



GOVERNMENT OF THE
VIRGIN ISLANDS



Self- Assessment Report

on the Implementation of the Recommendations of the
2022 British Virgin Islands Commission of Inquiry Report

“

*The Commission of Inquiry is the most
comprehensive and robust governance reform
in the history of the Virgin Islands.*

Honourable Dr. Natalio D. Wheatley
Premier of the Virgin Islands

”

24th April, 2025



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The COI Journey

The journey undertaken by the Government of the Virgin Islands (GoVI) since the publication of *The British Virgin Islands Commission of Inquiry Report of the Commissioner, The Rt. Hon. Sir Gary Hickinbottom* (COI Report) on 29 April 2022 has transformed governance in the Virgin Islands. Crucially, the implementation of the forty-eight comprehensive and fundamental reforms under a democratic framework has instilled a new culture of accountability, transparency, and fairness in the administration of the Government.

From the outset, GoVI recognized that the COI Report recommendations presented an opportunity to enact essential governance reforms that were long outstanding. The recommendations confirmed that the rapid development of the Virgin Islands since Ministerial Government was achieved largely due to political and public service leadership rather than institutional structures typically facilitating such growth. The socioeconomic advancement of the Virgin Islands, evidenced by leadership in global industries, a high standard of living, and a diverse population, stands as a testament to Virgin Islands leadership.

The implementation of the COI reforms under democratic governance has proven yet again that our confidence in the capability, resilience, and dedication of Virgin Islanders, particularly our public officers, is not misplaced. They developed and implemented the structures, processes, and procedures necessary for the reforms while simultaneously managing daily operations of the public service. This was especially challenging given the systemic conditions highlighted in the COI Report. It prompts reflection on how much progress could have been made had these overdue reforms and proper institutional developments been implemented earlier.

Some reforms involved long standing issues with significant public impact and interest, such as public assistance, residency and belonging status, and crown land management, where the need for significant administrative, policy, legislative action was evident. In these areas we integrated longstanding plans and accelerated pre-existing reforms into the COI framework. The recommendations addressed core values of public interest, necessitating an examination of how these fundamental values could be incorporated into governance structures that meet transparency, accountability, and fairness standards while preserving cultural and historical values. We are progressing towards achieving this balance through the careful implementation of policies approved by Cabinet and legislation passed in the House of Assembly.

The response to and implementation of the COI recommendations has fundamentally impacted various governance relationships, including those between the United Kingdom Government (UKG) and GoVI, as well as internal relationships between elected leaders and public officers, and elected leaders and the people they serve. Our relationship with UKG is evolving into a modern partnership based on mutual trust, respect, and cultural understanding, recognizing our right to self-determination. The relationship between public officers and elected officials now possesses greater clarity and definition, emphasizing complementary structures for stronger checks and balances. The relationship between elected leaders and the public is

developing into greater trust and confidence in political leadership, supported by mechanisms ensuring transparency, accountability, and fairness.

When GoVI and UKG embarked on this reform journey guided by our agreement under the *Framework for the Implementation of the Recommendations of the Commission of Inquiry Report and Other Reforms*, both parties agreed that the ultimate objectives were to deliver justice where wrongdoing was found, establish a new culture in government handling of public affairs, and ensure effective functioning of government institutions and systems supporting good governance. GoVI remains strongly committed to these objectives and is making substantial progress toward fully realizing them.

GoVI does not perceive the reform process as ending upon completion of the COI Report recommendations, as demonstrated by the Governance Reform Transition Plan approved by Cabinet on 30 April 2025 for ongoing governance reform, drawing on lessons from the COI experience. To this end, GoVI will publish a commentary on the conclusions, findings, and reasoning of the COI Report later this year, ensuring its future strategy is informed by a comprehensive analysis of the structural and other causes identified by the COI.

GoVI believes that the commentary will also contribute to repairing the reputation of the Virgin Islands and restoring equity to its global brand. It is vital that the perspective of the Government and people of the Virgin Islands be documented to provide a balanced understanding of this historical period for all global stakeholders, particularly current and future generations of Virgin Islanders. They must comprehend that our journey from colonial neglect to a prosperous Small Island Developing State in 2025 embodies perseverance and resilience rooted in values of faith, honesty, integrity, and independence of thought, contrary to the narrative in the COI Report.

In the meantime, we anticipate collaborating with UKG and building on our evolving modern partnership to strengthen governance in the Virgin Islands. Our public officers have demonstrated their capability in implementing reforms, but there are many lessons learned in the process. GoVI views UKG as a constructive partner in transforming these lessons into strengths. Thus, we look forward to working collaboratively to enhance the capacity of our public officers through attachments and training. We recognize the importance of robust institutions, processes, and systems and would welcome targeted assistance in these areas.

I am highly optimistic about the future of the Virgin Islands and the modern partnership with the United Kingdom. Working together, we can build a prosperous future that benefits both the governments and people of the Virgin Islands and the United Kingdom.



Dr. Natalio D. Wheatley
Premier of the Virgin Islands



THE HOUSE OF ASSEMBLY OF THE VIRGIN ISLANDS

Honourable Corine N. George-Massicote, MHA
Speaker of the House of Assembly

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Commission of Inquiry Assessment Report – House of Assembly of the Virgin Islands.

28th March, 2025



The Commission of Inquiry (“COI”) highlighted many deficiencies within the government structure and its systems; it was evident from the final report produced that reformation was necessary. The COI forced us as a Territory to reflect on the way we conducted business and created, in my view, an avenue of opportunity to modernize and standardize our way of operation. The House of Assembly had two main points of focus in the implementation process: (i) passage of Bills; and (ii) implementation of recommendation B5 of the COI report.

First, the major role played by the House Assembly (“HOA”) during the implementation process of the COI recommendations was the scrutinising and passage of critical Bills addressing concerns raised within the COI report. The process was tedious, and both Members and staff of the HOA were required to work extended hours to facilitate the large volume of reports and Bills received to be tabled and passed respectively. Many parts of our Standing Orders had to be suspended to accommodate the debate on tabled reports and expedited passage of Bills to meet deadlines. Despite the exhaustive process, we were all dedicated to the cause. While deadlines for passage of Bills may not have always been met, it was not intentional as sufficient time was not always allocated in the implementation calendar to accommodate this process. As parliamentarians, we have a duty to ensure that any Bill that is brought before HOA is properly scrutinised and fit for its purpose; this means understanding the aim of a Bill and the implications for the people of this Territory, and this process requires time for meaningful deliberations.

During my reflection of this aspect, I noted that there was no mechanism to facilitate the return of a Bill, which was passed, to HOA prior to its assent. This point was raised with members, and I have proposed that in the future, third readings of Bills be deferred to a later date. While the Standing Orders allows for this approach, it is not generally practised. I believe that a deferment period would allow for a review of the proposed amendments made to a Bill to ensure that there is no conflict with any other legislation and that the aim of the Bill is met.



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Second, an independent review was done by Mr. Denniston Fraser and a report was prepared entitled "independent Review Pursuant to Recommendation B5 of the Completed COI Report" relating to Members of HOA. Essentially, the recommendations targeted the way in which Members of HOA contracted with government and discharged their public duties and responsibilities.

Following extensive meetings and discussions with Sir Lindsay Hoyle, Speaker of the House of Commons, and other presiding officers hailing from across the Commonwealth (Africa, Australia, the Caribbean, etc), in respect to best practices, amongst other things, a plan of reformation for the House of Assembly was created. The plan included, amongst other things, the following which were integral in achieving good governance and addressing aspects of Mr. Fraser's report:

- i. creation of a Code of Conduct and associated rules and guidance, which set out the standards of behaviour expected of Members of the House of Assembly in all aspects of their public life, including the registration, declaration and recording of financial and other interest; and
- ii. creation of an independent Commission for Standards to safeguard standards, investigate complaints about the conduct of Members, report the outcome of investigations and to advise Members of the House of Assembly and public about the procedures for making and investigating complaints.

The Code of Conduct was brought into force by resolution passed in HOA on 30 October 2024, and the Parliamentary Commission for Standards Act, 2024 was passed on 6 September 2024 and assented to on 16 January 2025.

There is still much work to be done to reform and modernise HOA; however, the Members and I remain committed to this cause.

Corine N. George-Massicote
Speaker of the House of Assembly



Sustaining Governance Reform: The Deputy Governor's Perspective on the Implementation of COI Recommendation

The implementation of the 48 recommendations from the Commission of Inquiry (COI) has been one of the most rigorous and far-reaching governance reforms in the history of the Virgin Islands Public Service.

