

# STATES OF JERSEY

## Corporate Services Scrutiny Panel States of Jersey Development Company Selection Process

**WEDNESDAY, 6th APRIL 2011**

**Panel:**

Deputy J.A.N. Le Fondré of St. Lawrence (Chairman)  
Senator F. du H. Le Gresley  
Senator J.L. Perchard  
Deputy R.G. Le Hérissier of St. Saviour

**Witness:**

Connétable D.J. Murphy of Grouville

**Also Present:**

Ms. K. Boydens (Scrutiny Officer)

[13:13]

**Deputy J.A.N. Le Fondré of St. Lawrence (Chairman):**

This is the second hearing so we are still finding our way through the information, et cetera, and obviously, for the record, it is the review into Jersey Development Company selection process. Hopefully you have got some questions there that we want to run through with you and also have you read the health warning.

**Connétable D.J. Murphy of Grouville:**

Yes, I have. I think I know it by now. I must say it is the second time I have been this side of the table.

**Deputy J.A.N. Le Fondré:**

Is it? I hope you are okay if we just call you Dan.

**The Connétable of Grouville:**

Yes.

**Deputy J.A.N. Le Fondré:**

Shall we start off with voices just to give ...

**The Connétable of Grouville:**

Dan Murphy, Constable of Grouville and member of the T.A.P. (Transition Advisory Panel).

**Ms. K. Boydens (Scrutiny Officer):**

Kellie Boydens, Scrutiny Officer.

**Senator F. du H. Le Gresley:**

Senator Francis Le Gresley.

**Senator J.L. Perchard:**

Senator Jim Perchard.

**Deputy J.A.N. Le Fondré:**

Deputy John Le Fondré, Chairman.

**Deputy R.G. Le Hérissier of St. Saviour:**

Deputy Roy Le Hérissier.

**Deputy J.A.N. Le Fondré:**

Thank you very much. We are acutely aware we have got three-quarters of an hour before we go back to the riveting debate on alcohol in town. I will just run through, in order, on the questions and obviously people will chip in as and when.

**Mr. Dun:**

Chair, before you start the questioning, you said you were quite happy to be videoed?

**Deputy J.A.N. Le Fondré:**

No, thank you.

**Mr. Dun:**

Can you give me a reason?

**Deputy J.A.N. Le Fondré:**

We have three-quarters of an hour to get the questions done, I am afraid and we are just going to go straight into the process. Thank you.

**Mr. Dun:**

Videoing will not interfere with your process.

**Deputy J.A.N. Le Fondré:**

I am sorry, we are not going to debate, and no. I presume the panel agree with that.

**Deputy R.G. Le Hérissier:**

If it is only videoing of the witness ...

**Deputy J.A.N. Le Fondré:**

Can I not have a debate on it, please, because we have got three-quarters of an hour to get this through?

**Deputy R.G. Le Hérissier:**

My view is if it only videoing of the witness and we are not part of it, what is the problem?

**Deputy J.A.N. Le Fondré:**

I disagree, I object to be videoing.

**Ms. K. Boydens:**

Sorry, Deputy, Corporate Services decided last year that no filming of public meetings would be allowed.

**Deputy J.A.N. Le Fondré:**

Debate for another day.

**Mr. Dun:**

That is not correct. That is incorrect.

[13:15]

**Deputy J.A.N. Le Fondré:**

I am sorry, can we keep to the question sheet. We have three-quarters of an hour to try and get through what we want to get done. Thank you. Number one, when and how were you invited to be a member of the T.A.P., the Transition Advisory Panel?

**The Connétable of Grouville:**

I was approached during a board meeting at W.E.B. (Waterfront Enterprise Board) when the directors and the non-executives were asked if we would want to take part in the Transition Advisory Panel, which I think we all agreed. Eddie Noel had to back out because of his connection with the Treasury who were going to be running things there. So, yes, I had no objection to it and then the next move on that ... I have pulled out as many emails as I could referring to what went on and what happened. The next one I have is an email - it does not say a date - inviting me to a meeting of the urban taskforce on 17th January at 4.00 p.m. in the town hall.

**Deputy J.A.N. Le Fondré:**

Can I just ask, the discussion at W.E.B. was when? In December some time?

**The Connétable of Grouville:**

It was during a board meeting in, I think, probably December, yes.

**Senator J.L. Perchard:**

Who asked you, Dan?

**The Connétable of Grouville:**

I could not track down where it was or who it was.

**Senator J.L. Perchard:**

Who asked you, Dan?

**The Connétable of Grouville:**

I cannot remember now. I really do not remember, Jim, I am sorry.

**Senator J.L. Perchard:**

Who could it have been then?

**The Connétable of Grouville:**

It could have been anybody at the board meeting.

**Senator J.L. Perchard:**

So that would either be Stephen Izatt ...

**The Connétable of Grouville:**

No, I think it was mentioned by ...

**Senator J.L. Perchard:**

I could only have been one of the directors, because there were no guests.

**The Connétable of Grouville:**

No, there was nobody else there. It was one of those anyway. It brought up as a thing that the directors ... it may have been after the meeting even, that we would be invited to go to the T.A.P. panel.

**Senator F. du H. Le Gresley:**

Would it not have been minuted?

**The Connétable of Grouville:**

Not if it was after the minute, no.

**Senator F. du H. Le Gresley:**

After the meeting, okay.

**The Connétable of Grouville:**

It was just something that was chucked in at the end.

**Deputy J.A.N. Le Fondré:**

If you want to carry on.

**The Connétable of Grouville:**

Yes, I am not trying to ... there was nothing hidden or anything like that. The next time then we arranged to meet at the town hall, our particular group, on 17th January. We were invited by the Chief Minister to sit in on a meeting on 17th January at 4.00 p.m. at the town hall.

**Deputy R.G. Le Hérissier:**

What happened, briefly, at that meeting?

