and its complaint processes. This not only harms Dr Bohin's reputation but also undermines confidence in the fairness and professionalism of public office.

Section 11 - Conduct of Duties

58. Elected officials are entrusted with significant privileges and have a duty to act with integrity, honesty, and care. By confirming unsubstantiated serious claims without providing proper context, Deputy St Pier failed to meet these obligations. He blurred the line between informal unexamined concerns and formally examined and upheld complaints, misleading the public and causing serious harm to Dr Bohin's reputation.

Section 12 - Harassment and Unwanted Behaviour

59. Deputy St Pier's actions, in this case confirming confidential and seriously inaccurate and misleading information, coupled with similar behaviour including making "seriously and fundamentally misleading" statements about Dr Bohin for which he was reprimanded in October 2024, suggest a pattern of unacceptable behaviour that I consider to be bullying.

Section 24 Confidentiality

60. By confirming complaint details to a journalist, Deputy St Pier breached his duty to protect confidential and sensitive information received in his official capacity. Whilst he claims to have had the consent from the families, he did not have Dr Bohin's consent. This violated the trust placed in him as a senior elected representative.

OBSERVATIONS

- 61. As is often the case, during an investigation items may emerge which, whilst not directly related to proving the allegations of the immediate complaint *per se*, are nonetheless observations of importance in terms of providing advice on standards of conduct and further promoting standards in public life. The following is one such observation.
- 62. Where complaints processes exist within the public service, it is my view that Members have a duty to utilise the appropriate and established channels. I am informed by the Chief Executive and Head of the Public Service of Guernsey that Members are provided with this information at induction and within Committees. Members are not investigative authorities, nor should they interfere with or attempt to circumvent procedures specifically designed to address and resolve complaints. It is imperative that both Members and members of the public respect and make use of the proper mechanisms in place, thereby upholding procedural integrity, ensuring fairness, and maintaining public confidence in the complaint-handling framework.

CONCLUSIONS

63. Deputy St Pier's decision to publicly disclose details of informal, unsubstantiated complaints that were serious in nature was incompatible with the duty to act impartially and in the public interest. It risked misleading the public and undermining trust in both the complaint processes and the institutions of public accountability. It represents a misuse of the platform afforded to Deputy St Pier by virtue of his public office and the seriousness and repeated nature of behaviour constitutes bullying. In the public interest, Deputy St Pier should have resolved the conflict by providing no comment to the journalist.

- 64. After careful analysis of all the evidence, on the balance of probabilities, I believe Deputy St Pier breached Sections 8, 9, 10, 11, 12 and 24 of the Code of Conduct.
- 65. Due to the serious and the repeated nature of similar misconduct for which Deputy St Pier had been formally reprimanded in October 2024, a proportionate sanction would necessarily need to go beyond that. Therefore, I recommend Deputy St Pier be suspended from all States' services for a period of 30 days.

09 July 2025 Dr Melissa McCullough Commissioner for Standards

Annex A

Document	
1	G St Pier Response to Complaint 5 February 2025
2	Commissioner questions to G St Pier
3	G St Pier Response to Commissioner questions 11 March 2025
4	G St Pier Interview transcript
5	G St Pier Response to Findings of Fact 25 June 2025
6	G St Pier Letter from Mrs St Pier submitted 25 June 2025
7	Commissioner response to G St Pier 8 July 2025

Dr Melissa McCullough

Commissioner for Standards

By email only: Commissioner@pi-cfs.org

Case ID: 202500002

Private & Confidential

5th February 2025

Dear Commissioner,

Complaint against you by Dr Sandie Bohin ("SB")

Thank you for your letter of 22nd January, sharing SB's complaint of the same date.

My short response is that the complaint is manifestly without any foundation and is a complete work of fiction. It is a defamatory and vexatious attempt to re-litigate a matter which has been settled, with the substantive re-representation of the previous complaint. All of the allegations raised subsequent to the original code of conduct complaint are untrue and have been presented without any supporting evidence.

For ease, I shall deal with each one individually below:

The complaint on page 4 refers to an alleged letter from Felicity Lawrence of the Guardian dated 25th November 2024 ("November Letter") to SB which forms
 Annexure 4 of the complaint. It is stated: "It is clear to me that this latest attack has been spearheaded, or at the very least included active participation by Deputy St Pier."

This statement is defamatory and is made without any supporting evidence. The premise is wholly false and mistaken. I am not, and was not, a party to whatever gave rise to the content of the November Letter. Cognisant of the requirement in the Code that "Members shall 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" and having regard to the findings of the Panel in the first complaint that I did not "address the potential for conflict between personal and public interest," I categorically refused to be interviewed by Felicity Lawrence. For the avoidance of doubt, I was not present during any interviews that Ms Lawrence may have undertaken and have no knowledge of what may have been said by any interviewee (save as now set out in the November Letter, received from you as part of this complaint.)

In November 2024, Ms Lawrence approached me by 'phone in my public capacity as a Deputy, solely to fact check how many complaints I had received regarding the paediatric department in Guernsey. These were complaints received by me as a Deputy from constituents. At that point, it had already been reported by various media outlets — and was therefore in the public domain - that 17 families had approached me with their experiences. I confirmed to Ms Lawrence at the time of her enquiry (as matters of fact,) that: I had received complaints from 20 families, of which 16 referenced SB in some way; and in which nine felt there was an allegation of fabricating or inducing illness or doing harm; seven included complaints about safeguarding procedures; and two of which involved neonatal deaths (without any attribution of alleged responsibility in respect of any clinician.) For the sake of completeness, I confirm that I have represented and advocated for some of these constituents in my capacity as an elected representative and as befits the responsibilities of my office.

- 2. The complaint makes reference to Sir David Davis MP's use of parliamentary privilege to name SB in an adjournment debate on 7th January 2025 and states, "This is further evidence of the smear campaign at the behest of Deputy St Pier." This statement is defamatory and appears to be an attempt to make me vicariously liable for the use of parliamentary privilege by another parliamentarian in another jurisdiction. It is made without any supporting evidence. For the avoidance of doubt: I have had no contact (prior or since his speech) with Sir David Davis MP, his office, or staff with regard to this matter.
- 3. With regard to the allegations of the breach of the Code from page 5 of the complaint onwards, I regard each of the following statements as defamatory and made without any supporting evidence. Their further dissemination would damage my reputation, and I therefore reserve all my rights arising therefrom.
- "Deputy St Pier in actively providing untrue and / or misleading information and inducing media outlets and parliamentary members to publicise and report untrue, inaccurate and defamatory information..." No evidence is offered to support the allegation. As noted above, I have not induced any media outlets or parliamentary members in any jurisdiction to publish any material.
- "He has allowed his own personal issues to cloud his judgement and has continued
 a sustained vendetta against me. He has solicited members of the public to make
 complaints against me and has publicised a referral to the GMC..." No evidence is
 offered to support the allegation. I have never solicited any member of the public to
 make complaints against SB and I have never published in any forum any referral to
 the GMC.

- "Deputy St Pier, in liaising with the journalist and UK politician, facilitating the provision of misleading and untrue information to further his own interests is acting contrary to the general principles of integrity. This is further aggravated given the decisions of the Panel which he has clearly chosen to ignore." No evidence is offered to support the allegation. As noted above, I have never liaised with the UK journalist and UK politician as alleged. I have respected the decisions of the Panel and in specifically refusing to be interviewed in respect of my personal experiences, I have been mindful of their decision.
- "Deputy St Pier has failed to heed the findings of the Panel and in continuing to
 pursue his vendetta against me..." No evidence is offered to support the allegation.
 As noted above, I have respected the decisions of the Panel and specifically acted on
 their findings in refusing to be interviewed in respect of my personal experiences.
- "Deputy St Pier was clearly not open in his actions in deliberately misleading the press and wider public in relation to the inaccurate statements about me...Deputy St Pier has used inaccurate information in an attempt to undermine my role as an expert witness in the Lucy Letby trial, despite the fact that there was no legal challenge to my evidence at the Court of Appeal case." No evidence is offered to support the allegation. I have never made any reference in any forum to SB's role as an expert witness in the Letby trial or any other case.
- "Deputy St Pier has facilitated the provision of information to others that he knew to be untrue. He alleges that I negligently misdiagnosed patients, that my conduct resulted in two neonatal deaths and that I am a vindictive practitioner who seeks to punish parents." No evidence is offered to support the allegation. I have never alleged in any forum that SB misdiagnosed any patients or that her conduct resulted in two neonatal deaths or that she is a vindictive practitioner who seeks to punish patients.
- "In deliberately misleading third parties (and ignoring the findings of the Panel)
 with a view to defaming my character and though his perpetuation of such
 misleading statements he brings the States into disrepute." No evidence is offered
 to support the allegation. I have not done any of these things and therefore cannot
 have brought the States of Guernsey into disrepute in this way.
- "His vendetta was compounded as evidenced by his reference to a Member of Parliament and the English media." As noted above, I have never liaised with the journalist and UK politician as falsely alleged.