This process required a structured, disciplined, and results-oriented approach across ministries, departments, and agencies, demanding unprecedented coordination, responsiveness, and execution from senior managers and their teams. This effort has significantly reshaped governance in the Virgin Islands, strengthening institutional frameworks, enhancing service delivery, and redefining the relationship between the Government and the people.

The enactment of key governance reforms, particularly those focused on upholding integrity in public life, has laid the foundation for a transparent, accountable, and modern public service. Notably, the transition of the Public Service Code into the Public Service Management Act further solidifies the legal and operational framework supporting good governance.

Implementing these reforms necessitated changes in policies and legislation, placing considerable demands on legal institutions and the legislative process. Despite these challenges, the Public Service has demonstrated commendable commitment and urgency in executing the COI recommendations.

While inevitable setbacks arose, resilience and adaptability remained paramount, underscoring the unwavering commitment to reform. However, this reform process cannot be seen as a finite endeavour. There must be a fundamental shift in the ethos of the Public Service—one that embraces continuous improvement and transformation. This shift must be underpinned by strict adherence to the Nolan Principles of Public Life, which are the cornerstone of ethical governance:

1. **Selflessness** – Acting solely in the public interest.
2. **Integrity** – Avoiding obligations that conflict with public duties.
3. **Objectivity** – Ensuring fairness and merit-based decision-making.
4. **Accountability** – Being answerable for decisions and actions.
5. **Openness** – Fostering transparency and providing clear reasoning for decisions.
6. **Honesty** – Upholding truthfulness in all matters.
7. **Leadership** – Setting an example through adherence to these principles.

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The COI reforms have been undertaken alongside a broader transformation agenda aimed at strengthening the efficiency and effectiveness of the public service. The unwavering dedication of permanent secretaries, department heads, and public officers has ensured that these governance reforms were not merely reactive but were integrated into long-term strategic frameworks.

A key lesson from this process is the necessity of continuous assessment and adaptation. To safeguard the progress achieved, I strongly recommend the establishment of an annual assessment mechanism within the regular reporting structures between the Virgin Islands and the United Kingdom. This will ensure adherence to good governance principles, track the success of ongoing reform initiatives, and strengthen the long-term sustainability of the Territory's governance framework.

Looking ahead, embedding these reforms into governance structures and cultivating a culture of continuous improvement will be paramount. The Virgin Islands must now focus on ensuring that the principles of integrity, accountability, and leadership remain at the heart of public service. By institutionalising these reforms, we will continue to build a governance model that is resilient, transparent, and responsive to the needs of the people.

A handwritten signature in blue ink, appearing to read 'D. Archer, Jr.', with a long horizontal flourish extending to the right.

David D. Archer, Jr.
Deputy Governor

LIST OF ACRONYMS/ABBREVIATIONS

AG	Attorney General
AGC	Attorney General's Chambers
APC	Automated Passport Control
APIS	Advanced Passenger Information System
BVI	British Virgin Islands
COI	Commission of Inquiry
CJAG	Criminal Justice Advisory Group
CRC	Constitutional Review Commission
CPR	Criminal Procedure Rules
DPP	Director of Public Prosecutions
ECLAC	Economic Commission for Latin America and the Caribbean
ED	Online Embarkation/Disembarkation
ESCS	Eastern Caribbean Supreme Court
FCDO	Foreign and Commonwealth Development Office
FIA	Financial Investigation Agency
GoVI	Government of the Virgin Islands
GNU	Government of National Unity
GRAP	Governance Reform Action Plan
GRIAP	Governance Reform Implementation Action Plan
GRCC	Governance Reform Coordination Centre
GREAT VI	Governance Reform Education Awareness Transformation of the Virgin Islands
GRTP	Governance Reform Transition Plan
GRTCP	Governance Reform Transformation Communications Plan
H.E.	His Excellency
HMICFRS	His Majesty's Inspectorate of Constabulary and Fire and Rescue Services)
HOA	House of Assembly
HRD	Human Resources Department
HRMS	Human Resource Management System
ILPES	Latin American and Caribbean Institute for Economic and Social Planning
MHSD	Ministry of Health and Social Development
NRSP	National Shock Response Programme
NSDP	National Sustainable Development Plan
SPIMS	Social Protection Management Information System
SSB	Social Security Board
NIDS	National Integrated Development Strategy
NSDP	National Sustainable Development Plan
OT	Overseas Territories
PSDP	Public Service Development Program
PSMA	Public Service Management Act
PSTP	Public Service Transformation Plan/Programme
RATED	Registration Apprenticeship Training Employment and Development Programme)
ROI	Register of Interest
RVIPF	Royal Virgin Islands Police Force
SPMIS	Social Protection Management Information System
UK	United Kingdom
UKG	United Kingdom Government
VIPSLI	Virgin Islands Public Service Learning Institute

EXECUTIVE SUMMARY

Summary of the Government of the Virgin Islands COI Self-Assessment Report

The Government of the Virgin Islands (GoVI) has completed the most comprehensive and far-reaching governance reform in its history responding to extensive recommendations outlined in *The British Virgin Islands Commission of Inquiry Report of the Commissioner, The Rt. Hon. Sir Gary Hickinbottom* (COI Report). This self-assessment details the process of implementing the forty-eight recommendations aimed at modernizing governance, enhancing transparency and accountability, and building institutional capacity in the Government of the Virgin Islands (GoVI). The initiative not only redefined the way public officials operate across various Ministries and sectors—from social assistance to Crown land management—but also sets a new framework for self-governance in the Virgin Islands and collaboration with the United Kingdom Government (UKG).

1. Introduction, Context, and Purpose

1.1 The Imperative for Reform

- **Historical Legacy:** For decades, systemic deficiencies—ranging from discretionary decision-making among elected leaders to fragmented management of public assistance and land resources—have challenged efficient governance. The level of governance reform was not commensurate with the growth and development of the Virgin Islands. The COI Report, initiated against this backdrop, provided forty-eight recommendations to address long-standing issues that undermined governance in the Territory.
- **Political and Public Stakes:** Central to the reform process was a politically sensitive question: whether to lift the Order in Council held in reserve that would partially suspend the Virgin Islands Constitution, 2007. The complete and transparent implementation of the COI recommendations support the case for lifting the order and allowing the Virgin Islands to advance to greater self-governance.

1.2 Objectives and Scope

- **Key Objectives:** GoVI's implementation of the recommendations reflect advances in policy and legislative reforms, technology utilisation, capacity building, and service delivery improvements. This includes:
 - Establishing a robust integrity framework for all public officials.
 - Unifying disjointed social assistance programmes into a single, rules-based system.
 - Modernising statutory boards and ensuring standardised operations.
 - Revising critical areas, including Crown Lands management, residency and believer status processes, and public procurement procedures.
- **Scope of the Report:** The reforms span diverse sectors: from updating the legal framework (e.g., Public Service Management Act, 2024, Crown Lands Management Act, 2024, Immigration and Passport (Amendments) Act, 2024 to enhancing internal processes through the implementation of new policies, legislation and ongoing governance reforms with real-time monitoring. This report

summarises the implementation of reforms across 10 thematic areas, each tied to specific COI recommendations.

2. Overview of Reforms and Implementation

2.1 Governance and Institutional Reforms

- **Integrity Framework:**
 - **Mandates:** All elected and public officials must now adhere to a strict code of conduct; declarations of interests are mandatory.
 - **Oversight Bodies:** Bodies such as the Integrity Commission and Parliamentary Standards Commission have been established to provide independent scrutiny.
 - **Key Example:** The revamped framework required that statutory board members, Ministers, and senior public officers submit detailed disclosures—a process that will be audited on an ongoing basis.
- **Legislative Milestones:**
 - **Crown Lands Management Act, 2024:** This Act introduces transparent criteria for land valuation, disposals, and leasing. The establishment of advisory committees and a publicly accessible lands register shields the process from arbitrary decisions.
 - **Public Assistance (Amendment) Act, 2024:** Reform unified the numerous public assistance programs and replaced discretionary grants with a transparent and fair process that ensures the most vulnerable benefit from Government resources.
 - **Public Service Management Act & Code, 2024:** These provide comprehensive guidelines for recruitment, performance management, career development, and ethical conduct. They reinforce the transition from traditional practices to a performance-based public service where the roles and responsibilities of senior officials and elected leaders are clearly defined and in concert with the Constitution of the Virgin Islands.

