

PUBLIC TRUSTEE - RESIGNATION

508. Ms S.E. Walker to the Minister for Justice

I refer to the Public Trust Office, and ask -

- (a) has the Public Trustee, Ms Nina McLaren, resigned from her position at the Public Trust Office;
- (b) did the Public Trustee have a farewell party at the Public Trust Office; and
 - (i) if yes, on what date;
- (c) if the answer to (a) is yes, why is Ms McLaren still holding the statutory position of Public Trustee;
- (d) has the Government advertised for a new Public Trustee; and
 - (i) if not, why not;
- (e) was the former Director General, Mr Alan Piper, responsible for removing the previous Public Trustee (Mr Ken Bradley) from office and replacing him with Ms McLaren, who previously worked at Asguard Capital Management;
- (f) what was the justification for removing Mr Bradley;
- (g) did Mr Piper and Ms McLaren remove two Directors at the Public Trust Office and replace them with Mr Sean Conlin, who previously worked at Asguard Capital Management; and
 - (i) if so, what were the names of the two Directors and what was the justification for removing them;
- (h) what is the current role of Mr Sean Conlin and how long has he held that position;
- (i) did Ms McLaren hire anyone else who previously worked at Asguard Capital Management; and
 - (i) if so, who and in what position;
- (j) has Mr Conlin made any recent internal appointments in the Office; and
 - (i) if so, who and in what position;
- (k) when Mr Conlin's recent 3 year contract expired, was his Job Description Form amended; and
 - (i) if so, how was it amended;
- (l) if the Job Description Form was amended as referred to in question (k), did the selection criteria include the need for knowledge and understanding of the Investments Industry; and
 - (i) if yes, why was this included when the Investments Section is managed by a different Director;
- (m) was the new job description based on the credentials of Mr Conlin;
- (n) was there any interview process when Mr Conlin was appointed to the permanent Level 8 position of Director Client Services;
- (o) have any of Mr Conlin's relatives been appointed to positions in the Public Trust Office; and
 - (i) if so, who was the chairman of the selection committee/s for the appointment/s;
- (p) has Mr Conlin created a new Level 4 Forensic Accounting and Investigations Officer position in the Office; and
 - (i) if so, who was the chairman of the selection committee;
 - (ii) was someone from the Office promoted to the position; and
 - (A) if so, whom;
- (q) on what date was the position referred to in (p) filled and has the person so appointed commenced performance of those functions;
- (r) what role does contractor Daniel Nemorin fulfil in the Public Trust Office and by whom was he recruited; and
- (s) what is the policy regarding the levels of persons sitting on selection committees vis-a-vis the level of the position for which they are interviewing?

Mr J.B. D'ORAZIO replied:

The Department of Justice advises:

- a. Yes
- b. Yes, staff held a farewell function for Ms McLaren.
 - (i) 12 August 2005.
- c. Ms McLaren proceeded on leave on 12 August 2005 and resignation was effected at the conclusion of her leave on 31 October 2005.
- d. Yes.
 - (i) Not applicable
- e. No.
- f. A review of the Public Trust Office was conducted by an external Advisory Board established in 1997. The review recommended that the Public Trust Office move to a more commercial operating basis.
- g. As a result of the review, the positions of Director Trust Management and Director Estate Management were abolished. A new position, Director Client Services, was created which assumed many of the responsibilities of the two previous positions. This position was advertised and Mr Sean Conlin was appointed.
 - (i) Mr Alistair Borg and Mr Douglas Hollingsworth
- h. Acting Public Trustee since 15 August 2005.
- i. Yes
 - (i) Following a competitive recruitment and selection process, Ms Sarah Marmara was appointed as Manager Finance.
- j. Yes. As acting Public Trustee, all staff appointments are approved by Mr Conlin under a power of delegation from the Director General.
 - (i) After a competitive recruitment and selection process, permanent appointments approved in the last three months are as follows:
Ms Karen Wise, Investment Officer
Mr Andrew Jacobs, Trust Manager
Mr Steve Pass, Trust Manager
Ms Nisha Mewani, Trust Manager
Ms Samantha Johnson, Trust Manager
Mr Egidio Giannoli, Estate Manager
- k. Yes.
 - (i) Job Description Forms are public documents and available on request.
- l. Yes.
 - (i) The Director Client Services is a member of the Investment Committee and the Investment Portfolio Committee and Public Trustee clients have investment portfolios that fall under the responsibility of this position.
- m. No.
- n. No.
- o. Yes.
 - (i) Mr Conlin who advised the panel of the conflict and removed himself from discussion of the candidate
- p. No. The position was created by the then Public Trustee, Ms McLaren.
 - (i) Mr Conlin
 - (ii) Yes
(A) Mr James Wray
- q. 7 June 2005. Yes.

- r. Mr Nemorin is employed on a 6-month fixed term contract to help reduce the backlog of outstanding forensic accounting work. He was recruited to the position of Forensic Accounting and Investigations Officer by his manager Mr Cliff Henrisson.
- s. The Department's Human Resources Manual on Filling Vacancies contains information on composition of selection panels, however it does not include specific detail on the level of persons sitting on selection panels. As a general rule, it is advisable that persons on the panel are of a higher level than the advertised position.

[See tabled paper 1166.]