"This is clearly a case of continued, relentless harassment and bullying. He has
been publicly reprimanded in Guernsey and having exhausted any local appeal, is
seeking to discredit me in a different arena with no regard for the truth of matters
or the findings of the Panel." No evidence is offered to support the allegation. For
the reasons outlined earlier, this specific complaint is without foundation and is
completely untrue.

These complaints are manifestly unfounded, and unsupported by any evidence whatsoever. I reject all of the allegations in totality.

Yours faithfully,

(no physical signature)

Deputy Gavin St. Pier



Deputy Gavin St Pier gavin.stpier@deputies.gov.gg

19 February 2025

Case ID: 202500002

Dear Deputy St Pier

Complaint against you by Dr Sandie Bohin

I am writing to you as part of my preliminary assessment of this complaint. I have read your response and have further questions, attached below.

Please respond to these questions within 14 days of the date of this letter (4 March 2025).

Yours sincerely

Mucula

Dr Melissa McCullough

Commissioner for Standards

Encs

Case 202500002

Questions relating to your response

- 1. You state in your response that Ms Lawrence approached you by phone in your public capacity as a Deputy, solely to fact check how many complaints you had received regarding the paediatric department in Guernsey. These, you say, were complaints received by you as a Deputy from constituents. You state "At that point, it had already been reported by various media outlets and was therefore in the public domain that 17 families had approached me with their experiences."
 - **1.1.** What was in the public domain at that point?
 - **1.2.** At that point, were the details of heath conditions and care provided to the specific patients in the public domain?
- 2. In your response, you say that you confirmed to Ms Lawrence at the time of her enquiry (as matters of fact,) that: "I had received complaints from 20 families, of which 16 referenced SB in some way; and in which nine felt there was an allegation of fabricating or inducing illness or doing harm; seven included complaints about safeguarding procedures; and two of which involved neonatal deaths (without any attribution of alleged responsibility in respect of any clinician.)"
 - **2.1.** Were each of these 20 complaints referred to the States or any other body for consideration and investigation?
 - **2.2.** Can you provide the dates on which those 20 complaints were received by you and the dates on which they were forwarded for consideration to the States or to any other body for investigation?
 - **2.3.** In relation to the complaints you received about two neonatal deaths, were these forwarded to the police? If so, when? If not, why not?
- 3. You state that you have respected the decisions of the Panel and that in specifically refusing to be interviewed in respect of your personal experiences, you have been mindful of their decision and that you have never alleged in any forum that Dr Bohin misdiagnosed any patients or that her conduct resulted in two neonatal deaths or that she is a vindictive practitioner who seeks to punish patients.
 - 3.1. Can you clarify why you provided the detail you did to Ms Lawrence in relation to the 16 complaints you have received "which referenced SB in some way" with "nine feeling there was an allegation of fabricating or inducing illness or doing harm; seven included complaints about safeguarding procedures; and two of which involved neonatal deaths?"
 - **3.2.** Is the complaint information you disclosed considered confidential?

Dr Melissa McCullough

Commissioner for Standards

By email only: Commissioner@pi-cfs.org

Case ID: 202500002

Private & Confidential

11th March 2025

Dear Commissioner,

Complaint against me by Dr Sandie Bohin ("SB")

I am in receipt of your letter of 19th February.

In response to your questions:

1.1 Below are three examples of media reports prior to November 2024. This is not an exhaustive list, and an internet search will secure further media reports.

May 2023: <u>Guernsey deputy cleared of abuse of parliamentary privilege - BBC News</u>
October 2023: <u>St Pier calls on HSC to launch a public appeal into concerns | Guernsey</u>
Press

June 2024: <u>Calls to improve complaints system for bereaved Guernsey families - BBC News</u>

In addition, some families have been interviewed by or released statements to the media over the past few years; I have not been involved with these.

1.2 In most of the cases, the health conditions and care provided to the specific patients were not in the public domain unless the families had chosen to share this information with the media. Two of the cases involving the deaths of newborns, related to ongoing inquests and so some of the medical information had entered the public domain as part of that process. I have never released into the public domain any details of health conditions and care provided to the specific patients.

2.1/2.2

When I am approached by members of the public with complaints about any of our health services (paediatric or otherwise), I normally respond by providing the following link <u>Customer Care Team - States of Guernsey</u> which gives details of the complaints policy and procedure¹. As previously advised, I have represented and advocated for some constituents in my capacity as an elected representative. (This approach is no different to that which I have applied to complaints I have received in relation to other public services, such as social security, housing or revenue services.)

In a number of cases, I have been copied into a complaint and – if consent is given – I have also on occasion been copied into the subsequent correspondence.

The decision whether to pursue a complaint – through local or national processes – is a matter for the individual and their family. Specifically with regard to the cases brought to me involving paediatric care, I know that some have decided to pursue complaints, but some others have expressed fears to me of the potential consequences for their child and family should they raise complaints about paediatric care. In those latter cases, I do not know whether or not they proceeded with complaints.

I cannot categorically state whether each of the then 20 – now 22 - complaints made to me, were referred to the States or any other body for consideration and investigation. However, it is my understanding that:

- Four families made a joint complaint to the Medical Director (having pursued prior individual complaints through the MSG complaints process) in April 2021; this led to an independent investigation, including a report with recommendations, following which there was a meeting with, amongst others, the Head of the Public Service.
- One family made a complaint to the Head of the Public Service and the Medical Director (having pursued a prior complaint through the complaints process) in October 2023; this led to an investigation by the Royal College of Paediatrics and Child Health, including a report with recommendations.
- One family asked me to submit their complaint on their behalf in November 2023.
- One family lodged a complaint in September 2024.
- Eight families made a group complaint to the GMC in June 2024, and a further family joined this complaint in September 2024. The GMC are still considering this complaint.
- 2.3 These complaints were in respect of deaths that were already the subject of inquests.

¹ Historically, there were separate complaints processes for the Medical Specialist Group (MSG) and for Health & Social Care (HSC); there is now a single process.

- 3.1 I did not provide this detail to Ms Lawrence in the telephone call from her in November 2024; in that call, Ms Lawrence provided this detail to me. As I advised in my letter of 5th February, I merely confirmed in response to Ms Lawrence's enquiry that this information was my understanding at that time.
- 3.2 I regard all complaint information as confidential. I have not disclosed any complaint information to any person without the consent of the complainant.

Yours faithfully,

(no physical signature)

Deputy Gavin St. Pier

Commissioner for Standards interview with Deputy Gavin St Pier 23 April 2025 via Zoom

GMT20250423-093131 Recording

APRIL 2025 TS - DEPTH - 58 MINS

I'm Melissa McCullough. This interview is being tape recorded. I'm the Guernsey Commissioner for Standards. The date is 23rd April 2025, and the time is 10:30 am. I'm interviewing Deputy Gavin St Pier. How would you like to be referred to today? Do you want Deputy St Pier or Gavin?

Gavin is fine, thank you.

I want to remind you that the code of conduct complaints process is a confidential one. This interview and its contents are confidential and must not be discussed. A copy of the interview transcript will be provided to you for your approval soon after your interview. A copy of the transcript, or excerpts, likely more excerpts of its contents, may be contained within my report. I wish to remind you that providing false or misleading material or information to the Commissioner is an offence under Paragraph 12 of the Reform Guernsey Amendment Law 2022.

Just to recap, the matters that I'm investigating relate to the complaint against you by Dr Sandie Bohin. My investigation is concerned with the allegations made by Dr Bohin in relation to information provided to and contained within a letter she received from a freelance *Guardian* reporter, Felicity Lawrence. You've received a copy of Dr Bohin's complaint and that letter that I've just referred to. I want to thank you for your response to this complaint and for your response to the further questions I asked previously. I may or may not touch upon those questions or previous responses today, but just to confirm that they do form part of my evidence that will be taken into account.

I'm going to kick off with the first question. Can you tell me how you came to be in contact with Felicity Lawrence, including when and how you met with her?

She contacted me. I don't recall exactly when, but I think had clearly identified, come across my name as a result of the all the media coverage. Everything was in the public media around the previous code of conduct and the abuse of parliamentary privilege and so on.

What was her interest? I'm trying to just get to grips with when she contacted you, was she trying to find more information out, about what?