2.2 Improved Technology and Monitoring

- **Technology Platforms:**
 - The development of systems such as the Social Protection Management Information System (SPIMS) and an updated government website streamlines operations and creates efficiency.
 - Ministries are now required to update critical information (legislation, procedures, forms) on functions in their portfolio on www.bvi.gov.vg. The newly launched governance-focused portal at www.bvi.gov.vg/governance-reform provides a one-stop shop for governance reform information and updates.
- **Monitoring Tools:**

- A Governance Reform Implementation Action Plan tracks the progress of the reform actions and milestones related to policies, legislation and processes coming out of the implementation of the forty-eight recommendations.
- Regular (monthly) monitoring of implementation by a Steering Committee, comprising of senior public officers to ensure that policies, legislation and policies implemented are relevant and fit for purpose.

2.3 Reform of Social Assistance, Statutory Boards, and Land Management

- **Social Assistance Reform:**
 - **Unified Public Assistance Programme:** The new programme eliminates House of Assembly Members' providing Assistance Grants and replaces it with a new system that centralizes resource allocation. Clear eligibility criteria and objective benefit calculations ensure that social support reaches those in genuine need.
 - **Impact:** Enhanced oversight via independent audits has increased public trust and reduced previous instances of improper discretionary grants.
- **Statutory Boards and Administrative Processes:**
 - **Standardization:** Cabinet-approved policies have set uniform standards for composition, recruitment, selection, roles, and reporting for statutory boards. This includes the development of a quarterly reporting template and mandated transparency for appointments and removals.
 - **Pilot Legislative Amendments:** Initial amendments to the legislation of five key statutory boards served as a prototype for reforms others across the public sector.
- **Crown Lands and Leasing Reforms:**
 - **Legislative Changes:** The Crown Lands Management Act, 2024 formalizes the process for land disposal, ensuring competitive bidding, clearly defined evaluation criteria, and community consultation through established advisory panels.
 - **Digital Recordkeeping:** The introduction of a centralized land register increases accessibility, transparency, facilitates public access to land data, and supports sustainable planning.

2.4 Law Enforcement, Justice, and Oversight Reforms

- **Strengthening the Justice System:**
 - Revisions include amendments to the Criminal Procedure Rules to foster modern case management and the enforcement of updated Audit Acts that penalize non-cooperation with auditing authorities.
- **Vetting and Anti-Corruption Measures:**
 - Initiatives such as the independent vetting of Customs and Immigration officers are being addressed. These aim to maintain public confidence in law enforcement by ensuring that personnel meet strict ethical and professional standards.

3. Challenges and Lessons Learned

3.1 Operational and Systemic Challenges

- **Resource Constraints:**
 - Senior officials, especially Permanent Secretaries and department heads, had to balance routine responsibilities alongside intensive reform initiatives. This dual burden occasionally delayed implementation.
- **Legacy System Deficiencies:**
 - Inadequate data collection and outdated recordkeeping systems slowed the transition to a modern, digital governance framework.
 - Consideration had to be given to cultural norms and values in formulating transparent and fair mechanisms that would meet public needs, particularly in areas such as Crown lands and social assistance.

3.2 Key Lessons

- **Strong Institutions are Fundamental**
 - The COI findings predominantly highlighted that the institutional structures were either weak or underdeveloped, primarily due to insufficient governance reform initiatives aimed at building robust frameworks to support the socio-economic development of the Virgin Islands.
- **Data Is Fundamental:**
 - Reliable data collection and systematic recordkeeping are essential for evidence-based policymaking. The COI process has underscored that without actionable data, reforms can be misdirected.
- **Value of Stakeholder Engagement:**
 - Extensive consultations with public officers, elected leaders, and citizens (through town halls and digital engagement campaigns) have been critical in building buy-in and communicating complex reforms.
- **Integrated Oversight:**
 - The formation of inter-agency committees and clear reporting mechanisms has shown the need for greater and enhanced operational efficiency and effectiveness, ensuring that ongoing reform are relevant.

4. Future Directions and the Roadmap Ahead

4.1 Sustaining and Deepening Reform

- **Governance Reform Transition Plan (GRTP):**

- Approved in April 2025, the GRTP outlines seven core objectives that include finalizing pending legislative amendments, institutionalizing monitoring practices, and ensuring that all reforms are responsive to public needs.
- The plan allocates responsibilities to various ministries and establishes deadlines for each milestone to ensure that reforms remain on track and responsive to emerging challenges.

4.2 Public Engagement and Education

- **Communication Initiatives:**

- The G.R.E.A.T VI campaign designed to drive public outreach and educate citizens on the benefits and mechanics of governance reform.
- Efforts include public town hall meetings, interactive online forums, and a dedicated section on the government website that provides updated information on governance reform.

4.3 Strengthening Institutional Partnerships

- **UK Partnership:**

- There is a clear need to transform the historical relationship with the UK Government into a modern, collaborative partnership. The provision of training and attachments, resource sharing, and technical guidance will support ongoing reform efforts of GoVI.

- **Capacity Building:**

- Investments into training programs (through institutions like the Virgin Islands Public Service Learning Institute) and digital upgrades will build the required competencies for long-term governance excellence.

- **Policy Refinement:**

- Robust mechanisms for periodic evaluation and external audits ensure that gaps are identified and addressed. This ongoing process will help embed a culture of continuous improvement and adaptation.

5. Reform Impacts

5.1 Transformational Achievements

- The successful implementation of COI recommendations demonstrates a significant leap toward modern, transparent, and accountable governance in the Virgin Islands. Key outcomes include:
 - Enhanced transparency in public administration and greater public trust.
 - A consolidated, equitable system for social assistance that prioritises objectivity over discretionary allocation.
 - Modernized legal frameworks that establish a foundation for sustained reform.

5.2 Long-Term Impact and Outlook

- **Self-Governance and Autonomy:**
 - The reforms lay a strong basis for expanded political autonomy, paving the way for a more resilient and self-determined Virgin Islands.
- **Public Confidence:**
 - With improved oversight and performance management, citizens now have enhanced avenues to engage with their government. The strengthened accountability measures signal that the government is responsive to change and committed to ethical standards.
- **Economic and Social Development:**
 - Transparent land management improved public services, and a modernized legal framework are all critical to attracting investment and facilitating sustainable growth.

5.3 Final Reflections

The GoVI has committed to stronger governance by implementing the 48 recommendations of the COI Report, emphasizing accountability, transparency, and fairness. This has improved communication, service access, enforcement, transparency, value for money, accountability, capacity building, inclusion, and socio-economic stability to better serve its population.

The reforms have set the stage for UKG and GoVI to transform their historic relationship into a mutually beneficial modern partnership based on areas outlined in this report and the National Sustainable Development Plan. This will position the Territory towards greater self-governance based on mutual trust, respect, cultural understanding, and self-determination.

SECTION 1 - INTRODUCTION

1.1 SCOPE AND PURPOSE OF THIS REPORT

This Commission of Inquiry (COI) Self-Assessment Report (the Report) by the Government of the Virgin Islands (GoVI) has been prepared as a response to one of the four items requested by the UK Overseas Territories Minister, Mr. Stephen Doughty, MP at the conclusion of his visit to the Virgin Islands from 4th to 6th November 2024. This report is to be submitted to the UK Government (UKG) to support the post Commission of Inquiry (COI) review of the progress of the GoVI in the implementation of the recommendations of the COI. This Report provides the opportunity for a fair, balanced and more comprehensive assessment of the progress made in implementing the recommendations of the COI Report, along with the three other items below.

This outcome of the assessment is expected to be a key determining factor in whether the Order in Council to partially suspend the Constitution of the Virgin Islands would be lifted. The suspension of the Constitution of the Virgin Islands had been one of the recommendations of the COI Report. However, submissions by the Government of the Virgin Islands (GoVI) not to suspend the Constitution were accepted, but an Order in Council to partially suspend the Constitution was approved in the event of a decision to suspend it.

The three other conditions that were requested by Minister Doughty at the end of his November 2024 visit to the Territory were as follows:

1. A final Review of the COI implementation by His Excellency Governor Daniel Pruce – the Governor of the Territory of the Virgin Islands;
2. Visits by officials of the Foreign Commonwealth and Development Office (FCDO) of UKG to review specific recommendation implementation; and
3. Submissions from the public on their COI implementation experience.

The request from Minister Doughty was rooted in the increasingly collaborative relationship between GoVI and UKG developed over the course of implementing the recommendations of the COI Report.