**The Connétable of Grouville:**

It was a general meeting setting out what ... here we are. Following up that ... yes, we got a message saying that the applications had been shortlisted by

the main interview panel and the Transition Advisory Panel would be given full details of the shortlisted applicants well before the meeting. That was about it. We met with Julian Rogers, who was there. I was there, I think Sarah was there and Joan Pollard. We then went on to ... now, the email then followed from there which was, I think, the sort of minutes from Alan Merry, who said to us: "In light of the recent emails I thought it would be useful to clarify a number of points from the perspective of the Appointments Commission. The recruitment process involves 3 independent panels, the recruitment panel, the advisory panel and the technical panel. A similar approach has been used ..." that does not really concern you. "In line with established process shortlisting will be undertaken by the selection panel, chaired by the Appointments Commission, for information this will include sifting through a total of more than 40 C.V.s (Curriculum Vitae). As you know, the recruitment panel met yesterday concluding the shortlisting process." Now, if I have any complaint at all about the process, it was that I felt that we should have been shown the long list as opposed to the short list because I had my own opinions regards the balance of the board in that I considered it would be better to have a majority of local people on the board. I was willing to accept that perhaps the chairman's role might be too big for anybody with local experience who would not have enough to cope with it, and also there was obviously going to be, if W.E.B. was anything to judge it by, a lot of political interference and it needed somebody to stand up for themselves.

**Deputy R.G. Le Hérissier:**

Had a policy decision been taken as to the balance of local versus external?

**The Connétable of Grouville:**

Not that I know of, no. I did say that they should but whether it fell on stony ground, I am not sure.

**Deputy J.A.N. Le Fondré:**

Can I just ask you, we probably say all around the table there has been a lot of political interference for whatever reasons in W.E.B. - I think it is relevant, I do not think I am going off on a tangent - would you envisage, given that the purported change in the nature of S.O.J.D.C. (States of Jersey Development Company) which should be different to W.E.B., that such political interference would continue or potentially could continue. I suppose to an extent, I will wrap that up in a simple question ...

**The Connétable of Grouville:**

I think you are asking me to surmise there and I do not think that is ...

**Deputy J.A.N. Le Fondré:**

Shall I turn it around slightly? What do you think of the role S.O.J.D.C./R.S.G. (Regeneration Steering Group), how that was different to W.E.B.?

**The Connétable of Grouville:**

W.E.B. was concentrating on one development, that is all. It was advising on other developments but not participating. I know questions came up about the airport but that was purely something where Stephen was asked for his

advice by the Chief Minister, and it was nothing to do with W.E.B. at all, it was just a personal experience in knowing the business intimately as he does, being asked for his advice on an outside situation but it was nothing to do with W.E.B.

**Deputy J.A.N. Le Fondré:**

I will just take it slightly further. Would the R.S.G, under the proposed structure, not be more of a political front facing body?

**The Connétable of Grouville:**

Yes, well I do not know. I just do not know because it depends on how it was going to be set up and what role it was going to play, what the scoping was going to be. I am not ducking the question.

**Deputy J.A.N. Le Fondré:**

No, I appreciate that.

**Senator J.L. Perchard:**

I am just trying to establish how you got to become a member of the T.A.P., who invited you, you quoted from an email there, Dan, I wonder if you could tell us more about that email. The date, who sent it and who received it. That email spoke about the shortlisting being undertaken by the selection panel.

**The Connétable of Grouville:**

The one from Alan Merry? I think it probably originated in ... in those days it came from ... well, if I told you who was included in the email that might help you.

**Senator J.L. Perchard:**

Yes.

**The Connétable of Grouville:**

It was sent from Alan Merry, who is one of the directors. Carlson U.K. (United Kingdom), I think that is probably the recruitment agency.

**Deputy J.A.N. Le Fondré:**

Is this 25th January at 9.34 a.m.?

**The Connétable of Grouville:**

That is the one.

**Senator J.L. Perchard:**

We have a copy of that.

**The Connétable of Grouville:**

9.35 a.m. on my one but you have the names of the cast.

**Senator J.L. Perchard:**

Who was it ...

**The Connétable of Grouville:**

It was not a recruitment situation. We were told, or we were asked, if the non-execs would take part in the recruitment process and we said yes. So we were then allotted one each to the various committees and that was it.

**Senator J.L. Perchard:**

What do you think the name of your panel meant? Why Transition Advisory, what does that mean?

**The Connétable of Grouville:**

Well, it was the transition from W.E.B. to S.O.J.D.C.

**Senator J.L. Perchard:**

So what were you advising on?

**The Connétable of Grouville:**

We were asked to advise on the chairman's role. The new chairman, not the role, but who should be the new chairman. That was the only one I was involved in. I was not involved in the second panel which chose the other directors, I am sorry to say.

**Deputy J.A.N. Le Fondré:**

Is that just because you were unavailable?

**The Connétable of Grouville:**

Yes, I was, as it happened. I had a couple of things that came on that week which I could not avoid so rather than just go for one day, I thought it would be unfair for me to judge one lot of people and not the others to compare them so I bailed out.

**Deputy J.A.N. Le Fondré:**

Just to combine the 2 then, essentially it was raised through W.E.B. as to you being invited on the board of T.A.P. and presumably it would have been something that has come down from either the Chief Minister's office or the Appointments Commission.

**The Connétable of Grouville:**

Yes.

**Deputy J.A.N. Le Fondré:**

Was it the Appointments Commission or Chief Minister's office?

**The Connétable of Grouville:**

Appointments Commission, is it not, because it went through the Appointments Commission ... to Alan Merry, to the Appointments Commission, to the Chief Minister's office, which is where we met on 2nd February.

**Senator F. du H. Le Gresley:**

I just want to be clear, Dan, if I may, the invitation to join T.A.P. was really prompted by your board, at a meeting after your board?

**The Connétable of Grouville:**

I was given the impression that we were only invited because we were already on W.E.B. and that our experience on W.E.B. may have helped pick the right people for the job.