To be honest, I'm not entirely sure what her angle was. I can't even recall the exact timeline of that initial contact, but I think it was probably there might have been some - clearly, I think at that stage in the media there was a connection between Dr Bohin and the Letby case as well, so I think that may have been part of her initial interest, what involvement there was there with this doctor who had had some coverage in Guernsey.

The evidence that you provided Ms Lawrence, I'm going to get to the specifics of the statistics that you gave her and stuff like that, but did you provide her with any of the reports?

No.

Did she have a copy? Are you aware if she had a copy of any of the reports?

The answer is I believe she did, but it did not come from me.

Okay, so I'm going to get into depth. Now, I want us all to stay calm, because I have to go into the nitty gritty of this. This is my job. I'm not, as you know, political. You guys have appointed me to do what I do best, so I need to get into the nitty gritty of this. I'm going to focus on firstly Ms Lawrence's letter to Dr Bohin, page two, under the heading of the work, which is your daughter. I'm making that assumption. It says, 'The family alleged that...' Now, I'm just going to reference a few of these, not all of them, because what I'm trying to get to is the truth of some of these allegations. The first one is, 'The family alleged that their daughter's illness was misdiagnosed by a locum paediatrician and that you,' Dr Bohin, 'Then failed to recognise the limits of your own knowledge re: hypopituitarism, so that the misdiagnosis went unchallenged.' Okay, so was Dr Bohin your daughter's treating physician at that point?

Can I just go back a stage?

Sure.

Because I think the first matter is it says, 'The family allege.'

Yes.

You're presuming, I presume you're presuming.

I am presuming.

That that was me.

Well, I assume if somebody's speaking on behalf of their daughter, it would be you and your wife. That was my presumption. Can you tell me, was it not you?

It was not me.

Who was it?

Well, all I will say is there are five members of my family, and obviously, my wife and my daughter are also part of that family. To the extent that my wife and my daughter have had any contact with Ms Lawrence, I've not been a party to that and I do not know what formed part of those conversations.

That's a very important, extremely important point. I thought it was safe to presume that, but you're saying they alleged this without your knowledge?

I'm saying that I was not aware of the content of any conversations they had until this letter landed on my desk.

Okay, so those allegations, I think she lists eight. I condensed some things here, so I have to flick over. Let me just ask you, those eight, I believe, allegations that she lists, are you saying that they're not part of the conversation you had with Ms Lawrence?

I am. I just want to reference back to my letter of 5th February. I don't know if you have that in front of you, but on page one I say I am not and was not a party to whatever gave rise to the content of the November letter.

And that was the entire letter.

Sorry?

The entire letter. In other words, her entire article, there's things that she says you said, so I'm assuming you're okay with that bit.

We'll come back to that, because that's a very narrow part of that letter which I addressed in the subsequent letter to you. I categorically refused to be interviewed. You asked me, she approached me, she asked me for an interview. I did not give her an interview. I refused to give her an interview. For the avoidance of doubt, I was not present during any interviews that Ms Lawrence may have undertaken, and have no knowledge of what may have been said by any interviewee.

Okay, so I guess my thoughts were, and this is why this did get confusing, is that it wasn't clear to me whether these things were coming from written information, interviews, this family allegation. She's not investigating for my purposes, so I'm not sure how she's gained her information, obviously. You're saying that none of those allegations that she lists out are from yourself, but even saying that, can I just delve into a few of them, just to get your understanding? I think as the father of the person being spoken of, if you have no information you can provide, just say so. Obviously it's on record that you weren't the person who made these allegations, but is it safe to say that Dr Bohin was not your daughter's treating physician in relation to what is referring to as the misdiagnosis which led you to GOSH? Can I just preface it with, I mean, it's my understanding from Dr Bohin that she wasn't looking after your daughter. She says that second guessing another doctor's diagnosis isn't really what they do. Unless there's an MDT called where they're all meeting up, that wasn't really what was happening there, so I just wanted to get your take on that.

I'm not sure I really want to get in, trawling back to 2014, in allegations that I did not make.

Okay, I understand.

I think what stands on the record in terms of the allegations, or no, in terms of the comments I made about Dr Bohin are on the record of my speech in the States in April 2022, which have already been effectively litigated through the previous code of conduct. I've really got nothing to add to that. I don't really want to be commenting on, frankly, any of either whatever my family may have said, or indeed any of the other families may have said. Even though some of the information is familiar to me because of what families had told me, but I did not relay that to Felicity Lawrence.

Let me just move on to the investigations into Dr Bohin. Are you aware of the outcomes of those investigations?

I'm not.

The investigations by the Royal College.

Which one are you talking about?

There's quite a number of them, let me just read them. The Walters, I believe. Four were looked at by the Royal College of Paediatrics, I believe, and in that one in particular, I believe your family, I think you were inside of that complaint, am I correct? Let me get the exact, get this. Excuse me one second, I'm scrolling.

No, I don't think we, and again, it trawls back to 2014. We were [over speaking 0:10:45.4].

Here's the problem I'm having. I'm going to be very frank with you. This is not simply we just "can't discuss it", because Felicity Lawrence's letter is harping back to '15, you understand? It's all based on this journey and it's all mentioned in there, so I can't but look at the full picture here. The full picture, what she's depicting as the full picture, it seems to stem from the original - and please correct me if I'm wrong, and I know you don't necessarily want to go back, but I have to, because I have to understand. I know what happened with the Code of Conduct. I've read the report, I've read Martin Jelley, the Appeals Commissioner's findings. I understand what happened, and that's not what I'm looking at. Not that it doesn't inform some things, because what she's saying is there seems to be a vendetta against her by you.

That's what she's saying, and when I ask you about those reports, the reason I ask you about those reports is because in those reports, I can't find anywhere that she is found to be abusing the safeguarding process. Which then leads me to wonder why, if there's been reports and investigations into her behaviour, and I can see where one of them told her to reflect on her tone, but the actual substance of safeguarding, no. I just want to talk about that because I just feel like this could keep happening if we don't talk about it. I hope you follow what I'm trying to say here. I'm no counsellor, but I'm just simply saying I don't get why this has come to this point where Felicity Lawrence is getting information from you.

She's not getting it from me. The heart of the complaint is an assumption that I have been in contact with Felicity Lawrence and David Davis.

No, and I have no evidence that you've been in touch with David Davis. I have none.

But those are her allegations. In essence, that is the heart of her allegation, that this information has come - you say in your own guidance that in relation to each act or omission complained of, it needs to be substantiated by sufficient evidence.

Yes, and I have sufficient evidence for that one. Okay, so you've put to bed the eight points that the family allege. That was not your allegations, you never spoke to her about those. That's on record. The statistics then, if we get into that, she specifically states - this is Ms Lawrence. She specifically states that you told her. Let me just say what you told me. You told me you had nothing to do with the article, but then you stated that she contacted you and that you did confirm at the time of her inquiry as a matter of fact that, and this is quoting from you, 'I had received complaints from 20 families, of which 16 referenced Dr Bohin in some way, and in which nine felt there was an allegation of fabricating or inducing illness or doing harm. Seven included complaints about safeguarding procedures, two of which involve neonatal deaths (without any attribution of alleged responsibility in respect of any clinician).' Now, I looked, I cannot find any of that information in the public domain. I just wanted to ask you why you provided that information to Ms Lawrence in relation to it.

Again, sorry, to go back to my response, because I think...

I think what I gave you there was your response. I think you said you just confirmed to her. 'I confirmed to Ms Lawrence at the time of her inquiry as a matter of fact.'

Sorry, in my subsequent, in my letter of 11th March, 3.1, 'I did not provide this detail to Ms Lawrence in the telephone call from her in November 2024. In that call, Ms Lawrence provided this detail to me.'

How would she have that detail, is the question. You're the one who's receiving these complaints. How would she have that detail? I can't follow that. That's why I think I'm confused, because you seem to be quoting, am I wrong? You seem to be quoting from complaints that you may or may not have received, that either went forward to be substantiated and investigated or not, but they were your numbers. As a deputy, you received those complaints.

That information was already, the number of complaints was already in the public domain.

I don't find that. If you can provide me that evidence. The detail and the evidence of those numbers are not, I cannot find that in the public domain. I've only seen that from her. In my head, I'm thinking you provided it, even though you seem to say now that she had that information, but where else could she have got it?

