

States asked to sack director of civil aviation for gross incompetence

By [Nick Mann](#) | [News](#) | Published: Nov 23, 2020 | Last Updated: Nov 23, 2020

THE DIRECTOR of Civil Aviation will be sacked for gross incompetence, if the States accepts a recommendation from Economic Development.

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Dominic Lazarus, Director of Civil Aviation. (28942210)

Among the allegations are failing to manage the conflicts of interest and loyalty between the Guernsey and Jersey parts of his role as the DCA for the Channel Islands.

The position of Dominic Lazarus as DCA has been uncertain for several months, but it has now been confirmed in an urgent States report that he was suspended by Economic Development on 14 August and an investigation carried out.

That concluded on 29 September and, as a result of its findings and his response, the committee has unanimously decided that 'Mr Lazarus has misbehaved in office and has behaved in a way that is grossly incompetent'.

A redacted Investigation Report covers incidents from November 2019 until July 2020.

There were eight key allegations:

- He failed to seek advice of a technical or legal nature before making regulatory decisions, or failed to take into account such advice when provided, leading to reputational, financial and litigation risk.
- He failed to regulate in accordance with the Regulators' Code
- He failed to demonstrate a commercial mindset in his management of the relationship with customers
- He failed to communicate effectively with regulated entities, officers of Economic Development and officers appointed to support his office
- He failed to provide an effective and efficient service, by failing to lead and manage his service and resources appropriately to deliver a prompt service to regulated organisations

- He failed to take into account intellectual property rights associated with the development of Guernsey Aviation Requirements and provided the documents to the Jersey registry

- He failed to manage the conflicts of interest and conflicts of loyalty between the Guernsey and Jersey parts of his dual role as DCA for Guernsey and Jersey
- He failed to comply with the requirements of his suspension by contacting the UK Department for Transport on 17 and 18 August.

The report says that in his defence, Mr Lazarus emphasised the main purpose of his office was to ensure aviation safety, and that commercial pressures were for [REDACTED] to manage. He blamed the delays on [REDACTED'S] inability to provide the required documentation to the correct standard for assessment.

He also argued he was blamed for delays when paperwork had not reached him.

He believed he provided an appropriate level of service.

Mr Lazarus also stated that his service was under resourced and the committee had not provided the funding to operate this regulatory function to a good standard.

'The investigating officer has identified evidence, which shows, on the balance of probabilities, that there is a combination of repeated poor performance, failure to learn from previous mistakes and lack of competence as a regulator on the DCA (DL)'s part,' the report concludes.

'On that basis, the committee may consider that all those aspects taken together meet the threshold in Section 1(7) of the Aviation (Bailiwick of Guernsey) Law 2008 for "misbehaviour or gross incompetence".'

Mr Lazarus was appointed by the States on 26 September 2018 having been appointed as acting director of civil aviation by the committee on 9 July 2018.

Ash Nicholas has been acting director of civil aviation and aviation security regulator for the Bailiwick of Guernsey since August, according to his online profile.

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