**Senator F. du H. Le Gresley:**

Were you, yourself, under the impression that you were mainly going to be there to help with the selection of the chairman or was it selection of the chairman and the ...

**The Connétable of Grouville:**

No, I was asked to be a part of the whole of the Transition Advisory Panel ...

**Senator F. du H. Le Gresley:**

The whole process.

**The Connétable of Grouville:**

... for the whole thing but I had to pull out of the second bit.

**Senator J.L. Perchard:**

Did you decline at the point of invitation or was it a late ...?

**The Connétable of Grouville:**

No, what happened was that I had ... we had the first meeting, I am sure you have a note of it anyway, the date of selection of the chairman, and then I had to pull out after that because I had a very important parish funeral to attend on the day of the next meeting, which I could not avoid.

**Deputy J.A.N. Le Fondré:**

I think the chairman is something like 4th February, or somewhere along those lines, and then after that it is something like 21st. So it was 21st you could not make?

**The Connétable of Grouville:**

That is right, yes.

**Senator J.L. Perchard:**

So is it right to say the Transition Advisory Panel were one man down through no fault of their own really?

**The Connétable of Grouville:**

That is correct. For the record, the panel that chose the chairman were myself, Phil Rondel, the Chief Minister and Debbie De Sousa.

**Deputy J.A.N. Le Fondré:**

The Appointments Commission was ...?



**The Connétable of Grouville:**

Julian.

**Deputy J.A.N. Le Fondré:**

That was Julian, and who chaired that panel, as it were?

**The Connétable of Grouville:**

Terry.

**Deputy R.G. Le Hérissier:**

When you sat down with the other members was there any discussion about how you all arrived there? How you had been differently appointed or selected?

**The Connétable of Grouville:**

Not really, I got the impression I was being stuck with the also rans, to be perfectly honest with you, because Phil had obviously been a great critic of W.E.B., Debbie was on, I think, Corporate Services then and she was slightly

...

**Senator J.L. Perchard:**

States Employment Board.

**The Connétable of Grouville:**

I think they were trying to balance the panel knowing that I would probably not be too contentious about ... well, I was not going to be contentious anyway, hopefully, but I was a balance, if you like, against Phil and Debbie.

**Deputy J.A.N. Le Fondré:**

You referred to also rans, was that a comment looking at the composition or just in terms of how you felt the panel itself fitted into the process.

**The Connétable of Grouville:**

Composition.

**Senator J.L. Perchard:**

You also forgot Senator Ferguson, you know.

**The Connétable of Grouville:**

Yes, that is right, but she missed the first one. She did go back on the others because it would not have affected her to miss the ...

**Senator J.L. Perchard:**

Sure. Dan, you described that originally there were 3 panels, did you have any thoughts about why there would be 3 panels to make a set of appointments?

**The Connétable of Grouville:**

I got the impression, and it was just an impression, that they were desperately trying to cover all the eventualities. That is that they did not want any criticism

afterwards that the panels had been weighted or not been fair or something like that.

**Deputy J.A.N. Le Fondré:**

You said Sarah Ferguson missed the first one?

**The Connétable of Grouville:**

The first one, yes.

**Deputy J.A.N. Le Fondré:**

Sorry, the first what?

**The Connétable of Grouville:**

The panel interviewing the chairman.

**Deputy J.A.N. Le Fondré:**

I understood the chairman was all done on one day.

**The Connétable of Grouville:**

It was, but she missed that day.

**Deputy J.A.N. Le Fondré:**

I thought Sarah had interviewed the chairman. My apologies.

**The Connétable of Grouville:**

No, because she missed the chairman's panel did not mean that she could not do the rest, whereas because I missed one day of the other lot it would be unfair to carry on.

**Senator J.L. Perchard:**

Just a question on something Dan just said: "They were desperately trying to cover all the eventualities."

**The Connétable of Grouville:**

Hold on, I said I got the impression.

**Senator J.L. Perchard:**

Yes, they were. Who is "they"?

**The Connétable of Grouville:**

Obviously the people putting the panels together.

**Senator J.L. Perchard:**

Who do you think were putting the panels together?

**The Connétable of Grouville:**

Who do I think? Obviously coming out of the selection boards and the Chief Minister's office.

**Senator J.L. Perchard:**

Chief Minister.

**The Connétable of Grouville:**

I suppose they wanted really to get a wider look at ...

**Senator J.L. Perchard:**

I will pull you back, who is “they”? Chief Minister’s office, anybody else?

**The Connétable of Grouville:**

Yes, Julian.

**Senator J.L. Perchard:**

Julian Rogers.

**The Connétable of Grouville:**

Policy and Research Officer, who was involved with it.

**Senator J.L. Perchard:**

You did not get the impression of “they” being somebody else? It is the Chief Minister, Julian Rogers ...

**The Connétable of Grouville:**

No, no, no. I have got to make this clear now; there is no way that I believe that that panel were being influenced by anybody. There was no chance of that being done at all.

**Deputy J.A.N. Le Fondré:**

I have to say, I do not think the inference has been that the chairman’s panel or the selection of the chairman, that there has been interference in any way, shape or form. That is what we are wanting to look at.

**The Connétable of Grouville:**

Quite frankly, I had semi made up my mind before I met them and I had picked her out as the obvious ... she was so far ahead of the rest of them it was impossible. So when she came in and we met them then I just confirmed what I thought, and that was that she was streets ahead of the other ones.

[13:30]

What surprised me, I must say, was - and going back again to the long list as opposed to the short list - the short list we got was entirely composed of Labour Party apparatchiks who had just been kicked out of quangos. Really that is absolutely true, if you read the C.V.s on all these people, that is exactly what it was.

**Deputy J.A.N. Le Fondré:**

When I say it raises a concern, do you think that was just from the point of view that was who the recruitment agency had on their books in terms of ...