She's clearly been interviewing a lot of people, hasn't she? Between the initial contact with me and November 2024, however long that was - and as I said, I don't have a record of when she initially contacted me - there's clearly been a lot of interviews with a lot of people, including the families. I've not been privy to all of those contacts and what different people told her. As I said to you, when people have approached me with their information, all I've been able to do is, as a deputy, offer my guidance as to how a complaint should be or what their options were. In other words, here is a link to the complaints procedure. If you wish to proceed with a complaint, if you wish me to assist you with the complaint, then I can do so. Now, what all of those individuals have done with all of that, I don't know, and I'm not party to all of the groups that have that have coalesced around this, so I can't...

Sorry for interrupting you, Gavin, but are you saying that perhaps, I mean, how else? I'm thinking logically, how could she have gotten the detail of two neonatal deaths, seven, nine? All this information, unless you've told somebody that information, who then have told her, but she says it's you who told her. I'm going to try to meet with her to find this out, but my point is that I need evidence as to those cases, because Dr Bohin has not - so let me just explain to you why this is so important. Aside from truth being important, but also you say in your response that you've never alleged in any form that Dr Bohin misdiagnosed any patients or that her conduct resulted in two neonatal deaths, or that she is a vindictive practitioner who seeks to punish patients. This is what she's alleging, but you confirmed that you, I mean, my thing is you confirmed the numbers. If you didn't give the detail, you're saying she asked you, 'Is this true?', is essentially what you're saying to me. Is that correct? She had the numbers somehow, and you're saying you just confirmed they were true.

I can't confirm whether they're true. All I was confirming was that the information that she had given me was the same information that I had. I don't know whether the complaints are valid. I don't know whether, no, so I'm not...

She doesn't say that you said that though, this is the problem. It looks as if it's unbalanced, because you're saying that these are the numbers, but you don't know. Lawrence doesn't say, 'Although he can't substantiate this,' so she says it like it's true. Now, these diagnoses, by the way, let's go just for the nine where she's alleged fabricated or inducing illness. FII she calls it, but it used to be called Munchausen's syndrome by proxy or something. Dr Bohin told me that these diagnoses are extremely rare, and she knows of only four in her 17

years practising, and only one in which it concerned one of her patients. At any time that FII is considered, it must first involve safeguarding, and only then does the diagnosis follow.

I guess what I was going to ask, what evidence do you have for either, you're saying you haven't claimed that that's the number, but you at least say you've confirmed that number with Ms Lawrence. This number does not square with her, because she said she's only ever known of four patients, and only one was her own patient, so she's only diagnosed one. I guess it concerns her because it's a very serious diagnosis. When you say to somebody, 'You're making this up,' I mean, I'm paraphrasing this because I don't know for sure how you diagnose this, but basically I could see somebody very offended as a parent, if somebody's saying you have FII, or alleging FII, because what that means is the parent is basically making up the diagnosis. She's saying it is extremely rare, and yet she's being alleged to be referenced to nine cases where she has said FII or doing harm. I taught medical students and medical doctors for 20 years. I can see why a doctor would be offended at that allegation if it wasn't true. Can you?

I don't really want to comment on that. I don't see it's appropriate for me to comment on that allegation.

But you confirmed that number.

Yes. As I said, in terms of the source of the information, I can't comment further on that. I don't know what else I can tell you.

Where did you get the evidence for that number? Where did your evidence come from for confirming that number?

Well, only from the contact of members of the public with me.

So you just gathered, so you have the evidence, is what I'm asking. What I'm saying is, can you provide evidence for that claim? Evidence is really important.

I'm not making that claim.

You're confirming that she was referenced related to nine cases where she alleged FII. If you confirmed that, and you say you gathered that evidence, it would be important to see the evidence of that.

I'm sorry, I'm not trying to be difficult, I'm really struggling to understand this. If parents have made complaints and that is what they allege or they believe, I'm not in a position to say whether it's right or wrong. I don't even know whether they proceed with those complaints or not.

Notwithstanding that, that was confirmed to this *Guardian* reporter, who would have gone to press or could go to press with these numbers. I'm trying to get evidence that at least I can say, well, Deputy St Pier had a basis for agreeing these numbers. There's the basis, there's the evidence. If there's no evidence then they shouldn't have been agreed, because those numbers are really important. I'm moving on now to the two neonatal deaths which were also referenced, and I think that's probably the most - they're all serious, but she was in attendance at one, in attendance. She's not an obstetrician, she's, as you know, a paediatrician, but she's unaware of a second. She's received no complaints against her about neonatal deaths, nor is it in the public domain. She's alleging this is totally untrue, but it's further being used in some way to besmirch her name and reputation. I'm trying to get to the bottom of what evidence you had. Somebody, so constituents

have called you about deaths of neonates, of their own child, the baby, and have said that she has something to do with that is what you're saying, is what you confirmed.

Yes.

Okay, and yet I'm unsure as to the evidence of that. What I'm struggling with here is you've just said you don't know if they're substantiated, there's no way of you knowing, but yet you were confirming to a national newspaper that these numbers are true and accurate. Felicity Lawrence doesn't say it like that. She doesn't say unsubstantiated. She doesn't say these are complaints that just came in, but we don't know where they went. She says it differently. She says it like you've confirmed those numbers.

She says of the 16 complaints relating to you, nine includes some allegation of mothers being suspected unfairly of fabricating or inducing illness or doing harm.

Right, and that's that first part of the FII thing, which she said she's only ever diagnosed one.

Yes.

She would like to know where the other eight are. Even if you include the four she's aware of, one of which was her patient, there's still five that she's unaware of. That's something I don't have any evidence to say that's a correct number. More importantly, look, it has the potential to be left out there as if she's been involved in two neonatal deaths as the attending physician nearly. Even without that, she's only aware of one neonatal death and one inquest, not two inquests, and I know you've said two. There's just a discrepancy here in the facts, and I think it's really important.

Yes, but I don't know who else she's talked to in order to access that information in terms of all the families involved.

If you look at that letter, I can pull it up here again. I mean, she lists Deputy St Pier. I'll just read it to you.

No, I've got it in front of me. 'Deputy St Pier has told us...'

Told us, yes. If I was reading that as Sandie Bohin, I would be saying, well, Deputy St Pier told her that. I don't think she's trying to make something of nothing here.

As I've explained, my response to that is what I've said to you on 11th March. In that call, she provided me with this detail, and I merely confirmed that that was the information, was my understanding at that time.

Yes, I'm taking what you say, but I just don't know how she got that information. It's very detailed, and you're the one collating the information, so either...

Clearly she's had contact with a lot of families. There are families' groups that she's clearly had contact with. I don't know how many people she's spoken to in order to be able to collate that information and put it to me.

I don't know how she could do that either, because you're the one collating the info. How could anyone else know the info? Because these are confidential. I take confidentiality very seriously, I'm sure you do too, and I don't know how she would have that information, because it's very confidential, on neonatal deaths? That

type of confidential information that somebody would give to you. I would be surprised that that anybody else should know that information from you. That's why it's not making sense to me.

All I can say is it can clearly and surely can only come from the families concerned. The allegations can only come from the families concerned.

But she's saying you told her. I'm just going by what she said.

I can't comment on the phraseology of her letter. I wasn't privy to it and I didn't write it. All I can do is provide my, which I've done in good faith, I've provided my response to that in response to your further inquiry.

Okay, so do you agree that unless or until complaints are properly investigated, there's no way of knowing if the complaint is valid?

Yes, I mean, it just depends on how you treat the term 'complaint', isn't it? People who come to me complaining about the revenue service or social security or whatever, I would treat that as a complaint, but that doesn't mean that it's a valid complaint.

No, and it doesn't mean that it's been substantiated, correct?

No.

I tend to think that if somebody submits a complaint to me, it's a complaint that's not substantiated yet, but it's been actually accepted and I've acknowledged it. If someone comes to me and asks me, do you think this is a valid complaint? First of all I say to them, well, unless you put it in I can't tell you if it's a valid complaint, because we don't play that game. You have to either just put it in or don't put it in. Some people want to know, it's the human condition, they don't want to do it unless they think it'll be admissible. My point being that there is a whole science around complaint handling and complaints. You can say, my friends, I've had ten people complain to me, but my kids complain to me all the time. There's something about actually, I don't know if you'll agree, because I understand you're saying all the, 'No, no, I didn't,' but this is a woman's reputation on the line, and these stats are really important.

I do understand the history. I do understand what has happened, because it's my job to understand what is going on here. I do not think it's appropriate what happened in the last code. I agree with the Appeals Commissioner. I didn't adjudicate on that, I didn't look at it, but I think there's just something that is not sitting right with me, and I think I know what it is. I think there's been great hurt by your wife and you over what has happened in the past. I haven't made a decision on what's actually going on right now, but something's not right, and I don't know that it's correct to professional - her credibility has been professionally damaged, and yet I understand the sensitivities by parents. I understand this field, I truly do, but as the commissioner my job is to investigate what's sitting in front of me. This is what's sitting in front of me, this is why I'm telling you what I feel. I'm not expecting you to agree with me, but I'm simply saying that something's clearly not right here.

