

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY POLICY &
RESOURCES COMMITTEE

THE ADMINISTRATIVE DECISIONS (REVIEW) GUERNSEY LAW, 1986 – THE
APPOINTMENT OF ADDITIONAL MEMBERS TO THE COMPLAINTS PANEL

The States are asked to decide:-

Whether, after consideration of the Policy Letter entitled “The Administrative Decisions (Review) Guernsey Law, 1986 – The Appointment of Additional Members of the Complaints Panel”, dated 18 May 2021, they are of the opinion: -

1) To appoint:

- (a) Mr. Christopher Bound;
- (b) Advocate Thomas Carey;
- (c) Mr. Andrew James Castle;
- (d) Mr. David Anthony Chapman;
- (e) Mr. Richard Denton;
- (f) Advocate Simon Patrick Florance;
- (g) Mrs. Zoë Carmen Candida Lihou;
- (h) Ms. Joanne May;
- (i) Mr. George Arthur Riley;
- (j) Miss. Lisa-Jayne Vizia; and
- (k) Ms. Gayla Lynne Wright

as members of the Complaints Panel, in accordance with section 1A(1) of the Law.

2) To note the appointments of:

- (a) Mr. Christopher Bound;
- (b) Advocate Thomas Carey;
- (c) Mr. Andrew James Castle;
- (d) Mr. David Anthony Chapman;
- (e) Mr. Richard Denton;
- (f) Advocate Simon Patrick Florance;
- (h) Mrs. Zoë Carmen Candida Lihou;
- (i) Ms. Joanne May;
- (j) Mr. George Arthur Riley;

- (k) Miss. Lisa-Jayne Vizia;
- (l) Ms. Gayla Lynne Wright;
- (m) Ms. Shelaine Kay Green;
- (n) Advocate Michael Adkins;
- (o) Mrs. Jennifer Benjamin;
- (p) Mrs. Audrey Branch;
- (q) Mr. Roy Burke;
- (r) Mr. Ian Carter;
- (s) Mr. David Harry, and
- (t) Advocate Julia White

as independent Members of the Review Board.

The above Propositions have been submitted to Her 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.

POLICY & RESOURCES COMMITTEE

THE ADMINISTRATIVE DECISIONS (REVIEW) GUERNSEY LAW, 1986 – THE APPOINTMENT OF ADDITIONAL COMPLAINTS PANEL MEMBERS

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

18 May 2021

Dear Sir

1. Executive Summary

- 1.1 The “Review Board System”, as it is referred to colloquially under the Administrative Decisions (Review) (Guernsey) Law, 1986 (“the Law”), consists of three independent bodies/functions: the Complaints Panel, the Panel of Members and the Review Boards convened to hear a matter referred to them. These bodies hold Committees of the States to account for a range of administrative decisions and actions that they make against which a person remains aggrieved after exhausting all internal complaints processes. A diagram in Appendix 2 of this Policy further explains the process.
- 1.2 Section 1(A)(1) and 1(A)(2) of the Law requires the States of Deliberation, upon the recommendation of the Policy and Resources Committee (as the sponsoring Committee for these functions) to appoint an independent Complaints Panel consisting *“of such number of persons as in the opinion of the States is necessary for the purposes of carrying out the functions of the Complaints Panel”* and whose membership shall be composed of *“persons who, in the opinion of the States, have sufficient experience and knowledge to enable them to decide matters likely to fall for decision by the Complaints Panel.”*
- 1.3 In September 2019, the States of Deliberation appointed the first ten members to the Complaints Panel, to serve until the next General Election. Advocate Michael John Adkins was appointed as member and chairman of the Complaints Panel. Mrs. Jennifer Benjamin, Mr. John Bate, Mrs. Audrey Branch, Mr. Roy Burke, Mr. Ian Carter, Ms. Shelaine Green, Mr. Boyd Kelly, Mr. David Harry and Advocate Julia White were also appointed as members.

- 1.4 In addition, Section 4 of the Law requires the Chairman of the Panel of Members to appoint an independent Member (who is not a States Member nor a Dean of the Douzaine) to sit on each Review Board that is convened. With the exception of Ms. Shelaine Green, who did not apply for the role in 2019, the same persons listed in paragraph 1.3 were also appointed to serve a standing panel of independent Members of a Review Board until the General Election in 2020.
- 1.5 Mr. Bate and Mr. Kelly have since resigned from both the Complaints Panel and the standing panel of independent Members of a Review Board in order to pursue other interests. The Committee wishes to thank them both and the serving members of the Panel for volunteering their time and energy to serve the Review Board system.
- 1.6 The Law does not numerically limit the membership of the Complaints Panel. To date, cases referred to the Complaints Panel are investigated concurrently, engaging multiple members. Given the size of jurisdiction, some members are unable to be involved in a matter due to conflicts of interest or for other valid reasons. In order to ensure that the Complaints Panel and each Review Board have the capacity to operate effectively to fulfil their legal duties under the Law including making timely decisions, both panels require a number of additional members.
- 1.7 The purpose of this Policy Letter is to ask the States of Deliberation to appoint eleven additional members to the Complaints Panel:
- a) Mr. Christopher Bound, Advocate Thomas Carey, Mr. Andrew James Castle, Mr. David Anthony Chapman, Mr. Richard Denton, Advocate Simon Patrick Florance, Ms. Zoë Carmen Candida Lihou, Ms. Joanne May, Mr. George Arthur Riley, Miss. Lisa-Jayne Vizia and Ms. Gayla Lynne Wright in accordance with section 1A(1) of the Law.