**The Connétable of Grouville:**

I would have liked to have seen the long list to find out who else would have been there that I would have liked to have put on the short list. But I am told that if I had asked I would have been shown it but at the time I did not ask because I thought we were treading into forbidden territory.

**Deputy J.A.N. Le Fondré:**

The question I was wanted to ask is you said back earlier that Eddie Noel backed out because of his role in Treasury. What was his rationale there?

**The Connétable of Grouville:**

I do not know, you will have to ask him.

**Deputy J.A.N. Le Fondré:**

Okay, the only reason I ask is because obviously later on John Refault was part of the process and is part of the Treasury. Okay, differing approaches. Roy?

**Deputy R.G. Le Hérissier:**

Just back to the introductory seminar you had, was it all clarified as to what criteria you would judge people on, the marking system you would use, when you would have discussions as a group, as opposed to sort of ...

**The Connétable of Grouville:**

Yes, it was. Julian explained it to us that we would be marking out of 5 on various categories of things, I cannot remember what they were now, and at the end there would be a group discussion and collation of our scores.

**Deputy R.G. Le Hérissier:**

Did that group discussion occur before you formalised your mark? Was there time to change your mark in the light of that discussion?

**The Connétable of Grouville:**

I think everybody was firm. I do not think anybody changed. There was one query where somebody had not got the papers. One of the applicants had not been given the papers beforehand, the questions beforehand, and I cannot remember who that was but it did not matter anyway but they were very much also rans.

**Deputy J.A.N. Le Fondré:**

Was that the whole set of questions? We have understood that at least one candidate ... I thought the chairman, had not had the first question that was being put to them.

**The Connétable of Grouville:**

No, I thought there was one who had not got it. You may be able to correct me on that one, I am not sure.

**Deputy J.A.N. Le Fondré:**

Can I just clarify that we have definitely done one or 2, we have bounced around slightly, I think 3, was the management of T.A.P. an open and

transparent process, I think if I can put words into your mouth, from your perspective ...

**The Connétable of Grouville:**

Do not even try.

**Deputy J.A.N. Le Fondré:**

No, I was going to say you would consider, yes, it was.

**The Connétable of Grouville:**

Yes, I think it was. Yes.

**Deputy J.A.N. Le Fondré:**

Okay, I am only trying to skip forward.

**The Connétable of Grouville:**

The allegations or the hints that have been passed around, I just laughed when I heard them.

**Deputy J.A.N. Le Fondré:**

I will go to 4 then, which is purely on a detail, hopefully not too long, do you know of other members who were invited or those who declined to be members of the T.A.P.?

**The Connétable of Grouville:**

No, I do not.

**Deputy J.A.N. Le Fondré:**

Right, okay. Five, were you supplied with terms of reference at all? In other words, this is going back a little bit to what the role was, how it was explained. Did you get anything in writing or was it all dealt with at the meeting on 17th January?

**The Connétable of Grouville:**

No, I do not think we ever got anything in writing, it was at the meeting. Even then we were not told what to look for or anything like that in any given situation. It was left up to us to make our decisions on what we were told, on the reading of these C.V.s and also meeting the people. We all knew what the role was so I think we all made our own interpretation of what would be a good person for that job.

**Deputy J.A.N. Le Fondré:**

There is a draft question list that we have seen, how was that put together, do you know? Was it provided to you effectively by one of the officers from the Chief Minister's office or ...?

**The Connétable of Grouville:**

All the questions were put to us. We were given all the questions, yes, quite right, which I did not stick to too closely. We were given a list of questions certainly but I do not have them with me.

**Deputy J.A.N. Le Fondré:**

That is okay, we can track those down. But, in general, were you happy ... I think you commented ... were you happy with the process by which you received the documents generally? Do you think you got all the information you needed up front, on time, et cetera?

**The Connétable of Grouville:**

Yes, everything was there.

**Senator F. du H. Le Gresley:**

Do you know, Dan, if the recruitment panel had the same set of questions that you had?

**The Connétable of Grouville:**

I do not know. I would assume they were different because we were looking at different things really. The technical panel, for instance, were going obviously for qualifications, we were going for an all round look at them and I do not know quite how the recruitment panel were briefed.

**Deputy J.A.N. Le Fondré:**

The briefing on the 17th January, I think it was, the first briefing, I believe Senator Ferguson was late for. Did you touch on the sort of roles that of the T.A.P. in that meeting?

**The Connétable of Grouville:**

On the role? Of what we were looking for?

**Deputy J.A.N. Le Fondré:**

Yes, what you were meant to be doing, how you fitted in.

**The Connétable of Grouville:**

Yes, I think we were given a breakdown on the 3 panels. The technical panel obviously was looking technical details and everything else, we were given the role of basically looking at, I suppose, intelligence quota and how good they were at convincing us that they were the people for the job, and of course would they have been good at their job. It is something I have a lot of experience of in that field so I was waiting for him to ask the questions that I felt should be asked as well.

**Senator J.L. Perchard:**

The politician's opinion of the candidate, I suppose. Whether they would be politically acceptable, being that you were a panel of politicians.

**The Connétable of Grouville:**

I do not think that came into it. If that had come into it I would not have marked any of them, because, as I said, they are all Labour Party apparatchiks. I am sorry to be so right wing, Roy, but defence gets uncomfortable. **[Laughter]**

**Senator F. du H. Le Gresley:**

Just a quickie on the candidates for chairman. There were 5, I believe, which were shortlisted. As part of the Transition Advisory Panel, would you have wanted to see the other applications at some stage?

**The Connétable of Grouville:**

The long list as opposed to the short list? Yes, I would have done.

**Senator F. du H. Le Gresley:**

You would have done.

**The Connétable of Grouville:**

I would have been happier if I had seen the other applications, and we were also given them to get all the applications for the ... no, we were not, sorry. That is right, we were given only the short list and I had it in my mind if I had been available to go to the choice of non-execs that I would have asked for the long list on that lot. Because I knew of one who applied who I thought would have been absolutely fantastic but did not appear on the short list.