Felicity Lawrence has been informed by families, and yourself, according to her, and some of those figures are not right, and some of those figures could be quite damaging. These are figures I can't substantiate. I cannot substantiate those figures, and I want you to be able to so that I can say, well, these are substantiated figures. You're saying you collated them, but you're saying you didn't give them to her. Somehow they've gotten into the public domain. I don't know how. You're telling me it wasn't you, but you did confirm to her

that those numbers are correct, so somehow you know that those numbers are correct, but I don't have any evidence of that. It's a very difficult investigation.

That whole issue of whether or not they're substantiated has either been missed by Ms Lawrence or you haven't said that to her, but she seems to think these are valid complaints. Which leads me to believe she would have published, or could still publish, something that's not been substantiated. These have not. I know that there's been four investigations, I've seen them, and I also know the outcome was there was no safeguarding procedures abused or misused. That's what I can see. I go by evidence. By background I'm a scientist, so that's what I'm looking at, Gavin. This is what I do for a living. I'm not trying to get at you, I just want to get to the bottom of what is the truth here. What you don't want is things like this to create any more hurt. This is getting a little bit much, I would have thought, for either party.

I'm really not sure there's much I can say. I think with Ms Lawrence I have sought, as I said in my original letter to you, to absolutely separate my public and my private role, to not play any part in her conversations with anyone.

But you don't think confirming those numbers was a bit of a conflict for you to do that, even? Not a conflict, but what do you think of that? I'm trying to get my head around this. Even though you say she must have got the number somewhere else, which I would then say, why would you give those numbers to anybody else? Anyway, assuming that's correct, then you say you confirmed them anyway with her. That's saying I know that they're correct, but anyhow. Because of all the past code of conduct thing and because of your own, you know, you're one of the families, correct? Your wife and you, that's your daughter she's talking about in the letter. I'm thinking to myself, even confirming those, I don't know. I'm just wondering, do you not think it would have been better to maybe, like you said, at first you said, 'I'm not being interviewed, I'm not doing that.' What's your view on the fact that you confirmed the numbers that she proposed to you as being correct?

I have conversations with journalists day in, day out in my public role, in all sorts of ways. If Ms Lawrence felt that this was a matter of public interest to run an inquiry and if she wants to write a story, that's not my judgement, is it? Not for me to judge that.

I'm not saying you can tell Ms Lawrence what to do, but you're confirming numbers with her. That to me is, if you're saying you collect the data, I think that's important. She's saying you confirmed it, so yes, I think you played a part in that. If it gets published, that's you confirming those numbers, unsubstantiated as they may be. Who knows? I don't know. I know Sandie Bohin is saying certain things, that's true, that's true, but she can't account for some of those things, and some of them are big, is what I'm saying.

Yes, but without disclosing all of the sources and all of the cases, nobody's in the position to, are they? Neither you or her.

Well, you can, because you just confirmed the numbers to her, to Lawrence, but if she's the person who these are being levelled at, natural justice would say, who are these people? If somebody came to me and complained about you and didn't have the evidence at all, I would say, what? Am I supposed to say, well, I don't know really, but this is all based on evidence. This can't just be based on, well, I can't reveal my source. That's not the way these things run. I have seen things that are confidential, and they will remain such, because I have to investigate these things. That's my job. I can't just guess and I can't just say, oh, well, these are all confidential, because clearly somebody knows these numbers. You being one person in particular, and in my view, possibly the only one who should know those numbers, who could confirm and provide.

Although you say you haven't provided, you've at least confirmed. To confirm those numbers tells me that there's some evidence base. If you can provide me with the evidence base in full confidence, I would like to see that, because otherwise I'm wondering why you would confirm those numbers. She's saying that there's a vendetta against her. May I ask, there's a lot of other things, I'm sure. Like any other healthcare system, there's a lot of doctors who are accused of questionable practice, perhaps. I don't know, but do you keep stats on that stuff, or is it just paediatrics you're interested in? I'm just wondering, because you don't necessarily, I don't see that as part of any other name. There's no other names floating about.

My profile around this case from the beginning, from 2022 onwards, has meant that I have attracted more health-related issues, so no, it does not just relate to paediatrics. There have been other complaints in other areas which have been channelled in the same way through the complaints process. All of the deport are given the same advice. Quite a lot, particularly in the mental health area.

So, when you spoke to Felicity...

Actually thinking about it, quite a number of the other specialities, so no, it's not just, but yes, probably more in the single digit numbers. Undoubtedly the fact that there's been publicity around this has meant that people who have concerns about their experiences with the healthcare system, and that's the entire system, not just the medical specialist group, have perhaps felt that they could come to me for a steer on what to do.

When you spoke to Ms Lawrence, during the time when she asked you to confirm the numbers, did you ever tell her that the outcome of the investigated complaints, the outcome being that Dr Bohin wasn't found to have abused or misused the safeguarding process, did you ever tell her that?

No, I didn't, because I wasn't asked that question.

Did you include anything about explaining to her what you meant by complaint and that it wasn't going through the HSC system necessarily?

No, again, because I wasn't specifically asked that question.

You'll be happy to know I'm close to ending. I have a few more questions. In Dr Bohin's statement, she said that, 'He has allowed his own personal issues to cloud his judgement and has continued a sustained vendetta against me. He has solicited members of the public to make complaints against me and has publicised a referral to the GMC, something I know nothing of, but something that will undoubtedly be seen negatively by members of the public.' Dr Bohin alleges that you have used false information in an alleged referral to the GMC, in an attempt to undermine her role as an expert witness and further damage her reputation.

She says, both Ms Lawrence and Sir David Davis, in his speech in the House of Commons in January 2025, referenced seven or eight families referring Dr Bohin to the GMC. You might be aware of this, but Dr Bohin has no evidence of such a referral because until they deem it admissible, they don't notify the doctor. Yet it's being referred to by a UK politician and a UK journalist, so is now public knowledge, essentially. I guess my question is, why would such a serious complaint to Dr Bohin's regulator, the GMC, be so openly publicised, especially when such matters are meant to be confidential? Much like this process I use. Why would it have gone this way, do you know?

But it's prefaced with, 'He has solicited members of the public to make complaints against me and has publicised a referral.' Where have I publicised a referral?

Okay, so forget - see that bit where she says he has solicited membership? What she means by that is possibly when you've said on occasions, either through social media or maybe even in the house, maybe it's in both places, where you say if anybody has any complaints, come forward. I know you've said that, but I think that's what she's referring to. There's nothing I don't know that there's - aside from her believing that adds to the sustained vendetta thing, you are allowed to tell people to come forward if they have a complaint.

Also, to be very clear, I have never, ever said if anyone has got any complaints against Dr Bohin, which is what that sentence says. It says, 'Make complaints against me.'

Okay, so you've never said that.

I've never said that.

The GMC part, to be clear, is what I'm wondering about. I've asked the question, why would a serious complaint - I take complaints extremely seriously and the confidentiality of them, because they have not been investigated yet. I wouldn't want, for example, if someone put a complaint against you to me and then went to the press, I'd be up in arms, because that's no way to be, right? What's happened here is exactly that. Somebody has let not only Felicity know, Felicity Lawrence, and also David Davis knows. How do they know this?

The allegation is, reading that sentence, 'He has publicised a referral to the GMC.'

I'm asking you, have you? I'm asking you.

No, I have not. [?Not - over speaking 0:43:35.7] directly, I have not.

Okay, you have not, but am I correct, because she's only assuming, that you are one of the families involved in the GMC referral? Is that correct?

The St Pier family is a member of that complaint, yes.

To understand, it says the families, so this is what Felicity says in her letter. The family's complaint. Now, this is what Dr Bohin received. You received a copy, so she's reading this. 'The family's complaint to the GMC expresses grave concern that you were relied on as an expert witness in the Letby trial, because they say they have personal experience of you being careless with people and careless with the truth, and that many of the matters on which you gave evidence were those at which you fail yourself. They also say,' I mean, I'm including you in this because you're one of the families. 'They also say you do not listen, that your recordkeeping is often substandard, and that your behaviour demonstrates a readiness to find deliberate harm. In summary, the complainants say they are deeply worried that a poor clinician was relied upon to be an exacting expert witness in what was an important trial.' Now, that to me is you guys, the families, saying this to Felicity. Somebody has told Felicity, the GMC won't tell her. The GMC won't divulge that information, so who did?