This collaboration had been significantly strengthened following the February 2024 visit of former OT Minister David Rutley, MP, to the Territory of the Virgin Islands. Meetings held during the visit with the Premier of the Virgin Islands, Honourable Dr. Natalio Wheatley, led to an agreement that specific actions would be taken to encourage stronger collaboration, to successfully complete the implementation of the recommendations. Press Release issued on 4th February, 2024, can be accessed [here](#).

The collaborative relationship was embraced and deepened by Minister Doughty, MP during his visit from 4th to 6th November 2024, when the minister took the opportunity to conduct his own on-the-ground assessment of the GoVI progress in implementing the COI recommendations. Minister Doughty further stated that the four considerations outlined previously would be discussed with the Government of the Virgin Islands, the Governor of the Virgin Islands and the UK Foreign Secretary to agree on the next steps by the second quarter of 2025. The full content of Minister Doughty's statement can be accessed [here](#).

1.2 BACKGROUND

1.2.1 Origin of the COI

By an Instrument dated 19th January 2021, His Excellency Augustus J. U. Jaspert, the then Governor of the Virgin Islands, appointed Sir Gary Hickinbottom as sole Commissioner to conduct an inquiry into:

1. whether there was corruption, abuse of office or other serious dishonesty in relation to statutory, elected or public officials in the Virgin Islands in recent years;
2. if there were such occurrences, what conditions allowed such conduct to take place and whether these conditions still might exist; and
3. if appropriate, to make independent recommendations with a view to improving the standards of governance and the operation of the agencies of law enforcement and justice in the Territory.

The inquiry commenced immediately, and Sir Hickinbottom submitted his completed COI report to the then Governor John Rankin, CMG on 4th April 2022 for his consideration. Governor Rankin subsequently made the report public on 29th April 2022. The report made four primary recommendations, and forty-five detailed recommendations aimed at rectifying systemic governance issues. One of the primary recommendations was that the United Kingdom (UK) Government consider a partial suspension of the BVI Constitution to allow the full implementation of whatever recommendations were accepted. *The British Virgin Islands Commission of Inquiry Report of the Commissioner, The Rt. Hon. Sir Gary Hickinbottom* (COI Report) is attached as **Appendix A** and can be accessed [here](#).

1.2.2 Response by the Government of the Virgin Islands to COI Report

From 2nd to 3rd May 2022, UK Minister for the Overseas Territories, the Rt. Hon. Amanda Milling MP visited the Virgin Islands where she and Governor Rankin discussed the findings and recommendations of the COI Report with the then Acting Premier and Minister of Finance, Honourable Dr. Natalio D. Wheatley and his Special Envoy Mr. Benito Wheatley, as well as representatives of the Opposition parties in the House of Assembly (HOA), who included: the Leader of the Opposition and Representative for the Eighth District Hon. Marlon Penn (National Democratic Party); Representative for the Second District Hon. Melvin “Mitch” Turnbull (Progressive Virgin Islands Movement); and Representative for the Third District, Hon. Julian Fraser (Progressives United); Attorney General, Hon. Dawn Smith; and other stakeholders from civil society and the private sector. Press Release of the OT Minister’s visit can be accessed [here](#).

In their respective meetings with the then Acting Premier and representatives of the Opposition parties, Minister Milling and Governor Rankin raised serious concerns about the governance issues identified in the report. In response, the then Acting Premier acknowledged the findings of the report, which involved the immediate past and prior Government Administrations. He expressed the urgent need for reform and a change of culture in Government to place the Territory on a new development trajectory. However, he confirmed that he did not support the implementation of the report’s recommendations to partially suspend the constitution (i.e. Recommendation A1) and was confident that governance could be improved under continued democratic governance. The then Acting Premier also confirmed that he was in full agreement with the recommended audits, investigations and fundamental institutional reforms contained in the COI Report. Statement by the Premier on his response to OT Minister can be accessed [here](#).

1.2.3 Establishment of the Government of National Unity (GNU)

Notably, on 6th May 2022, the then Acting Premier moved a motion in the HOA for a vote of no confidence in the then Premier and Minister of Finance, Hon. Andrew A. Fahie. The successful vote was unanimous. Governor Rankin subsequently swore in Hon. Dr. Natalio D. Wheatley as Premier of the Virgin Islands and Head of the Government of National Unity (GNU) comprised of members of three of the major political parties represented in the HOA. At the swearing in ceremony, Premier Wheatley pledged to lead with honesty and integrity and to champion reform. He stated that the top priority of the Government of National Unity

was the implementation of the recommendations of the COI report, except Recommendation A1. The public welcomed the Governor's appointment of a Government of National Unity, which provided political stability and offers the elected arms of Government an opportunity to demonstrate a change in political culture and the ability to implement the recommendations of the COI report under a democratic framework. Statement by the Premier on the formation of GNU can be accessed [here](#).

It was envisioned that the reform process would be completed over the course of two years in which the elected arms of Government, working in close cooperation with His Excellency (H.E.) the Governor Mr. John J. Rankin, CMG, would remain under enhanced monitoring and supervision by the United Kingdom (UK) while the recommendations are implemented.

1.2.4 Agreement between GNU and UKG and Development of an Implementation Plan

The GNU developed a proposed approach to implementing the agreed reforms in the best interest of the people of the Virgin Islands. More specifically, it set out the framework for the implementation of the recommendations of the COI Report and other reforms proposed by the GNU to strengthen good governance such as amendments to the Elections Act and the Whistleblower Act under continued democratic governance. The agreement was set out in a document entitled ***Framework for the Implementation of the Recommendations of the Commission of Inquiry Report and Other Reforms, Government of National Unity of the Virgin Islands (COI Framework Agreement)*** which has been confirmed by an Exchange of Notes. The COI Framework Agreement is attached to this Report as **Appendix B** and can be accessed [here](#).

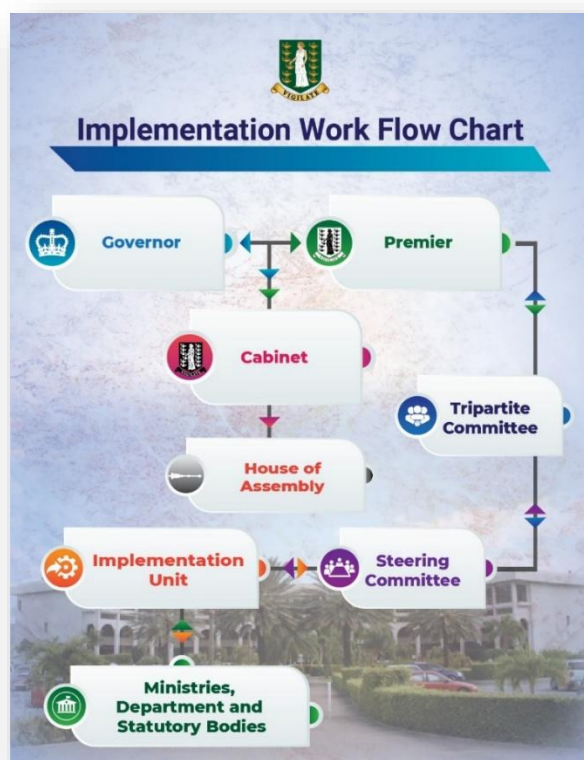
The COI Framework Agreement is one of the key documents that was used to guide the process of implementing the recommendations of the COI.

The other key document was the ***Implementation Plan for the COI Recommendations, (COI Implementation Plan)***, which is attached as **Appendix C**. The COI Implementation Plan was developed by senior public officers of the Government of the Virgin Islands in November 2022 but underwent various changes before receiving final approval from Cabinet in October 2023. This Plan established the structures and processes that facilitated the successful execution of implementation of the COI recommendations. These included:

1. Establishing an Implementation Unit to administer and monitor the implementation of the recommendations;
2. Setting up an Implementation Framework that defined the roles of the Governor, Premier, Cabinet, House of Assembly, Tripartite Committees, a Steering Committee, Ministries and other key functions;
3. Defining the Terms of Reference for the Implementation Unit (June 2022) and various committees;
4. Defining Action Plans for each of the agreed recommendations;
5. Developing a Budget for the implementation of the recommendations which was estimated to cost the Government of the Virgin Islands \$8.9 million; and
6. Setting up a monitoring framework with indicators to ensure objectives set out were met.

An updated version of the chart found in the COI Implementation Plan illustrates how the management framework functioned during the implementation of the 48 COI recommendations.

Chart 1 – The COI Implementation Framework



The Framework Agreement and the Implementation Plan demonstrated the collective commitment, capability and ownership of the recommendations by elected officials and public officers of the Virgin Islands.

Both UKG and GoVI agreed that the ultimate objectives of the reform process are to deliver justice where wrongdoing is found, engender a new culture in Government in the handling of the public's business and ensure the effective functioning of the Government institutions and systems that support good governance.

1.3 COI RECOMMENDATIONS AND IMPLEMENTATION PROCESS

1.3.1 The 48 Recommendations and Other Reforms

The GNU agreed to implement three of the four primary recommendations detailed in Chapter 14 of the COI Report (page 689), and all forty-five detailed recommendations set out at the end of chapters 3 to 13 which are presented together in the COI Report beginning on page 13. The GNU did not agree to suspend the Virgin Islands Constitution Order 2007 and proposed implementing other reforms that would strengthen good governance in the Virgin Islands.

The forty-eight recommendations (3 primary and 45 detailed), other reforms, and seven preparatory steps for implementation, were placed in an Implementation Plan that defined 131 actions for the completion, and specified the Ministry responsible for leading each, the status of actions as they progressed, challenges with implementing each and next step to track progress for each. This Plan can be found at Appendix D of the COI Implementation Plan.

The forty-eight recommendations are organised by the following subjects, with each having a chapter dedicated to its findings:

1. Elected Public Officials' Interests;
2. Assistance Grants;
3. Contracts;
4. Statutory Boards;
5. Disposal of Crown Lands;
6. Leases;
7. Residence and Belonger Status;
8. The Public Service;
9. Law Enforcement and Justice; and
10. Governance and Serious Dishonesty in Public Office.

Appendix D of the COI Implementation Plan was converted to a Management Action Plan tool to track the implementation of the forty-eight recommendations and other reforms and their corresponding 131 actions to complete the exercise. A monitoring Report was produced monthly by the COI Implementation Unit and reviewed by established committees, senior officials, Ministers, the Premier and the Governor. A website (www.vicoiimplementation.vg) was internally developed by public officers to provide online tracking of the implementation of the recommendations for the public service stakeholders, the public and media.

1.3.2 Implementation Process

The GoVI began a two-year journey to implement the forty-eight recommendations of the COI Report by 31st May 2024, based on the Framework Agreement and COI Implementation Plan. The deadline was a high-level estimate made without detailed analysis due to time constraints. A political agreement had to be quickly reached to avoid constitutional suspension recommended by the Commissioner. Although the timelines were not derived from a thorough scoping exercise, public officers proceeded with implementation despite lacking a playbook or reference for such reforms, typically handled administratively without elected officials' involvement.

The following process was developed and followed by the GoVI in implementing the forty-eight recommendations:

1. **Selection of Reviewers:** The COI Report outlined criteria for selecting Reviewers, focusing on relevant expertise within the Territory of the Virgin Islands. It recommended considering current and past senior public officers, as well as persons with significant technical expertise in areas like legal expertise. These criteria were valuable in executing the process, highlighting highly trained professionals familiar with the national context who could perform effectively with available resources. The selection process allowed more Virgin Islanders to contribute to governance reform by shaping recommendations, policies, and legislation. *List of Appointed COI Reviewers and their Profiles* is attached at **Appendix D. List of Reviewers' Report** with links to access copies of these reports is attached at **Appendix E**.
2. **Converting Reviews into Policies:** Reviewers submitted their Reports to the Governor and Premier. The reviews were directed to the Ministry responsible for analysis and action planning. Ministries consulted the public to incorporate feedback into policy recommendations for Cabinet. Most recommendations were accepted and forwarded with Action Plans. Cabinet approved these policies, with some amendments. *List of Policies approved by Cabinet* is attached at **Appendix F**.
3. **Converting Policies to Legislation:** After Cabinet advises legislative changes, the process is as follows:

- a. The Ministry drafts instructions for the Attorney General's Chambers (AG Chambers).
- b. The AG prepares and returns the draft Bill to the Ministry.
- c. Ministries circulate the draft Bill for comments before Cabinet discussion and approval.
- d. Upon Cabinet approval, the Ministry submits the Bill to the Cabinet Office for presentation to the House of Assembly (HOA).
- e. The Bill receives its first Reading and becomes a public document, encouraging public consultation.
- f. The Bill has a second Reading in the HOA, where it is explained and debated before Committee stage amendments.
- g. After amendments, the Bill is returned to the HOA for the third Reading and passage.
- h. The Bill is sent back to the AG Chambers for review and verification, then forwarded to the Governor for assent.
- i. Notice of assent must be published in The Gazette.
- j. Once assented, the Minister brings the Bill into force, with notice given in The Gazette.

The House of Assembly interpreted recommendation completion at step g (passage of legislation), while the Governor's Office interpreted it at step j (legislation coming into force). This discrepancy was resolved during a September 2024 meeting in London with OT Minister Stephen Doughty, where Premier Wheatley agreed on step g. as the completion point. These and other issues contributed to extending the deadline beyond 31st May 2024.

1.3.3 Challenges in the Implementation Process

The process of implementation of the reforms recommended by the COI Report faced several systemic challenges, which affected both the timing and scope of execution, leading to missed deadlines for specific recommendations and actions. The challenges included:

1. **Differences in Scope of Recommendations:** Many COI Report recommendations were narrowly focused on specific issues within a particular function. The Government of the Virgin Islands (GoVI) considered the entirety of each function and adopted a more comprehensive approach to implementation to ensure that recommendations were implemented in a comprehensive and sustainable manner. Clear examples of this can be seen in the recommendations concerning social assistance, residence and belonging status, and statutory boards functions. These reviews and implementation actions extended well beyond the scope of the COI recommendations, requiring additional time for implementation. More details will be provided in Section 3.
2. **Competing Demands:** The primary drivers of implementation, Permanent Secretaries, retained their regular responsibilities of managing ministries and had to divide their time and attention to execute the COI recommendations. This dual burden was taxing on these public officers and impacted the timelines for many recommendations.

3. **Election Cycle:** The general election of 2023 significantly disrupted the implementation process as attention shifted to election-related activities, consuming three to four months with pre- and post-election tasks. The transition from the Government of National Unity to a single-party Government further delayed the implementation as efforts had to be restarted.
4. **Budgetary and Planning Cycle:** The production of the annual budget required focused, significant, and sustained attention from Permanent Secretaries and senior officers, diverting time from COI matters. Additionally, ongoing efforts to recover from the post impacts of Hurricanes Irma and Maria in 2017, as well as the residual impact of the COVID-19 pandemic restricted resources and hindered the acquisition of additional assistance.
5. **Systemic Deficiencies:** Many government processes and procedures lacked efficiency and effectiveness due to disruptions in the planned reforms of the Public Service Transformation Programme caused by the aforementioned challenges. Implementing recommendations within the existing systemic deficiencies proved difficult and resulted in delays in some instances. An example is the legislative process, which involves numerous moving parts contributing to slowed implementation.

1.3.4 Managing the Implementation Process:

The responsibility for delivering governance reform was shared among the Governor, Premier, Cabinet, Ministries of Government, and the House of Assembly (HOA). Their roles were outlined in the Framework Agreement as follows:

1. **Governor:** Monitored implementation with the Premier, led COI Report recommendations, appointed reviewers and auditors, published reviews, facilitated assistance, addressed delays, reviewed contracts and Crown Land sales, and hosted meetings.
2. **Premier:** Monitored implementation with the Governor, led COI Report recommendations, ensured agency support, reprioritised budget, addressed delays, hosted meetings, and drove legislative agenda.
3. **Weekly Coordination Meeting:** Established to facilitate joint responsibilities between the Governor and Premier, supported by the Governance Reform Coordination Centre. Meetings were held weekly from February 2024 with administrative support from the COI Implementation Unit.
4. **Cabinet:** Approved policies, cooperated with audits and investigations, acted against wrongdoing, and committed to new procedures.
5. **House of Assembly:** Passed legislation, approved funding for audits and law enforcement, and amended Standing Orders.
6. **Tripartite Committee:** Guided COI recommendation implementation, resolved issues, and included Governor, Premier, Ministers, Permanent Secretaries, Deputy Governor, Attorney General, Financial Secretary and Cabinet Secretary, supported by Director of Strategy (FCDO), Communications and Policy Officer (FCDO), Director of COI Implementation Unit and other members of the COI Implementation Unit. Tripartite Project Groups were established to address complex areas of recommendations, specifically those with cross-ministry implications, focusing on Governance and Integrity; Social Assistance Grants; Statutory Boards; Public Service Transformation, Law Enforcement, Residence and Belonger Status, and Electoral Reform. Each group had Project Leads who reported to the Steering Committee, and Project Sponsors who reported to the Tripartite Meeting.
7. **Steering Committee:** Provided status updates, coordinated activities, addressed challenges, and escalated issues. Chaired by Permanent Secretary, Premier's Office, then Governance Reform Delivery

Manager. Included Permanent Secretaries, the Financial Secretary, the Hon. Attorney General and the Cabinet Secretary; supported by supported by Director of Strategy (FCDO), Communications and Policy Officer (FCDO), Director of COI Implementation Unit and other members of the COI Implementation Unit.