**Deputy J.A.N. Le Fondré:**

For N.E.D.s (non-executive directors) or for chairman?

**The Connétable of Grouville:**

N.E.D.

**Deputy J.A.N. Le Fondré:**

I think you have probably touched on it but I will go to 6, which is what background paperwork or details were you supplied with about candidates for chairman.

**The Connétable of Grouville:**

We had everything. All their C.V.s basically. There were not comments on them at all from anybody. It was just the simple C.V. which we had to make our own decisions on.

**Senator J.L. Perchard:**

Have you still got copies of them there now?

**The Connétable of Grouville:**

Yes.

**Senator F. du H. Le Gresley:**

How did you receive those, Dan? Did they come via email or were they hand delivered?

**The Connétable of Grouville:**

Yes, they did come by email. I am just trying to find a header paper, but I do not think it is here. It would have come from Julian Rogers.

**Deputy R.G. Le Hérissier:**

They were in a similar format?

**The Connétable of Grouville:**

No, they have all got their own. You have not seen them obviously.

**Deputy J.A.N. Le Fondré:**

Not yet, no.

**Deputy R.G. Le Hérissier:**

They were all allowed to write them as they saw fit?

**The Connétable of Grouville:**

They came from Odgers Berndtson, or whatever they are called, and they had a heading from them from the States of Jersey, "Candidate Schedule".

**Senator J.L. Perchard:**

Only the shortlist, though?

**The Connétable of Grouville:**

Only the shortlist.

**Senator J.L. Perchard:**

So they went via Odgers to Julian Rogers ...

**The Connétable of Grouville:**

No, they originated from Odgers.

**Senator J.L. Perchard:**

Yes, to Julian Rogers to the members of the T.A.P.?

**The Connétable of Grouville:**

Yes.

**Deputy J.A.N. Le Fondré:**

Obviously you do not know how the shortlist was arrived at, other than ...

**The Connétable of Grouville:**

They came directly. They obviously came directly from Odgers but they obviously went via Julian.

**Senator J.L. Perchard:**

They were copied to you and copied to Julian simultaneously?

**The Connétable of Grouville:**

I would assume they went to everybody on the panel.

**Senator J.L. Perchard:**

Yes, I am just trying to establish whether they went to a central point and were distributed from that point or did they come straight from Odgers to you?



**The Connétable of Grouville:**

The ones I have got here have got Odgers headings on them. Hold on, no, they came from Policy and Research Officer. Here is the header on it: "Please find attached a schedule of C.V.s of 5 candidates." So that is how they came to us. So they obviously went from Odgers to Policy and Research Officer who then forwarded them to all the people on this list.

**Senator J.L. Perchard:**

Does Mr. Norris say anything about confidentiality on that email?

**The Connétable of Grouville:**

"Please find attached a schedule ..." blah, blah, blah: "Please note that candidate one withdrew." Okay, so there were 4 instead of 5. "In total 14 candidates applied for the position and 38 for N.E.D., 11 of the N.E.D. applications were local ..." which is why I was surprised there were not more. "However, a second advert will be placed to try and attract further candidates." No.

**Senator J.L. Perchard:**

Is there a: "Please see attachment"?

**The Connétable of Grouville:**

That was all the stuff.

**Senator J.L. Perchard:**

There must be reference to an attachment.

**The Connétable of Grouville:**

Yes: "A grade candidates".

**Senator J.L. Perchard:**

Right. Can we have a copy of that email?

**The Connétable of Grouville:**

Yes, sure.

**Senator J.L. Perchard:**

I have not seen it. This is dated 25th January. We have got that down.

**Deputy J.A.N. Le Fondré:**

That does not have the attachments on it.

**The Connétable of Grouville:**

The attachment was all this lot.

**Deputy J.A.N. Le Fondré:**

No, the logo ...

**Senator J.L. Perchard:**

Can we keep that one, if you do not mind, it is slightly different.

**Deputy J.A.N. Le Fondré:**

Just very quickly to confirm that in terms of how the shortlist was arrived at, you were not involved in that process?

**The Connétable of Grouville:**

No.

**Deputy J.A.N. Le Fondré:**

I think there is a reference in the Alan Merry letter or email saying it was a selection panel or something, but other than that do you have any information about how it was arrived at.

**The Connétable of Grouville:**

No.

**Deputy J.A.N. Le Fondré:**

No, okay.

**The Connétable of Grouville:**

I got the impression although - going to impressions again - that Odgers Berndtson picked out ...

**Deputy R.G. Le Hérissier:**

They did the shortlisting?

**The Connétable of Grouville:**

Yes, they shortlisted it, which is why I was disappointed because they would have had no knowledge of local candidates. Not the knowledge that we have of local candidates. So they were doing it from a purely professional point of view without knowing local conditions.

**Senator J.L. Perchard:**

You are assuming that, you do not know. Their terms of references may have insisted the board must be made up of a majority of local candidates. It could have been.

**The Connétable of Grouville:**

It could have been, yes.

**Senator J.L. Perchard:**

So you are not sure of that.

**Senator F. du H. Le Gresley:**

But the email you received from Alan Merry, which explained the process, said: "That in line with established process, shortlisting would be undertaken by the selection panel chaired by the Appointments Commission", so why did you think Odgers had done it?

**The Connétable of Grouville:**

That is a point, sorry, I had forgotten that. Yes, you are probably absolutely right there, it may be then them that did it locally. But the thing is ... what I do not understand in that case is why the Odgers emails refer to a list of candidates. Would that have been "A" as opposed to B, C, D or was it "A" as opposed to A grade or what, I do not know.

**Senator F. du H. Le Gresley:**

Or "A" being chairman and "B" being non-executives.

**The Connétable of Grouville:**

Absolutely, it could have been, yes.