Yes, but the allegation is it's me.

You're saying it's not you?

I'm saying it is not me. Categorically, it is not me. I could not be clearer on that.

Okay, so the families can speak without the consent of the families. In other words, she is...

I don't know where she's got that information from, Melissa. I do not know where the information has come from. All I can tell you is it has not come from me.

Okay. Let me just recap. Basically, you didn't allege anything in those eight allegations or however many there were listed in Felicity's letter. You didn't allege any of that, that was done without your knowledge. Secondly, you didn't tell Felicity the stats. She told you the stats and you confirmed them. Am I right in what I've just said?

Correct.

Okay, and that anything to do with David Davis or the GMC referral being publicised to the UK journalist or Sir David Davis was not from you.

Correct. I put that in writing to you and I put it to you as my evidence.

I know you did. I do struggle with the confidentiality part of this. I'm going to have to really evaluate everything, because I just don't understand how she got those numbers, and it's not even just numbers. Say you would say, oh, 20 complaints. It wasn't that. She had such detail. You hold that detail, Gavin, and if you gave that detail to someone else, you should tell me now so that I understand that it was given out to somebody and that's how she got it. Because it seems to me, I'm just thinking logically here, it just seems to me that those numbers and the actual crux of the two neonatal deaths, that's pretty serious stuff. You may well have received complaints about that. Obviously you've confirmed that you had to her, so I'm struggling because even in that confirmation bit, even if you didn't give her those numbers, even if she had the numbers from someone else, she shouldn't have. Even so, that you confirmed them might be a problem too, because in my head I'm going, should he have confirmed those, or should he have just said, 'I have no comment'? What do you think? Do you think there's a point I'm making here, that maybe you should have said, 'No comment,' or not?

I think yes, it is a judgement call. I absolutely accept that.

It is.

Having refused to speak to her before, maybe that is what I should have done.

Maybe, I don't know, but actually I would really like for paediatrics, I mean, there is a problem, isn't there? You know it more than I, you're on the board. There's no safeguarding lead in Guernsey. That's a problem. That's a huge problem, because off the record here for a second, I once had a real struggle,

Anyway, finally I made a decision, and I did it with great care because safeguarding is everybody's business, but it killed me to do it. The kids weren't taken out of the house, there were things put in place, etc., don't get me wrong, but I was worried about that, right?

There was a reason that people do this. In a doctor's position, and I've taught doctors for many, many years, they're taught if, for example, and I'm using any case of a doctor neglecting where something maybe they should just look into, I believe that if they don't look into it, they're condemned. They're condemned because if something's missed, you don't get a second chance at that miss. I do think, from what I've read into this case, that I get it, it's very difficult. It's difficult all round for all parties, but doctors are in an unfortunate position sometimes and they have to make calls that protect people. The nature of safeguarding is you have to do it, even if you're not even sure but you have enough information to go on it.

I don't know all the ins and outs. I know what I know, but I just want to say that on a personal level I get the background here, but I think something needs, I mean, I just think it can be a little bit overwhelming, what's happening to this one person. Now, maybe there's other people that are also being investigated for safeguarding stuff. Maybe it's not just Dr Bohin, but it seems to be an awful lot for one person. Whatever her faults, I don't know what they are, I'm sure you have a list. I'm sure lots of people have a list of lots of doctors' faults. We can all list them, but this is a person, a human being, and ethically speaking, I feel terrible reading this stuff. For you, for her, for the whole situation, for safeguarding in Guernsey. I feel like it undermines. Do you feel that way, that there's this idea that it's not doing any good for Guernsey's safeguarding approach right now?

Yes, I mean, again, I really don't want to get drawn into the detail of the different cases and the allegations of safeguarding and all the rest of it. I don't think it's pertinent. All I can say is I absolutely do not have a vendetta, as alleged, against Dr Bohin, or indeed any doctor. That is not me, that's not my style. I've never had a vendetta against anybody. Absolutely when I received this, as I said to you, quite the reverse. I feel that I'm at the end of yet another complaint, and again feeling, is this ever going to go away?

I guess there's a point where she feels that it's a vendetta because it seems to just keep going. Imagine if you were her and you got that letter from Ms Lawrence. I have to put myself in people's shoes. I can understand you, but I understand her too. I just think overall, the bottom line is there's no good coming out of this. There's no good coming out of this for the people of Guernsey and for children. There's no good coming out of this, really, and you're a leader. You were chief minister, correct? You might be again someday, who knows? What I'm saying is, we cannot have no safeguarding lead. I mean, we cannot have that. Nowhere should have that happening.

I'm just putting my two cents in there, because as the Commissioner for Standards, who actually has worked in medical schools training on this very issue, in ethics and law about this very issue, it's very dangerous not to have one. There could be kids being missed as we speak, and that's never good. I don't know what the bottom line is here, and this complaint certainly isn't going to do anything to solve that. I'm simply saying to you as a person to a person, all of you members have a leadership role to play. That some woman, a doctor, is feeling that there's a vendetta, that's the perception she's having. I accept you're saying you don't, but that's the perception she has, and that's difficult because she has been attacked. There's a lot of things have gone on in her life, separate to what you experience in life. She's experienced in her career something very different lately, and she would contend all because she did what they're trained to do in safeguarding.

That's probably why you can't fill the role, because people don't want to put their careers on it. I'm just explaining to you as a person to a person because I have you here, and I'm not claiming that you've done this or somebody, I'm just saying the end result is not good. I'll get you the transcript of this. It will be a confidential transcript. I wouldn't expect it to be given or shown to anybody else, and hopefully make my decision once I really think this through. In the end, like you say, it's a judgement call. Gavin, if I decide you've got it wrong, I don't think we need to argue about it, but if you want to argue about it, we can. I don't want to argue about it, but I do think there's something about just showing that leadership, having been

through what you were before. My mind's open, so if there's anything else you want to add to this that I've not covered at this point, please, I give you the floor.

Sorry, in what...?

The closing question I always ask is, is there anything you wish to add that I have not already covered?

No, other than as I said, this whole experience is not one that I sought. The original code of conduct complaint, in its two parts with the abuse of privilege, it has dragged on interminably. To face this again, it absolutely does feel like I am being targeted and that I won't be left alone, for something which I feel, and I've literally looked at this and thought everything has been thrown in here, in this letter of complaint. I don't know how many sections of the code of conduct have been. It feels like it's the kitchen sink has been thrown in there on the basis that something will stick, in relation to things that I simply haven't done and conversations that I haven't had. As you said, it's allegations or it's suppositions that are unevidenced, so yes, I'm feeling very bruised and battered as a result of that.

Thank you for taking your time today to do this and go through this with me. I hope probably in about a week to get you that transcript, and hopefully, I don't know if I have to interview anybody else, so it could be a little bit. It's not normal practice to write to people to let them know how much longer it'll take, because you don't know and these things take time, but I'm hoping before summer it'll be wrapped up anyway. You have an election coming up, so I will...

I do.

You do. I'm over on 23rd June to do the induction with the new members, so you never know, I could see you there. Good luck with the election. When does the purdah start there?

Nominations are 14th May, they close.

Very close. Well, I hope everything goes well over there.

Yes, okay.

Okay, good to talk to you.

[END OF TRANSCRIPT]

Dr Melissa McCullough Commissioner for Standards

Case ID: 202500002

BY EMAIL ONLY: Commissioner@pi- 25 June 2025

cfs.org

Dear Commissioner

Complaint by Dr Sandie Bohin ("SB")

- I write further to your letter of 24 May 2025 and the draft findings of fact set out in that letter.
 I am grateful that, having initially granted me only four working days to provide any comments and supporting evidence, you then reconsidered that time frame and allowed me until today to respond.
- In addition to my factual comments, this letter also considers the process followed in this investigation as against the backdrop of the relevant standards,¹ providing some observations which are, in my view, relevant to your findings.
- Before addressing the findings, I must raise a matter which I consider to be of great significance. You are aware of the correspondence between MSG and HSC, since you were copied on it. I reserve my position on whether MSG was correct to copy you, but in any event the content of HSC's response to MSG is highly significant. I discuss this further below, but as an initial comment I note that HSC's findings independently confirm my representations to you.

¹ See the Commissioner for Standards Statement, Guernsey, 09.08.24 (the **Standards**).

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Findings of Fact

Finding 1: Deputy St Pier disclosed confidential information concerning the number and nature of complaints he received in his capacity as a States Deputy, specifically relating to Dr Sandie Bohin.

