

STATES OF JERSEY



STATES OF JERSEY COMPLAINTS PANEL: APPOINTMENT OF MEMBERS

Lodged au Greffe on 23rd December 2014
by the Privileges and Procedures Committee

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

in accordance with Article 5(2) of the Administrative Decisions (Review) (Jersey) Law 1982, to appoint –

- (a) Mr. Nigel Le Gresley as Chairman of the States of Jersey Complaints Panel until 17th July 2015;
- (b) Mr. Geoffrey George Crill as Chairman of the States of Jersey Complaints Panel for a period of 5 years commencing 18th July 2015;
- (c) Mr. Stuart Catchpole, Q.C. as Deputy Chairman of the States of Jersey Complaints Panel for a period of 5 years with immediate effect.

PRIVILEGES AND PROCEDURES COMMITTEE

REPORT

The Complaints Panel is established under the Administrative Decisions (Review) (Jersey) Law 1982, and it enables any person who is aggrieved by a decision made by a Minister or department, or any person acting on behalf of any such Minister or department, to apply to the Greffier of the States to have the matter reviewed by a Complaints Board. Once a complaint is received, the Greffier seeks the response of the Minister or department concerned before referring the papers to the Chairman of the Complaints Panel who decides whether or not the circumstances justify review by a Complaints Board. If the Chairman is conflicted, then the matter is referred for adjudication by one of the Deputy Chairmen. If the Chairman or Deputy Chairman considers that the circumstances justify a Board, before holding a hearing, they may first attempt informal resolution of the complaint, but if this is not appropriate or has failed, the matter is then referred to a Board and a hearing date is normally set for 6 weeks later. A Board of 3 members selected from the Complaints Panel is established to deal with the case. If the Board finds in favour of the complainant it can request the Minister or department concerned to reconsider the decision. Article 5(2) of the Law requires the States to appoint the members of the Complaints Panel.

Section 4.13 of the Appointments Commission's Code of Practice, recommends that the term of office of a member of a public body should not exceed 10 years, although in some circumstances this limit can be extended. One of the Deputy Chairmen, Miss Christine Vibert, was required to step down in 2014, having been re-appointed for an 18 month period only after more than 10 years sterling service. The Privileges and Procedures Committee initiated the process for the appointment of a new Deputy Chairman, with the involvement of the Appointments Commission as required, during the summer of 2014. Although there has never been a formal requirement for the Chairman or Deputy Chairmen to be legally qualified, these positions have mostly been filled by lawyers in the past with the very notable exception recently of Miss Vibert.

The Appointments Panel was particularly conscious that the terms of office of both the then Chairman Richard Renouf and Deputy Chairman Nigel Le Gresley would expire in July 2015 and they would not be eligible for re-appointment. It therefore decided to look at succession planning during the appointments process.

The Appointments Panel concluded that Mr. Geoffrey Crill should be appointed to fill the vacancy for Deputy Chairman and this appointment was approved by the Assembly on 10th September 2014 (P.142/2014 refers). The Appointments Commission further agreed that it was in accordance with the Commission's procedures to allow Mr. Stuart Catchpole Q.C. to be appointed to fill the next vacancy for Deputy Chairman when it arose without the need for a further process (providing the vacancy occurred within a reasonable period of time).

Following the election to the States of Advocate Richard Renouf in October 2014, a vacancy has arisen for Chairman. The Appointments Commission has further agreed that one of the Deputy Chairmen should be selected to serve as Chairman. The Committee is delighted that Mr. Nigel Le Gresley has come forward to serve as Chairman for the remainder of his term of office until July 2015. Mr. Le Gresley has given many years of dedicated voluntary service to the Complaints Panel and will provide continuity and experience during this period of transition.

The Committee is extremely grateful to the members who give many hours of their time on a totally honorary basis in relation to the work of the Panel, and very pleased that they have offered to continue to serve. Brief biographical details of each nominee are set out in the **Appendix**.

The Committee would like to pay particular tribute to Advocate Richard Renouf, who has retired from the Panel following his election to the States Assembly.

The selection process

The process to select a new Deputy Chairman to replace Miss Vibert was managed under the supervision of a member of the Appointments Commission, Mr. Julian Rogers. The process was undertaken in an open and transparent way as required by the Codes drawn up by the Appointments Commission. An advertisement was placed in the Jersey Evening Post seeking expressions of interest in the position, and 4 responses were received, all from existing members of the Complaints Panel. The expressions of interest were considered by a selection Panel consisting of Advocate Richard Renouf (the then Chairman of the Complaints Panel), Mr. Nigel Le Gresley (the other Deputy Chairman of the Panel), Mr. Rogers and the Greffier of the States. The skills and experience of the candidates were assessed alongside other criteria, such as their availability for this work.

Financial and manpower implications

All members of the Complaints Panel serve in an honorary capacity and there are no financial or manpower implications arising from this proposition.

Mr. Nigel Peter Edgar Le Gresley (Chairman with immediate effect until 17th July 2015)

Mr. Le Gresley was educated at Victoria College Preparatory School and Victoria College. He was admitted as a Jersey solicitor on 18th July 1983, having taken all the examinations locally, including 2 in French. He is a previous member of the examining board for advocates and solicitors and runs his own legal practice. He has been Deputy Chairman of the Complaints Panel since 2003.

Mr. Geoffrey George Crill (Chairman from 18th July 2015)

Mr. Crill is a retired Solicitor of the Royal Court of Jersey and is currently a consultant to Collas, Crill Advocates on a part-time basis. He attended Victoria College in Jersey and has been a Solicitor of the Royal Court of Jersey since 1977. Mr. Crill began his legal career as a Conveyancing Assistant at Crill, Cubitt-Sowden and Tomes in 1967. In 1977 he became a Solicitor in Crill, Cubitt-Sowden and Tomes, and in 1979 became a Partner at Crill, Cubitt-Sowden and Tomes (latterly Crills). In 1992 he became a Senior Partner in Crill Canavan Solicitors and Advocates, until 2009, when he retired from practice.

He has been a member of the Complaints Panel since 2013.

Mr. Stuart Catchpole Q.C. (Deputy Chairman with immediate effect)

Mr. Catchpole attended Colchester Royal Grammar School and graduated from Durham University with a B.A. Hons. in Law, First Class (ranked 1st in year) in 1986. He obtained the Maxwell Law Prize, also in 1986, and was called to the Bar in 1988. Mr. Catchpole is recognised as a leading silk in international arbitration, construction, professional negligence, commercial litigation, energy and natural resources and insurance and re-insurance by Chambers & Partners and the Legal 500 and is consistently recognised as a leading silk in construction law and professional negligence in the 'Legal Experts' publications.

He has been a member of the Complaints Panel since 2013.