**Deputy J.A.N. Le Fondré:**

Francis, anything more?

**Senator F. du H. Le Gresley:**

Not at this stage, no.

**Deputy J.A.N. Le Fondré:**

On question 7 or 8 before we move on to 9? So if we move on to 9. As an advisory panel, perhaps we have covered this already, was your role clearly explained and by whom?

**The Connétable of Grouville:**

Yes, it was explained by Julian when we met at the town hall on 17th. It was explained to us what we were there for basically without going into huge detail. I think we were there as, I suppose, semi-intelligent politicians to make a choice of somebody for a job which we were aware of and we were aware what the role was.

**Deputy R.G. Le Hérissier:**

So some of you were going into the interview with full knowledge of what W.E.B. had been about, others were going in with a blank sheet, so to speak, Dan, is that correct?

**The Connétable of Grouville:**

On W.E.B., yes. But, you see, you have to remember that Phil Rondel and Debbie had been doing a scrutiny on W.E.B. so they were very well aware of what W.E.B. was doing. There was no lack of knowledge.

**Deputy J.A.N. Le Fondré:**

Sorry, I was just looking at my Scrutiny Officer, was Phil Rondel involved in the scrutiny of W.E.B.?

**Ms. K. Boydens:**

Not on the ones that I ...

**The Connétable of Grouville:**

No, it was not, sorry. Okay. He was asking the questions as to ...

**Senator J.L. Perchard:**  
Was Senator Ferguson?

**The Connétable of Grouville:**  
Sarah was, yes, and so was Debbie.

**Senator F. du H. Le Gresley:**  
We were talking about the scoring system once you had seen the candidates. We understand that, and I think you have told us, it was 0 or 5.

**The Connétable of Grouville:**  
Yes, but in various categories. I am sorry, I cannot remember what the categories were.

[13:45]

**Deputy J.A.N. Le Fondré:**  
I think we will probably track that down at some point.

**The Connétable of Grouville:**  
If you have got all the scoring sheets you will know.

**Deputy J.A.N. Le Fondré:**  
Not yet, we are waiting on them.

**Deputy R.G. Le Hérissier:**  
When the scores came in, we talked about having a little discussion previously. You gave your scores to each other, did you, Dan?

**The Connétable of Grouville:**  
We jointly gave the scores to Julian, who was totting them up.

**Deputy R.G. Le Hérissier:**  
He averaged them out, did he?

**The Connétable of Grouville:**  
No, I think he added them all up. I think there were 5 different categories, and I will double check ... as I say, I printed all this lot off and I ... we did have a breakdown of what the score should be for but I am pretty sure I have not got that one. I tried to pull everything out that I had but some of it is obviously not here.

**Senator F. du H. Le Gresley:**  
What do you think happened to his total score sheet?

**The Connétable of Grouville:**  
I do not know, he probably handed it over to the selection panel.

**Senator F. du H. Le Gresley:**  
Did you see him do that?

**The Connétable of Grouville:**

No, because he left the room then. He went off to see the other panels. What we were doing was in fact ...

**Deputy J.A.N. Le Fondré:**

This is all for the chairman?

**The Connétable of Grouville:**

I think there was a break between each one and the candidate came into the first panel and spent half an hour, three-quarters of an hour with them and they did their bit and then they came on to us and then went on to the next one. So at the end of the 3 hours all the panels had seen the first candidate and then they went on from there. In fact, I have got the timing here. I take it you have got a list of that?

**Deputy J.A.N. Le Fondré:**

Not yet. At the moment, as I say, we are still waiting for quite a lot of documentation to come through.

**Senator F. du H. Le Gresley:**

So just to clarify in my own mind, the scores which were added up by Julian, was that after you had seen all 5 candidates?

**The Connétable of Grouville:**

Yes. Yes. What we did, we were given these score sheets which we filled in, say, for the first candidate and then when the next candidate came in we sort of turned the page over, if you like, and filled in another one. Then at the end Julian asked us to tell him what we scored on the various ... and he totted it up.

**Deputy J.A.N. Le Fondré:**

So did you average your scores, so if you take candidate one, you said: "My average score for them is 3" or did you say: "For candidate one, my scores on each of the categories were 1, 2, 3, 4, 5"?

**The Connétable of Grouville:**

No, no, no, each. Each area we scored separately.

**Deputy J.A.N. Le Fondré:**

On the panel you said you had Terry Le Sueur, yourself, Sarah, Debbie --

**The Connétable of Grouville:**

No, Sarah was not there.

**Deputy J.A.N. Le Fondré:**

Sorry, not Sarah, because she is at the top of the list on the score sheet, and Julian Rogers was obviously there in the Appointment Commission role, was he doing any scoring as well?

**The Connétable of Grouville:**

I do not think so, no.

**Deputy J.A.N. Le Fondré:**

So he was then just taking a note of the scores ...

**The Connétable of Grouville:**

He took a note and then told us, yes, what the scores came out at.

**Deputy J.A.N. Le Fondré:**

In terms of, for sake of argument?

**The Connétable of Grouville:**

The total scores of each.

**Deputy J.A.N. Le Fondré:**

So 25, 30 for each candidate?

**The Connétable of Grouville:**

That is right, yes. She, of course, was way ahead of everybody.

**Deputy J.A.N. Le Fondré:**

After that was there any discussion of the results or anything like that?

**The Connétable of Grouville:**

Yes, we chatted about it afterwards, but that was passed the time when the decision was to be made.

**Deputy J.A.N. Le Fondré:**

Sorry, what I meant was in terms of, were these the results and how broad was the top result from your panel?

**The Connétable of Grouville:**

I think they were scored on the points system, we were told what the total points were and then Julian trotted off to see the other panels.

**Deputy J.A.N. Le Fondré:**

So there was not, say, a 2 minute discussion saying: "Yes, obviously we will ..."

**The Connétable of Grouville:**

Change this one or ... no.

**Deputy J.A.N. Le Fondré:**

Or: "No, we are absolutely happy with the result" and that type of thing?

**The Connétable of Grouville:**

There was no ...

**Deputy J.A.N. Le Fondré:**

It was just, these are the numbers and off we go.

**The Connétable of Grouville:**

I do not think anybody was following anybody, if that is what you are getting at. Nobody was saying: "Terry said he is worth higher than this" so we would ...

**Deputy J.A.N. Le Fondré:**

No, I was not getting at that. I was trying to get at was it a mainly numeric based system, if that makes sense, or was there some discussion about it, or once you got the final results you are saying Julian ...

**The Connétable of Grouville:**

No, the results went to Julian and that was it. There was then a general chat about it.

**Deputy J.A.N. Le Fondré:**

Yes, but that was after they had gone.

**Senator F. du H. Le Gresley:**

Did you meet up with the recruitment panel once you had finished your scoring?

**The Connétable of Grouville:**

No.

**Senator F. du H. Le Gresley:**

No? So you did not know the results.

**The Connétable of Grouville:**

No, they were still working, you see, because if you have a look ... I will just tell you how the system worked. There would not be a chance to meet them.

**Deputy J.A.N. Le Fondré:**

Can we hang on to that document, or any of the stuff you have got? Just while they are looking at it, just to keep the momentum slightly, you did not have an interaction with the technical panel in terms of how they fit into the process?

**The Connétable of Grouville:**

No.

**Deputy R.G. Le Hérissier:**

Was it explained to you how your results were going to be incorporated in the main panel's results?

**The Connétable of Grouville:**

We were told they would all be then put together. How, I do not know, that was not explained to us.

**Deputy R.G. Le Hérissier:**

Okay. Were you told it would ultimately be a numbers based decision? In other words, unless there was sort of an equality of numbers, it would ultimately fall out simply on the numbers people allocated?

**The Connétable of Grouville:**

We were not told that but it was assumed.

**Deputy R.G. Le Hérissier:**

It would not be like in part of the process some discretionary kind of decision where a discussion would occur before the final ...

**The Connétable of Grouville:**

Well, we certainly were not told that. It was not ever discussed, it was not brought up, I assumed - and I think we all did - that the numbers went down and then they were passed on to Julian, and I assumed at the top the decision making process would depend on the numbers coming from the 3 panels, and that they would be, I assumed, amalgamated.

**Senator F. du H. Le Gresley:**

So as far as T.A.P. is concerned, you are intimating that from the scoring of all of you and the totals, that the person who was chosen was the top scorer?

**The Connétable of Grouville:**

Yes, from our panel certainly.

**Deputy J.A.N. Le Fondré:**

Was there any sort of debrief or anything, formal or otherwise, after the scoring was done?

**The Connétable of Grouville:**

No, we had a chat afterwards, that is all, about ... I think it was just that I suppose we were all agreed that she was the top girl, she had the top score and that a couple of the others were deadbeats. Sorry, do not quote me on that.

**Deputy J.A.N. Le Fondré:**

Your results went to the main panel, I have not seen the timeline there, but you have got no idea how that main panel then considered the results and/or when they made their decision, said: "Right, that is the person"?

**The Connétable of Grouville:**

No, but we assumed - well I assumed certainly - that it would be on a numerical basis.

**Deputy J.A.N. Le Fondré:**

I have got one or 2 others but in terms of question 9 are we happy?

**Deputy R.G. Le Hérissier:**

Yes.



**Deputy J.A.N. Le Fondré:**

Question 10, really any comments on what was the role of Jersey Appointments Commission in the process?

**The Connétable of Grouville:**

They were to oversee the 3 panels. I suppose a bit like the Electoral Commission, in that role, to collect the votes. Certainly to provide the situation where the decisions could be made by us and passed on to them.

**Deputy J.A.N. Le Fondré:**

You felt happy with how they operated on the day?

**The Connétable of Grouville:**

I had no reason to question them at all, no. I thought they did it very professionally.

**Senator J.L. Perchard:**

The Appointments Commission?

**The Connétable of Grouville:**

Yes. We really only dealt with, as I said, the staff. Julian was in charge of our panel, if you want. Yes, absolutely perfect.

**Senator J.L. Perchard:**

Is this your first involvement with the Jersey Appointments Commission in any way?

**The Connétable of Grouville:**

Yes.

**Senator J.L. Perchard:**

Would you like to make a comment, other than very professional in this case, about the way they conduct themselves? Anything else to say?

**The Connétable of Grouville:**

Yes, if you want a quote, I think it could be done more cheaply.

**Senator J.L. Perchard:**

Cheaply.

**The Connétable of Grouville:**

This sort of thing. Yes, because we are paying goodness knows how much to these head-hunters. They cost an absolute fortune these guys. I am not sure that we could not have perhaps localised it, which is what I said earlier on, I was looking really for more local involvement. I wanted to see at least 3 of the non-execs as local people and perhaps 2 ... I was willing to balance that with a foreign chairman, for want of a better word. I do not know what it has cost us to do this recruitment but I would imagine it is a horrendous amount of money.

**Deputy R.G. Le Hérissier:**

Were they present during this day?

**The Connétable of Grouville:**

I do not believe I met anybody from there.

**Deputy J.A.N. Le Fondré:**

From Odgers?

**The Connétable of Grouville:**

No.

**Deputy J.A.N. Le Fondré:**

All right, and you did not have any previous interaction with them, even at the briefings?

**The Connétable of Grouville:**

I do not know them.

**Deputy J.A.N. Le Fondré:**

I have a couple of questions but I will start with Francis.

**Senator F. du H. Le Gresley:**

Do you know if there was a second favourite for the post of chairman?

**The Connétable of Grouville:**

Well, there are never any favourites.

**Senator F. du H. Le Gresley:**

No, I meant after the scoring process has been concluded?

