

## **Official Analyst (Jersey) Law 2022: Independent Evaluation of the Dismissal Process**

The [Official Analyst \(Jersey\) Law 2022](#) (the “Law”) provides for the establishment and functions of the office of Official Analyst to the States of Jersey. Article 3 of the Law sets out a process for dismissal from office of the Official Analyst (see Annex A). Under Article 3(6) of the Law, the Chief Minister is required to commission an independent evaluation of this dismissal process. This provision was inserted in to the Law following States approval of an [amendment](#) brought by the Corporate Services Scrutiny Panel.

The evaluation of the dismissal process must be undertaken prior to exercising the dismissal powers in the Law or within 6 months of the commencement of the Law. The Law came into force on 12 August 2022. This requires the Chief Minister to commission a review before 12 February 2023. To this end, the Chief Minister has commissioned Marbral Advisory to undertake the evaluation.

Once received, the Chief Minister will present the findings from the evaluation to the States as soon as practicable, as required by the Law.

### **Financial and Staffing Implications**

It is estimated that the independent evaluation will cost £3,875.

## Annex A

### Article 3 - Dismissal from office as Official Analyst

- (1) The Minister may dismiss the Official Analyst only if the Official Analyst –
  - (a) is incapacitated by physical or mental illness;
  - (b) has, without reasonable excuse, failed to discharge the functions of the Official Analyst;
  - (c) has otherwise behaved in a way that is not compatible with the Official Analyst continuing in office; or
  - (d) is otherwise unable or unfit to discharge the functions of the Official Analyst.
- (2) Before dismissing the Official Analyst, the Minister must provide the Official Analyst with an opportunity to respond to the allegations and must take account of any response.
- (3) Where the Minister is considering whether to dismiss the Official Analyst, the Minister may suspend the Official Analyst from office until the Minister has decided whether to dismiss the Official Analyst.
- (4) If the Minister decides not to dismiss the Official Analyst, the Official Analyst must be restored to office without loss of remuneration or any other benefits.
- (5) Article 3 of the 2018 Law (which requires notice of the termination to be presented to the States) applies to the dismissal of the Official Analyst under paragraph (1).
- (6) Within 6 months of the commencement of this Law, or before exercising the powers under this Article if earlier, the Minister must commission an independent evaluation of the procedure for dismissing the Official Analyst under this Article and present it to the States as soon as practicable after receiving it.