

COI Implementation Unit

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

REPORT SUMMARY FOR THE MONTH OF DECEMBER 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 December 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 48 of the 50 Framework recommendations has begun. 15 of the Recommendations have been completed and 33 Recommendations are in progress. The Recommendations are currently split into 132 Actions. Of these, 52 (39%) are completed, 31 (23%) are in progress and on track, 26 (20%) are in progress but experiencing challenges and 22 (17%) have not been started as yet.

Most notably, during the month of December:

- Two Independent Reviewers completed and submitted their reports: B25 – The Establishment and Maintenance of Statutory Bodies and B29 - Review of the Membership of Statutory Boards. These will be submitted to Cabinet as Information Papers and laid before the House of Assembly before the relevant Ministries begin public consultation and continuing to change the relevant policies and procedures and requesting legislative amendments.
- The Auditor General completed and submitted three Reports: B12 – HOA Assistance Grants, B22 - Claude Skelton-Cline Government contracts since 2019 and B23 EZ Shipping – Government Contracts for radar barges since 2019.

The Dashboards give a pictorial summary of the status of the fulfilment of the COI recommendations as agreed in the Framework, as well as other reforms, so you can track the status of work on each recommendation. The Key lists and summarises each of the 50 COI Framework Recommendations as well as the other reforms, now being worked on as the main focus of Government of the Virgin Islands to raise our standards of governance in our beautiful Territory.

If you have any specific questions on the implementation of any of the COI Framework Recommendations or desire further information, please email the COI Implementation Unit directly at implementationunit@gov.vg.

KEY OF COI FRAMEWORK RECOMMENDATIONS AND OTHER REFORMS	
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 Constitutional Review Commission Terms of Reference to include making clear the circumstances in which a person seeking election to the House of Assembly, or a Member of the House, is required to declare interest in contracts with Government.
B06	Amend the Constitutional Review Commission Terms of Reference to include making 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	Instructions given to begin criminal investigation of the obstruction of the Internal Auditor by the Premier's Office related to COVID-19 Assistance Programmes.
B15	Instructions given to begin criminal investigation of the 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.

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B18	Audit all major contracts in respect of major projects in the past three years.
B19	Amend Cabinet Paper Drafting Process to ensure that there are no associated contracts which together would trigger an open tender process, for all Government contracts and also Include Internal Audit's opinion in all proposed tender waivers to Cabinet (Tender Waiver is no longer an option for contracts under the new Public Procurement Act and Regulations 2021 that came into force in September 2022).
B20a	Instructions given to refer SCB Harbour Development project to be considered for criminal investigation.
B20b	Instructions given to refer VI Neighbourhood Partnership Project to be considered for criminal investigation.
B21a	Instructions given to continue criminal investigation into Elmore Stouff High School Perimeter Wall Project
B21b	Instructions given to 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	Consider the establishment of an overriding statute setting out framework for the establishment and maintenance of all statutory boards.
B27	Amend the Constitutional Review Commission Terms of Reference to include considering 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	Instructions given to refer the process for the disposing of parcel 310 of Block 2938B be considered 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.

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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.
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	Build upon current initiatives for revising, consolidating and publishing in readily accessible form the laws of the BVI.
B45	Make arrangements for the Complaints Commissioner to report 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