

## **GOVERNOR STATEMENT**

Good day,

Today I stand before you, the people of the British Virgin Islands, to address the state of governance in this Territory. This is something you have heard me speak on many times before and is a matter of great significance to us all - because when a Territory has good governance, things run effectively and fairly for the people.

This Territory is built on certain principles and values, which are supported in our Constitution. These values include honesty, equality, integrity, respect and free speech.

These values are a reflection of the true character of the Virgin Islands and we must ensure that they are upheld. I have worked with countless public officers, community groups and individuals across BVI who embody these values in everything they do. As a Territory, we are all united by a common aspiration for BVI to be prosperous, safe and self-determining.

As Governor, it is my role to support the British Virgin Islands and ensure that every action we take is transparent, accountable and delivers for the people.

You will recall that in early December, I spoke openly with the public about the growing number of concerns and allegations relating to the standards of governance in BVI. These concerns were put to me by individuals across the community - including senior business leaders, public officers, community groups, media and others. Cumulatively, they paint a worrisome picture.

In the past months, the community has had many open and honest conversations about this. For the first time, many have felt confident to raise their voice. This is an important conversation for us to have, albeit difficult as those who speak up are too often silenced. However, we must continue to do so in order to protect the values of our Constitution and democracy in BVI.

I would like to take a moment to let the people of BVI know that your voices have been heard. We have received the message loud and clear – the people of BVI want better.

I also have been speaking with my colleagues in the Governor's Group including the Deputy Governor, the Auditor General, the Police Commissioner, the Registrar of Interests and others. We share responsibility for ensuring good governance and are concerned by what we have seen in our roles and the allegations put to us.

I will now set out the concerns and allegations which date back a number of years. I think this is important – not only to ensure full transparency, but also to give a voice to the voiceless.

First, there are wide concerns over the lack of transparency when it comes to spending public funds, particularly those relating to COVID-19 economic stimulus support.

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Second, there are wide concerns over the possible mismanagement of some public projects. Successive audit reports have set out practices of political interference, inflated pricing and conflicts of interest. These may have cost the public purse millions of dollars in recent years, with no sign of improvement.

Third, and linked to the previous points, there are concerns over the lack of transparency relating to Government contracts. Key concerns include a lack of fair and open competition, conflicts of interest and a lack of value for money. We need to know how individuals are getting work so we can ensure equal opportunities for all.

Fourth, there are allegations of some political interference occurring in some statutory bodies. A number of officers from our bodies have come to me with concerns about individuals being replaced by political allies and officers being coerced into circumventing protocols and taking improper practices.

There are similar allegations relating to the public service and serious allegations of attempts of interference in the criminal justice system.

Finally, there are wide concerns about intimidation taking place across our society, public services and the media with many describing 'a growing culture of fear' in BVI.

In addition to these allegations, there is growing evidence of serious organised crime infiltrating BVI. This was made clear in November, when 2,300 kilos of cocaine, with a street value of at least \$250 million, was smuggled through our borders.

Now let me be clear about the fact that these are allegations. However, they cannot be ignored and I must fulfil my Constitutional role to support the people and to uphold the peace, order and good governance of the Virgin Islands.

I have been considering for some time how best to respond with colleagues in our institutions responsible for good governance. We have taken action to bolster the security of the Territory, including with support from the UK. We have also pushed for legislative reform, which has faced what I can only conclude are deliberate delays. Furthermore, local institutions have sought to conduct their own inquiries, but have been prevented from accessing the information required to do so.

It has become increasingly clear that this is not enough. Our local institutions responsible for good governance feel hindered and unable to act without the laws and frameworks in place. Our options are exhausted, but we cannot and must not give up. The state of governance in BVI requires robust and impartial intervention now.

Therefore, I have decided to issue a Commission of Inquiry, in accordance with BVI's Commissions of Inquiry Act. A Commission of Inquiry is a body that can look impartially into matters of public concern. The Commission will look into whether corruption, abuse of office or other serious dishonesty in relation to officials - elected, statutory or public - may have taken place in recent years. If so, it will consider the conditions which allowed this to take place and make independent recommendations for improvement.

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This will be an entirely independent process led by a senior impartial judge coming from outside of the Territory, the Right Honourable Sir Gary Hickinbottom. This will help the Commission reach fair unbiased conclusions under local law. Furthermore, the Judge will have powers under the Commission of Inquiry Ordinance to collect evidence and summon witnesses in a way that our local institutions cannot.

The Right Honourable Sir Gary Hickinbottom brings with him more than 45 years of judicial experience, including 20 years as a judge. Most recently he worked as a Lord Justice of Appeal in the UK – one of the highest levels possible. He has also served as a Supreme Court Judge in the Falkland Islands and worked on a number of Caribbean legal cases throughout his career.

Later this week, I will be hosting a press conference with Sir Gary Hickinbottom to set out more detail. I will also be speaking to Public Officers with the Deputy Governor. We know that values of integrity, transparency and dedication run deep in the Public Service and that officers will continue to operate at the highest standards in support of BVI.

I hope everyone feels empowered to engage with the Commission. It will be your opportunity to shape the way things are done and help put things right for the next generation.

I hope that the Premier, Ministers and all Elected Members can and will fully support this opportunity. I am acting in full accordance with the Commission of Inquiry Act passed by Honourable Members of the House of Assembly in support of the public whom we all serve. It also has the full support of my successor.

I know some people will oppose this Commission. To those people I ask, why do you oppose getting to the truth? If you are honest – which I know, the vast, vast majority of people in BVI are – you have no reason to oppose it. It is a chance to clear names and end the allegations of corruption which threaten to plague our community.

This has not been an easy decision and I know many may feel sad that it has reached such a cumulative picture of concern. But, I believe issuing this Commission is the right decision and I hope in future will be seen as a positive moment for BVI. It will enable BVI to carve a clear path to better governance and greater self-determination. We want BVI to remain one of the safest places in the Caribbean, underpinned by an effective public service, strong rule of law and internationally successful industries. Through this Commission, we can take stock of where we are and give the people the power to say where we go next. It is inspired by the people and will deliver for the people and is one of the greatest levers under local law designed to ensure public welfare.

I will close by drawing on one of the great Hamilton Lavity Stoutt's favourite quotes. It says, "where there is no vision, the people perish." So I ask the people of BVI, what is your vision for our beautiful Virgin Islands?

Thank you.

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