2. The Appointments Process for the standing panel of independent Members and the Complaints Panel

- 2.1 In late 2020, the Policy & Resources Committee advertised widely for members of both the Complaints Panel and the standing panel of independent Members. All of the proposed candidates listed in this Policy Letter applied to be appointed to the Complaints Panel. Ms. Shelaine Green and all of the proposed candidates also applied to be part of the standing panel of independent Members, given the similar skills and experience required for both roles.
- 2.2 The Committee wishes to thank all eighteen applicants for their interest in these roles.

2.3 All of the applicants were interviewed by Deputy Carl Meerveld, the current Chairman and Mrs. Christine Goodlass, the current Vice Chairman respectively of the Panel of Members, together with Advocate Michael Adkins, the Chairman of the Complaints Panel and the Principal Officer to the Review Board System.

2.4 The interview panel was impressed with the calibre and the broad range of experience of all the applicants, especially as demonstrated during their interviews. The proposed candidates have a very good understanding of the roles and the skills that would be required of them to ably carry out their functions under the Law, including the ethics required to deliver unbiased and fair decisions. They all also demonstrated the important skills required to work together as a team.

3. Appointments to standing panel of independent Members

3.1 As part of the joint recruitment process, the Chairman of the Panel of Members, acting under the powers conferred to him under section 4 of the Law has re-appointed Advocate Michael Adkins, Mrs. Jennifer Benjamin, Mrs. Audrey Branch, Mr. Roy Burke, Mr. Ian Carter, Mr. David Harry and Advocate Julia White as independent Members of a Review Board.

3.2 In addition, Ms. Shelaine Green and those persons proposed in this Policy Letter as additional members of the Complaints Panel, namely: Mr. Christopher Bound, Advocate Thomas Carey, Mr. Andrew James Castle, Mr. David Anthony Chapman, Mr. Richard Denton, Advocate Simon Patrick Florance, Mrs. Zoë Carmen Candida Lihou, Ms. Joanne May, Mr. George Arthur Riley, Miss. Lisa-Jayne Vizia and Ms. Gayla Lynne Wright were also all appointed to serve the standing panel of independent Members of the Review Board until the next General Election.

4. Recommendations for appointment to serve on the Complaints Panel

4.1 The Policy & Resources Committee is satisfied that all those listed in paragraph 4.3 below have the requisite skills and experience and are fit and able to carry out the functions of the Complaints Panel as established under the Law.

4.2 The proposed composition of the Panel represents a good balance and diversity in experience, skills, gender and backgrounds, all of which facilitate and enrich good team - work and decision-making.

4.3 The Policy & Resources Committee proposes:

- Mr. Christopher Bound;
- Advocate Thomas Carey;
- Mr. Andrew James Castle;
- Mr. David Anthony Chapman;

- Mr. Richard Denton;
- Advocate Simon Patrick Florance;
- Mrs. Zoë Carmen Candida Lihou;
- Ms. Joanne May;
- Mr. George Arthur Riley;
- Miss. Lisa-Jayne Vizia; and
- Ms. Gayla Lynne Wright,

be appointed as members of the Complaints Panel, in accordance with Section 1A(1) of the Law.

4.4 The Policy and Resources Committee is of the opinion that all the proposed candidates meet the requirements of Section 1A(2) of the Law and they *“have sufficient experience and knowledge to enable them to decide matters likely to fall for decision by the Complaints Panel”*.

4.5 Section 1A(5) of the Law prevents members of the Complaints Panel from membership of the States of Deliberation and its committees. Complaints Panel Members may not be a Dean of a Douzaine, nor hold Judicial office in the Bailiwick or be an employee of the States. The Policy and Resources Committee confirms that the candidates are not excluded by Section 1A(5) of the Law.

4.6 A short summary of the curriculum vita of each of the proposed appointees is set out in Appendix 1 to this Policy Letter.

4. Compliance with Rule 4

4.1 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.