8. **COI Implementation Unit:** Facilitated implementation, provided support, coordinated stakeholders, and transitioned members to the Ministry responsible for ongoing governance reform. Led by Director until 31st May 2024, then by the Governance Reform Delivery Manager until 31st August 2024. The Unit also provided technical and administrative support to the Tripartite meeting, Tripartite Project Group Meetings, Steering Meeting, and Coordination meeting. The Unit was led by the Director, COI Implementation Unit until 31st May 2024 and the Governance Reform Delivery Manager thereafter. The members of the unit transitioned to the Ministry responsible for the COI to assist with ongoing governance reform. The Governance Reform Delivery Manager, appointed on 1st April 2024, played a key role in transitioning to ongoing governance reform. Press Release on his appointment can be accessed [here](#).
9. **The Governance Reform Coordination Centre (GRCC):** Established in March 2024, the GRCC was created through an agreement between OT Minister David Rutley and Premier Hon. Dr. Natalio Wheatley to form a broader reform working group. It operated until 31st August 2024 and enhanced collaboration between GoVI and UKG, improving efficiency and addressing challenges. The GRCC:
 - a. Fostered collaboration between the Governor's Office and the COI Implementation Unit.
 - b. Addressed implementation issues and made recommendations to stakeholders.
 - c. Prepared information for weekly Coordination Meetings between the Governor and Premier.
 - d. Followed up on actions from meetings to drive implementation progress.

Statement from Governor Daniel Pruce on his Sixth Quarterly COI Review regarding the GRCC can be accessed [here](#).

1.3.5 Ministries, including Departments and Statutory Bodies

Ministries were responsible for implementing recommendations operationally and were involved in guiding, problem-solving, and reporting at both the Steering Committee and Tripartite Meetings. They analysed COI recommendations, prepared action plans, executed Cabinet-approved actions, allocated resources for implementation, and balanced this with their daily operations. Additionally, they implemented reform policies approved by the Cabinet and legislation approved by the HOA.

1.3.6 Monitoring, Evaluating and Reporting Tools

The COI Implementation Plan created a structure for monitoring the progress of the forty-eight recommendations. This structure, outlined in Appendix D of the plan, was included in the Governance Reform Action Plan (GRAP), a report managed by the COI Implementation Unit. The GRAP report was updated weekly and used during the Governor-Premier Coordination meetings, Steering Committee meetings, and Tripartite Committee meetings. It tracked the progress of recommendations as they were implemented and listed the following:

1. the actions and sub-actions associated with each recommendation
2. the Ministry responsible for its implementation
3. the current status of actions and sub-actions

4. listed updates to actions and sub-actions
5. start date and end date for actions

The ***Governance Reform Action Plan*** is attached as **Appendix G**.

1.3.7 The Cost of Implementing the COI Report

The COI Implementation Plan provided a structure for capturing the cost of implementing the COI recommendations in Section V. Many of the recommendations involved use of existing resources in the Public Service, whereas others required additional resources.

Table 1 is a summary of the direct costs incurred by the Government during the COI process, prior to the completion of the report and since implementing the recommendations of the COI.

Table 1 - Commission of Inquiry Financial Report (2022 - 2024)

Pre COI Recommendations Report		
No.	Description	Amount
1	Legal Consultancy fees for the House of Assembly	\$219,995.50
2	Legal fees for His Excellency the Governor	\$44,220.00
3	Legal fees for the Government	\$6,969,320.43
4	Public Relations Consultancy	\$928,071.79
5	Security for the Inquiry Response Unit	\$2,182.92
Total Pre-Implementation Direct Costs		\$8,163,790.64
Post COI Recommendations Report		
No.	Description	Amount
1	Ports Policing	\$1,044,849.04
2	COI Team (Police)	\$2,502,017.64
3	Reviewers	\$66,000.00
4	COI Implementation Unit	\$163,003.71
5	Constitutional Review Commission	\$122,375.00
6	Consultancies	\$591,689.76
Total Post COI Recommendations Report		\$4,489,935.15

There were also indirect costs that were incurred on behalf of the Government of the Virgin Islands by UNICEF and the World Food Programme (WFP) as part of their technical and financial cooperation with the Ministry. UNICEF's contribution totalled \$173,638 and WFP's contribution totalled \$78,993.

SECTION 2 - METHODOLOGY

2.1 RATIONALE FOR METHODOLOGY

The rationale behind this approach stems from the collective acknowledgement of the GoVI that implementing the recommendations of the Commission of Inquiry (COI) holds historical significance for the Virgin Islands. It potentially marks one of the most pivotal moments in the territory's governance since the events leading to the 1949 March and the reinstatement of the Legislative Council in 1950. Therefore, it is crucial to evaluate the implementation process from the Government of the Virgin Islands' perspective, understanding its implications for future governance practices, and discerning the necessary decisions for continued advancements in governance. This multi-perspective assessment aims to provide contextual insights into the factors influencing the successful navigation of the COI process.

2.2 METHODOLOGY

The methodology for producing this Self-Assessment Report encompasses the scope, process, changes, impact, and conclusions related to implementing the COI Report recommendations, as detailed below:

1. **Scope:** In several instances, the Government of the Virgin Islands (GoVI) has exceeded the measures prescribed in the COI Report recommendations. The GoVI utilised these recommendations to tackle long-standing issues and instituted reforms that were either previously contemplated or planned. This Report covers the full scope of both perspectives, highlighting how these recommendations advanced governance in the Virgin Islands despite the absence of such extensive reforms historically.
2. **Process:** Implementing the recommendations involved testing various processes, which sometimes presented challenges. This Report identifies some of the systemic issues encountered during implementation and the specific challenges they posed.
3. **Changes:** Reforms derived from the COI Report recommendations have altered government operations, public service management, service delivery, and overall governance within the Territory. This Report highlights these changes and identifies areas requiring further reform through ongoing governance improvements.
4. **Impact:** The implemented changes will influence the future development of governance in the Virgin Islands. The Report identifies the most significant impacts and how they will shape governance, enhance self-governance, foster development, build public trust, and contribute to constitutional progress.
5. **Conclusion:** The Conclusion section of this Report will summarise the GoVI's stance on the recommendations and their implications for governance reform within the Virgin Islands context. Additionally, it will highlight key lessons learned that will inform the Government's ongoing governance reform agenda.

2.3 METHODOLOGY CRITERIA AND REPORT CONCLUSION

Input for the above areas was gathered from interactions with various stakeholders, including reviewers, senior public officers, the public through Town Hall meetings and political leaders. The GoVI's assessment of the COI process and its recommendations and conclusions are supported by this methodology.

SECTION 3 - IMPLEMENTATION OF THE COI RECOMMENDATIONS

3.1 INTRODUCTION

This section reviews the ten subject areas covered in the recommendations section of the COI Report, along with the forty-eight recommendations within their respective domains. Each recommendation, along with its review, audit, or investigation, will be analysed based on its scope, process, changes, and impact. This analysis

is derived from reports produced by the lead implementer of the specific recommendation, typically the Permanent Secretary for the subject area. Detailed ***Reports from Ministries*** are attached as **Appendix H**. This section will summarise their contributions as follows:

1. the extent of implementation compared to what was recommended by the COI;
2. the process used to implement the recommendations;
3. changes to policies, legislation, and other measures resulting from the implementation of recommendations;
4. the impact of recommendations in terms of benefits and positive changes to governance in the Virgin Islands, public service, and delivery of services to the population; and
5. the GoVI's conclusion on each recommendation, including lessons learned.

Key governance functions that support policy development and legislative change were critical to the implementation process and are also examined in this section. Perspectives from the Cabinet Secretary, Attorney General, and Clerk of the House of Assembly have been collated and reviewed.

Additionally, this section will examine the audits and investigations conducted under the Governor's authority, assessing how reforms in areas such as procurement, grant policies, and governance changes responded to the recommendations.

3.2 IMPLEMENTATION OF THE 48 COI RECOMMENDATIONS

The following is a summary of the recommendations implemented citing their scope, process, changes, impact and conclusions:

Recommendation A2: Constitutional Review

"I recommend that there be an early and speedy review of the Constitution, with the purpose of ensuring that abuses of the type I have identified do not recur, and establishing a Constitution that will enable the people of the BVI to meet their aspirations, including those in respect of self-government within the context of modern democracy. That will require a Constitution that is sufficiently robust to ensure adherence to the principles of good governance within government, but which also enables the progressive development of the BVI's own political institutions. The Constitutional Review I propose must be broad. Without restricting its ambit in any way, in my view it will need to address the following issues (amongst others):

1. *how the executive ministerial government can be held to account in the House of Assembly (e.g. by some different structure, number and/or configuration of seats) and/or in other ways*
2. *whether the current constitutional pillars of governance are sufficient, and in any event how those independent institutions can be effective*
3. *the powers that need to be reserved to the Governor, and how issues as to the exercise of devolved and reserved powers respectively, when they arise, are to be resolved*
4. *a mechanism for the transfer of reserved powers to the devolved BVI Government in the future, without a further change to the Constitution being required*
5. *whether there should be a regime in relation to election expenses in the form of (e.g.) a requirement on election candidates to submit a breakdown of expenses including donations above a specific sum and/or a cap on such expenses*
6. *whether statutory boards should be embedded in the Constitution and, if so, whether there should be a Statutory Boards Commission*
7. *whether the Speaker should continue to be a political appointment, or whether he or she, even if elected, should be independent of the political parties.*

The Constitutional Review I propose should begin its work promptly, and conclude its work within a year or, if the Governor is persuaded to extend that time, in 18 months. As a return to elected Government will be difficult without constitutional reform, I regard the time for this Review to be concluded to be of the essence.

The Constitutional Review I propose should be established by the Governor. I am aware that a Constitutional Review Commission has recently been set up by the elected government. Its membership has recently been announced but, so far as I am aware, its terms of reference have not yet been determined. It has an initial period of two years to report. Whilst the extant Commission may be a basis for proceeding with the Constitutional Review I propose, whether its membership, terms of reference and timetable remain appropriate are matters that now need reconsideration.”

1. Relevant Reports, Policies and Legislation:

- a. **Review Document:** “Virgin Islands Constitutional Order 2007” can be accessed [here](#).
- b. **Reviewer:** Mrs. Lisa Penn-Lettsome (See **Appendix D** - Reviewer’s Profiles)
- c. **Reviewer’s Report:** “2022-2023 Constitutional Review Commission Report” can be accessed [here](#).
- d. **Website:** <https://www.yourconstitution.vg>

The Virgin Islands Constitution Order, 2007 was slated for review in 2017 but due to the devastation of category five hurricanes and other challenges over the past seven years, the review did not commence until 2023.

2. Lead Implementer: Mrs. Lisa Penn-Lettsome, Chair, Constitution Review Committee

3. **Scope:** Recommendation A2 (constitutional review) is still in progress, though the Report of the Constitutional Review Commission was submitted on 27th November, 2023. The constitutional review process preceded the COI but the COI cited several more terms of reference for the constitutional review commissioners to consider. On 20th July 2022, Cabinet approved the revised terms of reference for the Constitutional Review Commission which incorporated the additional terms of reference recommended in the COI Report.

4. **Process:** The constitutional review exercise, although a pre-cursor to the COI, ran alongside the implementation of the COI recommendations. This has resulted in a delay in the negotiation of a new Constitution until the COI implementation phase has been satisfactorily completed. Therefore, COI Recommendation A2 remains uncompleted.

There was a great need to educate the public on the Constitution itself, and its relevance to their day-to-day affairs. Therefore, public educational and consultative sessions resulted in a record level of written submissions with 156 individual written submissions from approximately eighty-nine persons.

5. **Changes:** Some of the recommendations in the Report that do not require drafting changes to the Constitution itself, have been completed, including:
 - a. CRC R19 - the Human Rights Commission Bill is out for public consultation in anticipation of establishing the Human Rights Commission;

- b. CRC R26 - the Protocol for the Appointment and Removal of Statutory Board Members issued March 2023 has been implemented, including provisions for staggering board appointments, timely annual reporting, and good governance provisions; and
 - c. CRC R35 for Crown Lands legislation that provide for transparency in the acquisition, management and disposal of Crown lands, included derelict vessels on Crown lands has been implemented in the Crown Lands Management Act, 2024.
6. **Impact:** If the recommendations in the CRC Report were to be implemented without any negating amendments, some of the constitutional changes would result in:
- a. enhanced governance by making the legislative processes more public and transparent (e.g., by having the proceedings of most HoA committee's public, and frequent publication of Bills);
 - b. the regulation of campaign financing;
 - c. greater administrative and financial independence for independent institutions in the conduct of their core functions (e.g., auditing, prosecuting) by making them less reliant on central government machinery, and thereby making them more effective as an independent check on executive power;
 - d. an improved policy making process, including the adoption of green papers incorporating the views of the public prior to submission for Cabinet approval;
 - e. provision of a more methodical and structured path to greater self-determination by, for example, instituting or strengthening independent institutions (e.g., Integrity Commission, Human Rights Commission) which are required to protect an accountable and transparent representative democracy; and
 - f. enhanced provisions for the Governor to consult with the Premier in more cases, which is more reflective of a modern partnership supportive of greater self-determination.
7. **Conclusion:** The Constitutional Review Report will be debated in the House of Assembly during the second quarter of 2025. The governance changes implemented as part of the COI will position the Territory for a strong negotiating position based on the reforms implemented.

Recommendation A3: Curtailment of Open-Ended Discretion

"I recommend that there be a review of discretionary powers held by elected public officials (including Cabinet), with a view to removing the powers where they are unnecessary; or, where they are considered necessary, ensuring that they are exercised in accordance with clearly expressed and published guidelines. This review could be conducted by a senior BVI lawyer, or retired BVI/Eastern Caribbean judge."

1. Relevant Reports, Policies and Legislation:

- a. **Reviewer:** Ms. Anthea Smith (See **Appendix D** - Reviewer's Profiles)
- b. **Reviewer's Report:** "Review of Discretionary Powers held by Elected Public Officials" can be accessed [here](#).
- c. **Policy Approved by Cabinet:** "A Report to Guide the Proper and Lawful Exercise of Discretionary Powers in the Virgin Islands" by Mr. Baba Aziz (Discretionary Powers Policy) can be accessed [here](#).

d. **Legislative Amendments:**

- i. Public Finance Management (Amendment) Regulations, 2024, can be accessed [here](#); and
- ii. Virgin Islands Social Security (Employment Injury Benefit) (Amendment) Regulations, 2024, can be accessed [here](#).

2. **Lead Implementer:** Permanent Secretary, Carolyn Stoutt Igwe, Premier's Office

3. **Scope:** The reviewer did not find that there was a need to remove discretionary powers that were deemed unnecessary. She did, however, recommend that a few pieces of legislation be amended, namely: Section 57(2) of the Social Security (Employment Injury Benefits) Regulations; Section 175(3) of the Public Finance Management Regulations 2005 and Section 28(3) of the Virgin Islands Investment Act, 2020.

An action plan was developed based on the recommendations made in the report and the Premier's Office is currently implementing.

4. **Process:**

- a. Reviewer reports were submitted to Cabinet and then tabled in the House of Assembly to be made public.
- b. Ministries were required to create action plans based on the recommendations of the reviewers.
- c. Action plans were subsequently submitted to Cabinet to determine the course of action on the recommendations made in the action plan.
- d. As the Virgin Islands Investment Act, 2020 had not yet been brought into force (due to policy changes required) at the time of recommendation implementation, the proposed amendment was not completed during the review period.
- e. To assist in addressing cases where the exercise of discretionary power is necessary, the Government appointed former Attorney General, Mr. Baba Aziz, to prepare A Report to Guide the Proper and Lawful Exercise of Discretionary Powers. This guide is being used as a tool to train public officials on the proper method of exercising discretionary powers. Formal sensitisation/education of public officers and the public on the contents of the Guide commenced in February 2025. Press Release on the launching of the policy can be accessed [here](#).
- f. The policy was submitted and approved by Cabinet in May of 2024. As recommended by Mr. Aziz, the policy is in the implementation phase which will continue for one year, then a determination will be made if legislation is necessary and if so, will be drafted for consideration.

5. **Changes:** The changes are:

- a. Government of the Virgin Islands now has a guide for public officials to use when exercising discretionary powers.
- b. The Public Service is being trained on the new procedures to follow when exercising discretion.

- c. Better documentation of decisions made is anticipated, resulting in better preparation for cases that may be brought before the courts for judicial review.
 - d. Additionally, it is expected that members of the public will have another tool by which they can hold public officials accountable.
6. **Impact:** The impacts are:
- a. The Premier's Office is currently conducting training across ministries (this started on 24th March 2025 with a virtual training session that was attended by over 275 persons).
 - b. The implementation of the policy is being monitored on a quarterly basis to capture the number of complaints regarding the use of discretionary powers by departments.
 - c. The Premier's Office will be monitoring whether there are any pending court cases for judicial review because of discretionary decisions taken.
 - d. The Premier's Office will be monitoring the level of ministries and departments' compliance with the guide when making discretionary decisions to determine the change in the way such decisions are made.
7. **Conclusion:** The discretionary powers policy requires that public officials: uphold procedural fairness for individuals affected by their decisions and that discretion is exercised independently, without undue influence from third parties or unauthorised bodies. This is a firm and clear commitment by the GoVI to transparency, accountability, fairness and the rule of law.

Recommendation A4: Audits and Investigations

"I recommend that the Auditor General, together with other independent persons or bodies instructed by her to assist, as soon as possible, initiate a review of all areas of government (including, but not restricted to those identified in this Report) and prepare a timetable for the audit of appropriate areas and report to the Governor accordingly. The Governor should ensure that sufficient resources are available to her to undertake the audits as they arise under that timetable. The review will require the prioritisation, and possibly even the selection, of matters for audit. The Auditor General will be in the best position to make decisions as to such priorities and selections; but she may, for example, wish to prioritise areas which, in her view, may be more likely to give rise, in due course, to further steps (e.g. in relation to criminal investigation and/or steps to recover public money). The Auditor General should report to the Governor with the results of that review as soon as possible, and in any event within, say, two months.

I recommend that the Auditor General (assisted by other independent individuals as the Governor thinks fit) thereafter proceeds to perform the audits in accordance with that timetable, as agreed with the Governor. The Governor should ensure that sufficient resources are available to the Auditor General to enable her to perform these audits expeditiously. Once complete, the reports should as soon as practicable be published on the Auditor General's website, unless the Governor directs that publication should not be made (e.g. in the public interest).

I recommend that the Governor establishes one or more independent unit(s) to conduct investigations into projects and/or individuals as identified by the unit(s), taking into account the information in this Report, the audits that have been and will be conducted by the Auditor General and Internal Audit Department and, of course, information and intelligence that the unit(s) themselves gather. The unit(s) should also be responsible for taking steps to secure money, land or other assets pending criminal and/or civil confiscation and/or recovery proceedings, if appropriate. They should also be responsible for civil recovery. The Governor should ensure that sufficient resources are available to the unit(s) to enable them to perform their functions; and to the DPP's Office (and any other enforcement office) in relation to subsequent steps taken in respect of criminal proceedings and steps to recover public money."

1. Relevant Reports, Policies and Legislation:

- a. **Audits and Investigations:** Review all Audits and Investigations.
- b. **Reviewers:** Chief Auditor, Sonia Webster.
- c. **Report:** Audit Reports can be accessed [here](#).

2. Lead Implementer: His Excellency, the Governor

- 3. Scope:** The Auditor General, assisted by other independent individuals as the Governor thinks fit, to conduct audits and investigations of all areas of Government, including but not restricted to those identified in the COI Report.
- 4. Process:** The Commission of Inquiry Investigations Unit was established within the Royal Virgin Islands Police Force and continues to operate. All audits completed to date as part of COI recommendations have been forwarded to the Governor, Commissioner of Police, Director of Public Prosecutions and the Attorney General.

The GoVI and UKG agreed to the rewording of Framework Agreement to commit to say: *“The Governor establishes one or more independent unit(s) to conduct investigations, the results of which the Governor will then forward as appropriate to the Attorney General and the Director of Public Prosecutions to facilitate the taking of steps to secure money, land or other assets pending criminal and/or civil confiscation and/or recovery proceedings. They should be responsible for civil recovery”.*

The Attorney General is responsible for the mechanism for considering civil recovery.

- 5. Changes:** The Auditor General’s reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures.
- 6. Impact:** The impact of the audits and investigations is determined by the action taken by the respective authorities.
- 7. Conclusion:** The GoVI is 100% committed to fixing the issues that led to the audits and investigations identified in the COI Report and in this regard supports His Excellency the Governor in carrying out the recommended actions based on the recommendations of the Auditor General and the respective authorities. The GoVI will provide the resources, in partnership with UKG, to ensure that transparency, accountability and the rule of law are pillars of governance in the Virgin Islands.

Recommendation B1: Commission of Inquiry Act

“I recommend that there should be a review of the Commissions of Inquiry Act 1880 in the light of this COI and the processes it has adopted as well as modern practices adopted in other Common Law jurisdictions, with a remit to make recommendations designed to improve the conduct of Commissions of Inquiry in the BVI.”

1. Relevant Reports, Policies and Legislation:

- a. **Reviewer:** Valera Fikile Dlamini (See **Appendix D** - Reviewer’s Profiles)

- b. **Reviewer's Report:** "The Review of the Commissions of Inquiry Act, 1880" can be accessed [here](#).

The Commission of Inquiry Act, 1880 is outdated legislation and no longer relevant to the evolved relationship between the Virgin Islands and the United Kingdom.

2. **Lead Implementer:** Permanent Secretary, Sharleen DaBreo-Lettsome, Permanent Secretary, Deputy Governor's Office
3. **Scope:** The GoVI supports the recommendation made by the Commissioner to modernise the Act.
4. **Process:** The drafting instructions for the amended Act were prepared by the Deputy Governor's Office using a draft from the Reviewer. The draft Bill was presented in the House of Assembly by the Premier on 9th July, 2024 on behalf of His Excellency, the Governor. The Bill was passed in the House of Assembly, with amendments, on 23rd July, 2024. It was assented to by the Governor on 12th November, 2024 and brought into force by the Governor on 9th December, 2024.
5. **Changes:** The Inquiries Act, 2024 provides the legal framework for initiating and conducting inquiries into matters of public interest. The Governor or the Premier has the authority to appoint an inquiry based on public concerns about specific events. It also mandates the appointment of three commissioners, with one serving as the Chairperson. Additionally, it outlines eligibility criteria to ensure impartiality and expertise. It also outlines Duties and Powers of the Commission, makes provision for Public Access and Confidentiality, Legal Representation, Reporting and Accountability by the Governor and Premier and other modern requirements.
6. **Impact:** The Commission of Inquiry Act, 2024 will impact governance in the Virgin Islands from the perspective of the public, the public service and overall governance in many ways, including the following:
 - a. **Public:** The Act will protect the public interests through access to information, provide a stronger mechanism for addressing public concerns, give legal protection to witnesses and participants, provides stronger enforcement mechanisms to prevents those in power from avoiding scrutiny and strengthens the rule of law.
 - b. **Public Service:** The Act will provide for improved governance and accountability, a fair and structured inquiry process that gives legal representation to public officials, a clearer inquiry framework for government officials with structured guidelines, promotes efficient use of public funds by mandating that the total cost of an inquiry must be published and other measures.
 - c. **Overall Governance of the Virgin Islands:** The Inquiries Act, 2024 has a significant impact on the governance of the Virgin Islands, particularly in transparency, accountability, decision-making, and legal oversight, including, strengthened accountability for government actions, increased transparency in government operations, greater oversight of public officials and institutions, political stability and reduced corruption risks, strengthened legislative and executive oversight and prevention of Government cover-ups.
7. **Conclusion:** The Act provides a stronger mechanism for upholding accountability, transparency and the rule of law which enhances confidence in governance among the public, public officers and stakeholders with an interest in the Virgin Islands. It provides a tool to support a system of checks and balances, compliance, whistleblowing, fairness, fiscal prudence and institutional strengthening.

Recommendation B2: Public Register of Interests

“I recommend that a system of registration of interests is established, that implements the requirements of the Constitution insofar as it requires the declaration and registration of interests by elected officials, gives clear guidance as to what must be disclosed and when, and has effective provisions (involving sanctions where appropriate) to require compliance. