



Deputy Lyndon Farnham  
Chief Minister

### BY EMAIL

4th June 2024

### STATES MEMBER INTERVIEWING STATES OF JERSEY EMPLOYEES

Dear Deputy Farnham,

Further to our recent correspondence regarding the Minister for Health and Community Services (HCS) and Deputy Bailhache and the recent questions in the Assembly, members of the public have approached the Scrutiny Chair which have caused the Scrutiny Liaison Committee (the Committee) further concern, particularly the fact that the Deputy has been in communication with States of Jersey employees.

In your correspondence to us dated 29th April 2024, you informed us that *The 'Troy Rule' is embodied in Article 25A(1) of the States of Jersey Law 2005 and Standing Order 112A. Deputy Bailhache does not serve as a Minister or Assistant Minister and holds no executive role or powers. As such, there can be no question of this matter raising any issues in this regard.*<sup>1</sup> Whilst this may very well be the case, we believe that this matter might require further guidance and have asked PPC to comment.

To the best of our knowledge, the Minister for HCS asked Deputy Bailhache to hold interviews with States of Jersey employees on his behalf both past and present, who are (or were) employed by the Department of Health and Community Services. We are not aware if those interviewed were contacted by the Minister directly (as the Minister claimed in answer to oral questions on April 30th) or were approached by Deputy Bailhache. It is also our understanding that these interviews might relate to an ongoing case following a review by the General Medical Council (GMC), which raises further questions about the appropriateness of the Minister and Deputy Bailhache's actions.

The Committee is not aware under what terms the Minister for HCS asked Deputy Bailhache to act, what were the terms of reference for this engagement and the expected outcome/deliverables. In addition, we are not aware how objectives were presented to the employees prior to interview, how the information was collated, how it was intended to be used, and what will happen to the collated information at the end of this process. We are also concerned about the basis for these interviews and if the employees have been given the opportunity to review any information prior to it being 'used or submitted' and, if they are fully aware of potential consequences these may have, should the ongoing situation with the GMC escalate.


Members of the Committee have been approached by the public and States of Jersey employees regarding this matter and following Committee discussions, it has been agreed that this matter should be investigated further as the issues raised are serious and there are a number of significant unanswered questions. We do not believe it is the role of Scrutiny to act as an investigator and therefore we respectfully ask that you consider referring this matter to the Commissioner for Standards as we believe that there may have been a breach of the [Ministerial](#)

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<sup>1</sup> Letter from Chief Minister to Scrutiny Liaison Committee – 29.04.24

[Code of Conduct](#) in particular, Items 3, 4, 5 and 6. We believe that referring this matter to an independent party may show transparency and help clarify these areas of concern for both members of the public and the employees involved.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Inna', enclosed in a thin black rectangular border.

**Deputy Inna Gardiner**  
**President, Scrutiny Liaison Committee**