

COI Implementation Unit

IMPLEMENTATION OF THE RECOMMENDATIONS OF THE COMMISSION OF INQUIRY REPORT AND OTHER REFORMS

REPORT SUMMARY FOR THE MONTH OF SEPTEMBER 2022

The Commission of Inquiry Implementation Unit has reported to the Governor and Premier on the status of work completed up to the end of September 2022.

Based on the timelines agreed in the Framework for Implementation of the Recommendations of the Commission of Inquiry Report and Other Reforms:

Work on 47 of the 50 Framework recommendations has begun. The remaining three are scheduled to begin in 2023. The number of Recommendations completed remains at 13. Of the thirty-four recommendations being actioned now, 79.7% are in progress and on track and 20.3% are in progress with challenges to meet deadlines.

This change of 0.1% resulted from the completion of two actions that had been previously delayed during the month of September. The 50 Framework recommendations are currently split into 132 specific actions whose progress is tracked by the Implementation Unit. The number of actions is not static. As work to implement the recommendations continues, new projects are opened and actioned and others are closed or altered, thus the number of actions changes. The aim through all of this is to ensure that the Implementation effort effects genuine long lasting reform, while being as efficient as possible and keeping to agreed timelines.

The Dashboard gives a pictorial summary of the status of the fulfilment of the COI recommendations as agreed in the Framework. The Key shares each of the 50 Framework Recommendations now being worked on as the main focus of Government of the Virgin Islands to raise our standards of governance in our beautiful Territory so you can track the status of work on each recommendation.

KEY OF COI FRAMEWORK RECOMMENDATIONS

A02	Review the Constitution to enable the people of the BVI to meet their aspirations, including those in respect of self-government within the context of modern democracy.
A03	Review discretionary powers held by elected public officials, removing where unnecessary or, where considered necessary, ensuring they are exercised in accordance with clearly expressed and published guidelines.
A04	Review all areas of government based on audit timetable and prepare reports on appropriate areas.
B01	Review the Commissions of Inquiry Act and make recommendations designed to improve the conduct of Commissions of Inquiry in the BVI.
B02	Establish a system of Registration of Interests, open to public access, with effective provisions to require compliance.
B03	Properly formulate and cost a plan for implementation of Registration of Interests system to cover all persons in public life.
B04	Consider extension of Registration of Interests system to other public officials on an incremental basis.
B05	Amend the Constitution to make clear circumstances in which a person seeking election to, or a Member of the House is required to declare interest in contracts with Government.
B06	Amend Constitution to make clear whether the term “Government of the Virgin Islands” encompasses statutory bodies.
B07	Review welfare benefits and grants system.
B08	Cease House of Assembly Members’ and Government Ministries’ Assistance Grants.
B09	Reallocate assistance grants funds to Social Development Department for distribution.
B10	Review local district projects and develop open and transparent process for proper recording, assessment and monitoring of projects.
B11	Determine process for allocating grants for educational scholarships.
B12	Audit all grants made by House of Assembly Members for the last three years.
B13	Audit all four COVID-19 Assistance Programmes.
B14	Criminally investigate obstruction of the Internal Auditor by the Premier’s Office related to COVID-19 Assistance Programmes.
B15	Criminally investigate obstruction of Auditor General by Premier’s Office, related to COVID-19 Assistance Programmes.
B16	Consider amending the Audit Act to make a failure to cooperate with or otherwise impede Auditor General a criminal offence.
B17	Amend the Public Service Code and Service Commission Regulations to make failure to cooperate with the Auditor General or Internal Auditor an act of gross misconduct.
B18	Audit all major contracts in respect of major projects in the past three years.
B19	Include provision that there be no associated contracts which together would trigger an open tender process, for all Government contracts and Include Internal Audit opinion in all proposed tender waivers to Cabinet.

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B20a	Refer SCB Harbour Development project to consider criminal investigation.
B20b	Refer VI Neighbourhood Partnership Project to consider criminal investigation.
B21a	Continue criminal investigation into Elmore Stoutt High School Perimeter Wall Project
B21b	Continue criminal investigation into BVI Airways Project
B22	Audit all Claude Skelton-Cline Government contracts since 2019.
B23	Audit EZ Shipping-Government contracts concerning provision of radar barges since 2019.
B24	Review all Statutory Boards to determine overall level of governance and steps required to remedy any deficiencies.
B25	Review provisions under which statutory bodies are established and maintained.
B26	Establish overriding statute setting out framework for all statutory boards.
B27	Constitutional Review Commission to consider whether a Statutory Boards Commission should be responsible for selecting and revoking statutory board membership and monitoring internal policies and procedures.
B28	Develop Protocol for appointment and removal of statutory board members.
B29	Consider revoking any appointments to statutory boards made since 2019.
B30	Review processes for disposal of Crown Land.
B31	Audit all disposals of Crown Land over the last three years.
B32	Refer disposal of parcel 310 of Block 2938B for criminal investigation.
B33	Review processes for grant of residency and belonger status.
B34	Audit all applications for and grants of residency and belonger status under the Fast Track scheme.
B35	Drive forward Public Service Transformation Programme.
B36	Finalise Public Service Management Code or Act.
B37	Coordinate expenditure on training of public officers within the Department of Human Resources.
B38	Review law enforcement and justice systems.

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B39	Vet all serving HM Customs and Immigration Department Officers.
B40	Investigate possible corruption within HM Customs.
B41	Consider ensuring RVIPF and other enforcement agencies have facilities and powers to prevent, monitor and detect crime.
B42	Review Criminal Procedure Rules to give courts modern case management powers.
B43	Consider revisions to Jury Act to increase size of jury pool and grant court wider powers to hear judge-only criminal trials.
B44	Consider building upon current initiatives for revising, consolidating and publishing in readily accessible form the laws of the BVI.
B45	Complaints Commissioner reports annually to Governor, Deputy Governor and House of Assembly.
OR	Other reforms including reforming the electoral process including campaign finance and ensuring enhanced cooperation and oversight.
PrS	Preparatory steps and other work required to action all Framework Recommendations

- *Report amended 29 November 2022 to correct B20 and B21 in the Key of COI Framework Recommendations*