4.2 In accordance with Rule 4(1), the Propositions have been submitted to Her Majesty's Procureur for advice on any legal or constitutional implications.

4.3 In accordance with Rule 4(3), the costs associated with the operation of the Complaints Panel and the operation of the Review Board process will be met from with the budget already allocated for this function.

4.4 In accordance with Rule 4(4), the Propositions have the unanimous support of the President and Members of the Policy & Resources Committee.

Yours faithfully

P T R Ferbrache
President

H J Soulsby
Vice-President

M A J Helyar
J P Le Tocq
D J Mahoney

APPENDIX 1 - Summary of Curricula Vitae of proposed Complaints Panel Members

(a) Summary Curriculum Vita for Mr. Christopher Bound

Chris Bound was raised in Guernsey and read law at The University of Southampton. He qualified as a Solicitor and Chartered Secretary and worked for a London-based FTSE-listed group as in-house counsel. On his return to Guernsey in 1988, he was admitted as an Advocate of The Royal Court and joined what was then Collas Day & Rowland. He led the strategy and management of the firm from 2003 and served as Senior Partner from 2009 until he retired from legal practice in 2018.

Mr Bound has served as a director or trustee of several local high profile not for profit organisations. He played a key role in setting up and serving on The Guernsey Training Agency, bringing together the Guernsey Financial Services Commission, States of Guernsey and local industry. He currently serves as a director of a significant Guernsey charity and also of companies involved in insurance, investment and land ownership.

(b) Summary Curriculum Vita for Advocate Thomas Carey

Advocate Carey is a partner in the corporate and finance group at Carey Olsen. He advises clients both locally and internationally on a wide variety of corporate transactions, including private equity, investment funds and restructurings.

Advocate Carey began his career with a training contract at Norton Rose in 1998-2000. He qualified as a Solicitor of the Supreme Court of England and Wales in October 2000 and then joined the corporate finance team at Norton Rose in 2000-2002. He was in-house counsel at Morgan Stanley Investment Management Limited from 2002 to 2004. He joined Carey Olsen in August 2004 and was made partner in 2008.

He was appointed as a non-voting member of the Board of Commerce & Employment Department within the States of Guernsey between 2012 and 2016. He is currently Deputy Bâtonnier of the Guernsey Bar Council.

(c) Summary Curriculum Vita for Mr. Andrew James Castle

Born in Guernsey, Mr. Castle started his professional life as a teacher on the mainland but came back to the island in 1976 where he held several posts in the Guernsey Civil Service, culminating in five years as Director of HR at the then Board of Health. In 2013 he started "Castle Defence" offering employment law advice and representation to employers and employees, including representation at Tribunal. Mr. Castle has served several terms on union executives including the NUS and the Civil Service Association (now Prospect).

Mr. Castle is a member of the Chartered Institute of Personnel Development and sits on the Executive Committee of the Retired States Employees' Association, which represents the interests of members of the Public Services Pension Scheme.

(d) Summary Curriculum Vita for Mr. David Anthony Chapman

Mr. Chapman has over 30 years' experience in the Finance Sector. From 2005 to 2021 he was employed by HSBC Private Bank and his roles included UHNW client Relationship Manager and for the latter part of his employment he was in a Project Manager role. He also has finance experience having worked for National Westminster Bank, Morgan Grenfell (C.I) Ltd and Bank of Butterfield International in both front and back office roles.

Mr. Chapman recently attained the PRINCE2 Foundation and Practitioner Certificate in Project Management.

(e) Summary Curriculum Vita for Mr. Richard (Rick) Denton

Mr. Denton a consultant and Non-Executive Director for a number of commercial businesses. He is a UK Council Member for the Institute of Directors and Lawn Tennis Association. Locally, he chairs the Guernsey Banking Deposit Protection Scheme and is a non-executive director of Guernsey Electricity Limited. He is also a Board member of local charities and co-patron of the Guernsey Cardiac Action Group.

Mr. Denton moved to Guernsey in 1997 and has 30 years' experience in financial services, including leadership roles in the banking, fiduciary and investment subsidiaries of Barclays, Fortis Intertrust, Bank of Bermuda and Coutts/Nat West. He has also been CEO of a locally head-quartered family office business.

Mr. Denton is a qualified banker, trustee, investment advisor, coach and company director. He also holds an MBA with distinction.

(f) Summary Curriculum Vita for Advocate Simon Patrick Florance

Advocate Florance is counsel to the dispute resolution and litigation team at Carey Olsen and specializes in commercial litigation and regulatory matters. His experience and expertise encompasses a wide range of areas including complex contractual disputes, shareholder and investor actions, cross-border litigation, freezing orders, contentious banking and finance issues, and property and construction disputes. Simon also advises on regulatory matters including anti-money laundering, data protection, directors' duties and renewable energy.

Advocate Florance was admitted as an Advocate of the Royal Court of Guernsey in November 2019. He was admitted as a solicitor to the Supreme Court of New South Wales, Australia and to the High Court of Australia in 1994 and as a solicitor in England and Wales in 2017. Prior to joining Carey Olsen in 2006, Advocate Florance was a director with PricewaterhouseCoopers Legal in Sydney, Australia.

(g) Summary Curriculum Vita for Mrs. Zoë Carmen Candida Lihou

Mrs. Lihou is a qualified accountant with significant experience in finance sector, internal and external audit. Her current portfolio leans towards small to medium sized businesses and utilising of technology to enable efficient accounting.

Mrs. Lihou has held many voluntary roles over the last two decades, including as a Director of Guernsey Football Association and President of Guernsey Rangers FC. She is also treasurer of Women in Public Life.

Since 2018, Mrs. Lihou has served as a member of the St Peter Port Douzenier and was elected as the Parish's Junior Constable in January 2021.

(h) Summary Curriculum Vita for Ms. Joanne (Jo) May

Ms. May is an Independent Consultant offering regulatory risk and AML/CFT solutions within the Guernsey financial services sector. This primarily involves providing advice to Boards and acting as MLRO, MLCO and Compliance Officer, as well as providing project resource and independent reviews.

Ms. May has worked in the Guernsey financial services sector for over 30 years and, has a diverse range of experience including a spell within the Investment Division at the GFSC, where in addition to the regular financial service supervision she worked on various projects, a large enforcement case and enjoyed a spell within the Innovation unit, working on several financial stability projects.

Having achieved the Professional Postgraduate Diploma in Governance, Risk and Compliance (Prof.PGDip(GRC)), Ms. May is a Fellow of the International Compliance Association and is also a Chartered Member of the Chartered Institute for Securities and Investment.

Ms. May is Secretary of the Guernsey Lifeboat Station, fundraising committee and has recently been elected to the Castel Primary School Committee. Ms. May is currently studying to become a silver accredited tour guide.

(i) Summary Curriculum Vita for Mr George Arthur Riley

Mr. Riley has over 40 years' experience in the Finance sector. He opted for early retirement in 2016 when he was MD of RBC's Investment Management Company and Head of Discretionary Investment Management for the British Isles. From 2000 he worked with RBC in Geneva where he was Appointed Chief Investment Officer, returning to Guernsey in 2006 to lead RBC's Global Investment Solutions business.

Mr. Riley has served on the Boards of Public Investment Funds regulated by both the Guernsey and Jersey Financial Services Commissions.

Prior to joining RBC, Mr. Riley worked for Lloyds Bank International, initially in the Executor and Trustee Division and latterly managing the Trust and Private Client business in Monaco. While in Monaco he was appointed President of the British Association of Monaco. He has acted as volunteer advisor to the Guernsey Youth Enterprise program on two occasions.

Mr. Riley is a Chartered Fellow of the Institute for Securities and Investment and holds the Institute of Directors Diploma in Company Direction.

(j) Summary Curriculum Vita for Miss Lisa-Jayne Vizia

Miss Vizia is a director and shareholder of Saffery Champness Registered Fiduciaries. She joined the board and company in 2010 having previously worked for a leading bank-owned international trust company.

Born and educated in Guernsey, Miss Vizia has worked in the trust industry since 1986 and has been a Member of the Society of Trust and Estate Practitioners since 1997 as well as a Member of the Institute of Directors since 2004. She has significant expertise in acting as Trustee and Director managing structures for ultra-high net worth families. She works in partnership with the clients' family offices adding value by providing proactive strategic input and becoming a trusted advisor to such families.

Miss Vizia is also responsible for Saffery Champness' headline Corporate Social Responsibility initiative, the "Saffery Rotary Walk" and is a member of the Walk Committee. This is one of the Island's largest charity fundraising events supporting dozens of charitable causes each year.

(k) Summary Curriculum Vita for Ms Gayla Lynne Wright

Ms. Wright is a senior HR practitioner having worked in commercial organisations such as SandpiperCI, Condor Group and most recently Specsavers.

Since 2018, Ms. Wright has also held the position of Non-Executive Director for Guernsey Mind supporting the charity's overall strategy in providing a service that promotes positive mental health for the community.

Ms. Wright has managed through large scale organisational restructures, global change projects, negotiated and worked with trade unions and supported a number of employment-related tribunals both in the UK and Guernsey.

Ms. Wright holds a post graduate diploma in Professional Development and Human Resources Management and is a Chartered Member of the Chartered Institute of Personnel Development as well as a trained Mental Health First Aider through MHFA England.

APPENDIX 2

Review Board System: Diagram Complaints Panel and Independent Members