**The Connétable of Grouville:**

No, no, it was never thought ...

**Senator F. du H. Le Gresley:**

You must have had from your scoring process a runner up?

**The Connétable of Grouville:**

Yes, but quite frankly - this is hopefully unquotable - the others were so far behind that I would not have considered any of them probably.

**Senator F. du H. Le Gresley:**

My other question is, can you summarise in one sentence how you felt the process was for the whole of the selection of the chairman?

**The Connétable of Grouville:**

I would say professional and good, except, as I said earlier, that I would have like to have seen the long list.

**Senator J.L. Perchard:**

Do you have any idea, Dan, why the Deputy of St. John declined to comment on the detail of his concerns during the States debate unless the debate were to be held in camera?

**The Connétable of Grouville:**

I have no idea at all, I cannot work it out. I have asked him unofficially, on the side, to tell me what he thought had gone on that he was so suspicious about but he will not tell me either.

**Senator J.L. Perchard:**

Do you have any idea why the Deputy of St. John should have serious concerns over the selection process of the N.E.D.s?

**The Connétable of Grouville:**

I do not know because I was not there.

**Deputy R.G. Le Hérissier:**

Right, just following on from that, and it is a bit of a leading question, Dan, did you pick up at any time during the period you were physically at the hotel, any concerns about what was going on?

**The Connétable of Grouville:**

No.

**Deputy R.G. Le Hérissier:**

Nobody ever said: "I am not happy with that" or: "I am not happy with this", was any of that ever said?

**The Connétable of Grouville:**

No. No, nobody said anything, including Phil.

**Deputy J.A.N. Le Fondré:**

This is purely on the day of the chairman's appointment?

**The Connétable of Grouville:**

Yes, I was only there for that day. But I know what you are getting at and, no, nobody said anything.

**Senator J.L. Perchard:**

You have already expressed concerns, you might just want to reconsider your answer there, about the shortlisting. You expressed concerns and I think there are email exchanges in which you expressed concerns. So perhaps you might just to reconsider your answer there? You were concerned about something.

**The Connétable of Grouville:**

No, I was concerned I had not seen the long list. Yes, I would have liked to have seen who they had discarded and why.

**Deputy J.A.N. Le Fondré:**

So effectively what the filter process was?

**The Connétable of Grouville:**

Yes. I must admit that I have never sat on these things before. In business when I have hired and fired I had done it on the basis that I met the guy and talked it through with them. I have never had to go through this sort of thing before. It was a first time for me so perhaps I missed something in the process that should have been done but I was not perturbed at all about any dishonesty or any hidden agendas or anything like that, no.

**Deputy J.A.N. Le Fondré:**

Okay, can I lead with a couple? One, which I apologise I think I have asked already but just to make sure.

**The Connétable of Grouville:**

Let us hope I give you the same answer.

**Deputy J.A.N. Le Fondré:**

This is an easy one. Just purely on logistics and dates, and things like that, at some point in either the chairman's or the N.E.D.s there was apparently an issue where dates were changed and I do not know who was at fault or meetings were rearranged because of other events or something, from your perspective were the dates, et cetera, all properly lined up with sufficient notice and all that type of stuff?

**The Connétable of Grouville:**

Yes, but I think if I had been on the non-exec one I would have been a bit upset because I think they had arranged it for, I think, the Monday - I am not sure - and after I had bailed out because I had to go to this funeral, apparently they could not get in because of fog. So having bailed out I did not go back and say: "I am available now for the next day or whenever it is going to be" because I did not know when it was going to be. So I just left it. I thought they would have filled the hole so there was no point in doing that.

**Deputy J.A.N. Le Fondré:**

Another one, which is purely a general procedural question, within the overall discussions, I do not know whether it had been in one of the pre-meets or whether it was on the day, was there any discussion between yourselves or the Appointments Commission or both about declarations of interest or conflicts of interest or anything along those lines?

**The Connétable of Grouville:**

No.

**Deputy J.A.N. Le Fondré:**

Nothing was kind of raised or issues on how they might be drawn out?

**The Connétable of Grouville:**

No.

**Deputy J.A.N. Le Fondré:**

Has anybody else got any more questions?

**Senator F. du H. Le Gresley:**

Just one, because we have alluded to ... I know you were not involved in the choice of panel for the N.E.D.s but there is an email to you, which I have got a copy of here, from Policy and Research Officer dated 17th February.

[14:00]

He says that: "The recruitment will take place this Monday only [because there were going to be 2 dates] as we have managed to organise 4 candidates on that same day but due to the half term holidays we will need to organise a date to interview the other 3 remaining candidates." So it was not the fog, going by that.

**The Connétable of Grouville:**

I do not know why he sent that email because he should have been aware at that stage that I was not going to be able to make the Monday. I think I emailed, it would have been the Tuesday or Wednesday the week before to let them know I would not be available.

**Senator F. du H. Le Gresley:**

Okay, but the issue about fog is not shown to be a factor.

**The Connétable of Grouville:**

No, it was not. No, what I was saying there was that I had already told them I would not be able to go on the Monday because I had a commitment to a funeral. So then when the Monday arrived, there was very thick fog that morning and they could not get them in. But I did not then go back to them and say: "Look, I can make now next week if you are doing it" because I had assumed they had already filled the hole.

**Deputy J.A.N. Le Fondré:**

Anything else?

**Deputy R.G. Le Hérissier:**

No.

**Deputy J.A.N. Le Fondré:**

I would like to go into private session because it is in relation a specific matter, potentially private so if I can ask Mr. Dun if you could withdraw, please. Thank you very much for your interest.

**Mr. Dun:**

Will there be any following public questions?

**Deputy J.A.N. Le Fondré:**

No, this is our last question. Or not to my knowledge anyway. We have got 5 minutes and then we have got to go.

**The Connétable of Grouville:**

Gosh, time flies when you are having fun.

[14:01]