

STATES OF JERSEY

COMMITTEE OF INQUIRY INTO TENDER PROCESS AND AWARD OF BUS SERVICE CONTRACT

BLAMPIED ROOM, STATES BUILDING

Committee: Mr Huw Shephard (President)

Mr Trevor Garrett (Member)

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In attendance Mr Mac Spence (Committee Clerk)

EVIDENCE FROM:

DEPUTY JACQUELINE HILTON

on

Tuesday, 26th April 2005

(Digital Transcription by Marten Walsh Cherer Limited,
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Reviewed 16/05/05 Committee Clerk

DEPUTY HILTON: Good afternoon.

MR SHEPHEARD: Good afternoon, Deputy Hilton. Deputy Hilton, I think you may know that the Committee is receiving evidence from witnesses on oath and, accordingly, I will proceed to administer that oath to you.

Deputy Hilton was sworn

MR SHEPHEARD: Thank you. Now, Deputy Hilton, it is the Inquiry's understanding that you have asked to give evidence before us in relation to certain matters that have come to your attention as a result of other evidence received by the Committee being published; is that right?

DEPUTY HILTON: That is correct.

MR SHEPHEARD: Please tell us what it is that you want us to know.

DEPUTY HILTON: Right, okay. I became aware obviously of the evidence that had been given by Senator Edward Vibert, and I just wanted to respond to the Committee on my memory of the events around that time. **(Pause)**

Around that time, it was a very, very difficult time for the Committee. My memory of the events that took place, I can't remember the exact dates that the meetings took place between myself and Senator Vibert in De Gruchy's. I understand that he submitted some evidence here which I have actually got here in front of me. Those meetings did take place, but, as far as the dates go, I would have to trust that you have managed to verify those dates yourself.

My memory of what was said at those meetings generally was all about the shift allowance and who was aware of the shift allowance and when they were aware of the shift allowance. Senator Edward Vibert was absolutely adamant during those meetings, which used to be quite heated, that the officers at Public Services were aware of the shift allowance back in February 2002. His reasoning, I believe, behind that assumption was because he had been corresponding with Mr Lewis of Jersey Bus and that he had taken possession of some notes from Mr Lewis at Jersey Bus, stating that Alan Muir, who works at Public Services, had indeed been present at a meeting with a representative from Halcrow when he alleges the subject of the shift allowance was actually discussed in Alan Muir's presence. From the discussions that I had with him around this time, he was adamant that Mr Muir was there, and that was the basis of most of the discussions that I had with him.

The difficulty I had with that was I only had one side of the story and I think Senator Vibert had great difficulty in not being able to understand why I wasn't going to condemn out of hand one person's version of what happened. I only was aware of what he was actually telling me which was, in his opinion, Alan Muir was present at the whole of that meeting when the shift allowance was discussed and basically -- excuse my French -- what a lying bastard he was to say anything differently.

On the occasions that I met with Senator Vibert to discuss this, what I tried to get across to him was that I wasn't prepared to make a decision, you know, without actually having all the evidence in front of me and actually having spoken to the officer myself, as I hadn't at the time. I read through the statements that the Senator has provided to the hearing, and I do have difficulty with some of what is contained in it, in that I feel that he is putting words into my mouth, which I really don't like. That is why I wanted to come here today and try and put across my version of how I saw it at the time.

In front of me I have got the paper which has "448" written in the top right-hand corner, one of the statements that Senator Vibert had submitted, where he talks about the meeting we had was a difficult meeting. This is the one in De Gruchy's in mid-December and, yes, it was a difficult meeting because of his entrenched position on whether the civil servant was actually present or not.

He says in this statement that I told him on several occasions that people from Jersey Bus could not be trusted. I refute that. I do not believe that I would have said that the people from Jersey Bus could not be trusted. I agree I may have said that it might have been difficult, or indeed it had been difficult, to get information from Jersey Bus in relation to loadings and various other things, but I don't believe that I would have said that they could not be trusted. So I do have difficulty with that statement that he puts there.

On the third page, he goes on to say, in the third paragraph: "*I said: 'So it's a question of I support my President right or wrong for the sake of the team.'* *She said: 'You know I am a very loyal person.'* *I said: 'You have a duty to your electorate'*", blah de blah de blah.

Actually, I think it was a bit further on. He went on to say that I would support my

President right or wrong and I would have said to him: “Yes, I am loyal to my President, I am loyal to the Committee”, but, just because Senator Vibert had decided that he was going to bring a vote of no confidence in the Committee, wasn’t reason enough as far as I was concerned for me to resign from the Committee before that actually happened. Yes, I did support my President, but I don’t believe I would have said “I support my President right or wrong.” I just wanted to make that point as well. That was actually in his transcript that is contained here.

So really the point I wanted to put across was I don’t want ... it would seem from these statements that, unless he had actually recorded me, tape recorded me at the time, I find it very, very difficult to believe how he can produce statements like this, and there is information in those statements about things that I was reputed to have said that I just do not agree with.

MR SHEPHEARD: If I have understood you correctly, Deputy Hilton, your concern is that the Committee should not accept as accurate the exact words attributed to you by Senator Vibert; is that right?

DEPUTY HILTON: Yes, that is what I am trying to say. I agree that the main thrust of discussion between us was always the shift allowance. It was always the meeting that took place on February 28th and who was and wasn’t present and who knew about the shift allowance. A mistake had been made in that, you know, I accept later on that the officers were aware at the end of May. The officer in question had been made aware at the end of May through the representative of the TGWU that this shift allowance had been submitted as a claim, but really what I would like to say is that I had no reason to ever doubt what the officers were saying at that time with reference to when he attended and when he was informed about the shift allowance. As far as they were concerned, they have always stated quite clearly that they weren’t aware of the shift allowance until the end of May and I had no reason to disbelieve them.

MR SHEPHEARD: Well, Deputy, if you have looked at the whole of the evidence that the Committee has published on its website, you will see that we have received a considerable body of evidence relating to who said what, when and who was at what meeting and when and that is, of course, something that we are going to have to sort out in our minds to see what conclusions we have reached over the next couple of weeks. I don’t know if there are any points that Mr

Garrett wants to explore.

MR GARRETT: No, thank you.

MR SHEPHEARD: I don't know that I have got any questions that I need to put to you either. I think, if you have covered what you want to cover with us, then ----

DEPUTY HILTON: That was the main point. I didn't want people to think that the papers that had been submitted, that I have in front of me, were exact. You know, I do not believe that that was exactly what was said at the time.

MR SHEPHEARD: That is obviously a matter that the Committee will come to a conclusion on and we will report on it. Thank you. Thank you very much, Deputy Hilton.

DEPUTY HILTON: Thank you.

MR SHEPHEARD: Thank you, everyone, for coming. The Committee of Inquiry is now closing its sessions for receiving oral evidence and we will continue in private session to deliberate what should go into our report. Thank you.