- Whilst I do not dispute the fact that during a phone call with Ms Lawrence, I confirmed details concerning the number and nature of complaints of which I was aware, I made clear in our interview of 23 April 2025 and my letters of 5 February 2025 and 5 March 2025 that Ms Lawrence already had the details of the complaints. I was not the original source of this information.
- Crucially, there is no evidence demonstrating that I disclosed information to Ms Lawrence. SB has not provided any evidence to the contrary to prove this, nor have you provided me with evidence of the same.
- That is to be expected, because there is no such evidence. As I discuss further below, HSC's response to MSG dated 13 June 2025, to which you were copied, corroborates my explanation that I was not the source of the information. It would, I suggest, be highly irregular for your investigation to find differently.
- It seems your conclusion on this point was based on the assumption that no one else could have possessed or compiled the relevant information. However, as I indicated in the interview², that was an incorrect assumption. Now you have provided an indication of your findings and have requested evidence, I am able to clarify, as is appropriate under paragraphs 26 and 38 of the Standards.
- On 23 June 2025 you granted permission for me to liaise with my wife, Jane St Pier ("Jane"), to assist in my refutation of the allegations made against me.
- I can confirm that Jane was both the families' representative in some of HSC's work which arose out of some of the complaints but also provided liaison for the families who had raised concerns about paediatric care in Guernsey. I played no part in those roles. It was Jane who disclosed to Felicity Lawrence the number and certain relevant details of families with concerns. This was done with the full consent of the families concerned, and without my involvement. I enclose a letter from Jane confirming these facts. Some of these families had pursued local complaint pathways; some of these concerns specifically related to SB. Jane is willing to discuss this with you in an interview should you wish to confirm these details directly with her.
- This information is in accordance not only with what I said in my interview, but with what Ms Lawrence herself says. She does not say in her letter that I provided the information, only that I confirmed it. I do not consider this confirmation to be a breach of my duties of confidentiality for the following reasons. Firstly, the information was not confidential at the time I confirmed it by virtue of its already having been provided to Ms Lawrence. Secondly, as noted above, the relevant families provided their consent. I expect that some of the families may be willing to speak with you, should you seek further corroboration of my position.

² See *inter alia* pages 6 – 7 of the interview transcript.

- That being the case, even if the information was confidential when held by Ms Lawrence, which I do not accept, any right to assert confidentiality rested only with the patients. The fact that confidentiality is the right of the service user is clear from the relevant pages on the HSC site (Dealing with Complaints). In the 'Joint Complaints Policy' linked to this page, the only 'right to confidentiality' referred to is the service user's (see section 7, Confidentiality).
- 12 If, despite these clarifications, you consider my confirmation somehow to be a breach of confidentiality as regards SB, please explain how patient details and patient complaints are considered to be her confidential property.

Finding 2: Deputy St Pier confirmed to a journalist from The Guardian the accuracy of specific confidential complaint information, including the number and categorisation of complaints he received as States Deputy involving Dr Sandie Bohin.

- As noted in my interview and in my letters of 5 February and 5 March, I did confirm via a telephone call with Ms Lawrence the following information:
 - (a) I had received complaints from 20 families, of which 16 referenced SB in some way;
 - (b) in which nine felt there was an allegation of fabricating or inducing illness or doing harm;
 - (c) seven included complaints about safeguarding procedures, and
 - (d) two of which involved neonatal deaths (without any attribution of alleged responsibility in respect of any clinician).
- I disagree with the use in context of the words "confidential complaint information". The families to whom these complaints relate had provided me with permission to discuss their complaints. Further, as I say above the information had already been provided to Ms Lawrence by Jane, with the families' agreement. This is, then, no breach of confidentiality, by virtue of my position as Deputy or otherwise. In any event, as I explain above, any confidentiality associated with these complaints was the preserve of the families in question, and such as it existed it was waived by their permission. I did not, therefore, through my confirmation to Ms Lawrence of figures she had already acquired, breach any duties.
- 15 Further:
- 15.1 Confirmation of information for accuracy purposes to the media is standard practice for an elected representative.
- This information related to families and parents who had contacted me due to concerns they had about their children's healthcare experiences and outcomes in Guernsey. As part of these discussions, they had been offered the opportunity to join a families' group facilitated by Jane, which was pursuing various options to seek better healthcare and systemic change. As I understand it, it is the analysis of this information that was relayed by Jane to the journalist. It bears repeating that all information was relayed with consent by the relevant family and without my involvement.

Finding 3: The information confirmed by Deputy St Pier to the journalist was misleading, inaccurate, and unsubstantiated.

- Respectfully, it is difficult to see how it is possible for you to draw this conclusion regarding the accuracy of the figures and nature of the complaints confirmed, when, as far as I am aware, SB has not provided any evidence to support her assertions.
- By contrast, as I note above Jane is willing to be interviewed by you to allay any doubts you have about whether this information was misleading, inaccurate or unsubstantiated and provide supporting evidence where you require it.

Finding 4: Deputy St Pier failed to clarify that the complaints referenced were unverified and unsubstantiated allegations submitted to him in his role as a Deputy of the States of Guernsey.

- Firstly, it is not a deputy's role to adjudicate the veracity of a complaint made to us by a constituent who has concerns regarding any aspect of the public service: our role is to listen, advocate and lobby on behalf of our constituents as we consider appropriate in the specific circumstances of the case. If a complaint was obviously unsubstantiated and untrue, I would of course consider how it should be treated and whether it should be referred onwards. However, as indicated by my comments above, there is extensive, significant and substantial evidence to support the families' concerns.
- Further, as noted in my interview, by confirming the number and context of the complaints, I made no comment to Ms Lawrence on the veracity of the complaints. They are complaints: by their nature they are not conclusive factual findings. To describe them as 'unverified and unsubstantiated' *is,* in fact, to pre-judge them. I do not consider that this statement required further clarification.
- Indeed Ms Lawrence uses the word 'allegation', no more. To argue otherwise is to place an unfair burden on me.
- I note that there may be some confusion over the use of the word 'complaint'. Ms Lawrence is clearly giving the word its natural meaning and common usage, as I have. You commented in our interview that a complaint is not such unless it has been admitted for investigation but that is, respectfully, an overly technical use of the word in the context of your own process. In the sense that a complaint is received by a deputy, it is the fact of the complaint which defines it as such. I note that this is also the way that HSC define it in the Joint Complaints Policy document which I mentioned earlier, at '5. Definition of a Complaint', the comment is that 'A complaint may be defined as an expression of dissatisfaction with some aspect of service the service user receives that requires a response.'
- In fact, HSC's approach to confidentiality and the nature of a 'complaint' is clearly a matter of practicality. If every complaint had to meet the standard set by official complaints processes before they were accepted as complaints, elected representatives would never be able to publicly challenge processes that are failing. There would, in fact, be a chilling effect on the capacity of elected representatives to advocate on behalf of constituents who are complaining about public services.
- Drawing the above together, by confirming the number of complaints I was merely confirming their existence, not making comment of the merits of those allegations. Nothing in the evidence suggests that I confirmed positively that the complaints were proven or meritorious nor did I ever make such an assertion.

Process

Prior consideration of allegations

- Paragraph 6 of your process document clearly states that complaints substantially repeating allegations already considered by the Commissioner should not be pursued, unless supported by fresh evidence. I would welcome clarification as to whether, at any stage in your decision-making, the complaint against me was reassessed in light of previous findings of a breach of the Code, where such matters had already been the subject of official consideration.
- In particular, the opening paragraph of SB's complaint states: "The specific actions of Deputy St Pier which I consider to be in breach of the Code include attempts to induce a media outlet in England to publish an article on the basis of misleading and inaccurate information and pertaining to conduct for which he has already been formally reprimanded in the Bailiwick of Guernsey in his capacity as a States member."
- I suggest that the SB's own wording demonstrates that her allegations are pervaded by references to a complaint which has already been debated and closed. Repetitious allegations are, as you know, barred under your procedures, so no representations concerning this previous compliant should be taken into account in this investigation I trust that you have fully discounted them.

Adherence to natural justice and fairness

- Paragraph 23 states that you are required to act in accordance with the principles of natural justice and fairness; paragraph 24 confirms that these are inquisitorial and not adversarial proceedings and that your role is one of independent and impartial fact-finding.
- Upon review of the transcript, I am concerned that there may have been a blurring of boundaries between the findings of the previous investigation and those under consideration in the current proceedings. For example, on page 12 of the transcript, there is evidence of your own conclusions regarding the previous breach which appear to feed into (and colour) the present investigation. I respectfully submit that your personal views regarding prior code breaches can have no bearing on this complaint, and that reliance on historic conclusions may run contrary to the stated process.
- Further, at various points (pages 13, 18, and 20) you reference your own professional background in science, medical education, and medical ethics, alongside your personal opinions on safeguarding that, while indicative of interest in the issue, may give rise to perceptions of unconscious bias in favour of the medical profession. You also cite your own personal anecdotal experience of safeguarding, which whilst of interest, is not of any obvious relevance to this complaint. I very much hope that personal perspectives or experiences in related fields remain entirely separate from the impartial assessment required by your office.

Evidential standard and burden of proof

I note that proceedings under your process are subject to the civil standard of proof. Accordingly, the onus is on the complainant (SB) to substantiate her allegations, not upon the subject (me) to prove a negative. Nevertheless, it appears from the transcript that greater weight has been ascribed to SB's unproven and unsupported assertions than to my efforts to refute them. This approach risks reversing the appropriate burden and evidential standard of the inquiry.

Additional considerations

- I have referred above to the correspondence between MSG and HSC, and HSC's rejection of the MSG complaint. The terms in which they have done so are, in my view, quite extraordinarily clear. Given that complaint covered substantively the same issue namely liaison with a journalist I was surprised that this was not raised with me by you during the investigation process at any point. I would be grateful if you could advise to what degree you have incorporated the issues raised in that complaint in the current investigation, and why you did not formally declare the fact that you had been copied on that document.
- The aforementioned is specifically relevant considering the response dated 13 June 2025 from HSC to the MSG Chairman, to which you were copied, that indicates that "since the MSG submitted its letter new information has been provided to the MSG that makes it clear that the source of the information shared with the Guardian newspaper is not Deputy St Pier". Given this information has come to light, please confirm to what degree you will be taking this disclosure on board, in particular considering your "Finding 1", and whether you will be using your investigative powers to seek disclosure from MSG in relation to their knowledge of these circumstances and their extraordinary decision not to withdraw their complaint. Given that MSG's letter of complaint referred to the threat of lodging a further Code of Conduct complaint if the complaint to HSC was not resolved to MSG's satisfaction, as I said in my closing remarks in my interview with you, I am feeling very targeted. The extant complaint appears to be just one part of an orchestrated campaign of unsubstantiated allegations laid against me.

Conclusion

- I hope that the above factual detail assists in clarifying the position.
- I also respectfully suggest that close attention should be paid to the procedural guardrails established by the standards process, particularly in relation to (i) the consideration (or exclusion) of repetitious complaints, (ii) the avoidance of personal opinion or unconscious bias, and (iii) the correct allocation of evidential burden.
- Throughout the interview you noted the impact which the past complaints and investigations have had on SB. There was in contrast little reference to the position that my family has been placed in or the other families indirectly involved. I am increasingly concerned by the continued misconceived personal and professional attacks against me. I trust you will treat them with the appropriate scepticism and even-handedness.
- I must also note that an unintended consequence of the draft findings of fact you have provided may be to undermine the confidence of families who have raised concerns in good faith and who will see their concerns described as 'misleading', 'unsubstantiated' and 'inaccurate' without any validation or verification process having been completed simply because SB's account was preferred. Such definitive findings might be seen to deter criticism and weaken accountability of the medical profession. I humbly request that consideration should be given to the indirect effects that findings of this nature will have on the public's confidence in their deputies' ability to deal with their complaints with due seriousness and to advocate for them accordingly.

Yours sincerely

(unsigned – electronic copy only)

Deputy Gavin St. Pier

Enc

Dr Melissa McCullough Commissioner for Standards

Case ID: 202500002

BY EMAIL ONLY: Commissioner@pi-

25 June 2025

cfs.org

Dear Commissioner

Complaint by Dr Sandie Bohin ("SB")

- 1 I write further to my husband Gavin St Pier's letter of today's date.
- I confirm that the comments he sets out in that letter are accurate, and that I was indeed the liaison for the families who have raised concerns about the paediatric healthcare they have received in Guernsey.
- 3 I provided information to Ms Lawrence with the permission of the families involved but I did so without the encouragement or involvement of my husband.
- 4 I am, as Gavin indicates, fully prepared to discuss these matters with you in an interview.

Yours sincerely

Jame H. Mei

Jane St Pier

PAN-ISLAND COMMISSIONER FOR STANDARDS

• • •

Deputy Gavin St Pier gavin.stpier@deputies.gov.gg

8 July 2025

Case ID: 202500002

Dear Deputy St Pier

I refer to your letter of 25 June 2025 and note its contents.

I have considered your comments carefully and, whilst I have not made substantial changes, I have revised some wording to provide greater clarity, as it appeared from your remarks there may have been some misunderstanding. I can also advise that the substance of my report addresses many of the representations raised in your letter regarding the findings.

The findings of fact now read as follows:

I have found the following facts established to the required standard of proof:

- 1. Deputy St Pier confirmed to a journalist from *The Guardian* the accuracy of specific complaints information, including the number and details of complaints that he received as States Deputy involving Dr Sandie Bohin.
 - [Original: Deputy St Pier confirmed to a journalist from The Guardian the accuracy of specific confidential complaint information, including the number and categorisation of complaints he received as States Deputy involving Dr Sandie Bohin].
- 2. The information confirmed to the journalist by Deputy St Pier was sensitive and confidential information that he received in his capacity as a States Deputy.
 - [Original: Deputy St Pier disclosed confidential information concerning the number and nature of complaints he received in his capacity as a States Deputy, specifically relating to Dr Sandie Bohin]
- 3. The complaint information that Deputy St Pier confirmed to the journalist was misleading, as there is no evidence that these complaints were ever formally examined or upheld.

[Original: The information confirmed by Deputy St Pier to the journalist was misleading, inaccurate, and unsubstantiated.]

4. Deputy St Pier failed to clarify to the journalist that the complaints details that he confirmed to her were not formally examined or upheld.

[Original: Deputy St Pier failed to clarify that the complaints referenced were unverified and unsubstantiated allegations submitted to him in his role as a Deputy of the States of Guernsey.]

In relation to the process issues you have raised, I am not satisfied that there is an evidential basis for the allegations you have made. Furthermore, such issues may be more appropriately addressed through the appeal mechanism that you may choose to pursue following the publication of my report.

However, I consider it important to offer a response to a few of the points you have raised. In particular, regarding your suggestion of unconscious bias, I can confirm that my background in medical ethics and law has only served to strengthen my ability to understand and analyse the facts of this case in an objective and balanced manner. This should reasonably be considered an advantage rather than a source of bias.

With regard to your comments about the correspondence between MSG and HSC, and HSC's subsequent rejection of the MSG complaint, I wish to clarify that I have not taken any of the issues raised in that complaint into account in my investigation. It is not uncommon, though inappropriate, for individuals to copy the Commissioner into correspondence that is not intended for consideration. From the outset, it was clear that this was a matter for the Health Board, and it was explicitly indicated that it might, at some future point, become a Code of Conduct complaint. As this has not occurred to date, I have given it no consideration.

In relation to the previous Code of Conduct finding against you in October 2024, and to any references I have made to that matter during the interview or within my report, I would like to take this opportunity to clarify the context and reasoning for its inclusion. Mrs Lawrence's letter, which as you are aware constitutes a significant piece of evidence in this case, expressly refers to events and concerns dating back as far as 2015. It also explicitly references the previous Code of Conduct outcome. Furthermore, Dr Bohin's complaint similarly outlines and incorporates the previous Code of Conduct report as part of the broader narrative.

As Commissioner, I have a duty to consider all relevant evidence and to understand the wider context in which current conduct arises. This includes taking into account any historical breaches of the Code of Conduct where these may indicate a pattern of behaviour. It is a well-established principle that when assessing potential breaches, previous findings may be relevant, particularly where they reveal consistent or repeated issues relating to integrity, respect, or other fundamental standards expected of members. In this instance, the prior finding serves not as a separate allegation to be re-examined, but rather as important contextual background that informs my understanding of the present circumstances and your overall approach to your duties and responsibilities as a member.

Finally, please convey my sincere thanks to Mrs St Pier for her considerate offer to make herself available for an interview. I very much appreciate her willingness to assist; however, after careful consideration, I do not believe such an interview is necessary in relation to my

investigation into the allegations made against you. There has been ample opportunity throughout this process for all relevant evidence to be submitted, and I can confirm that all evidence received, including that provided by both yourself and Dr Bohin, has been thoroughly reviewed and carefully considered in reaching my findings. I would also like to formally acknowledge and thank you for providing the letter of evidence from Mrs St Pier. This correspondence has been included as part of the evidential record in my report

Yours sincerely

Muculat

Dr Melissa McCullough

Commissioner for Standards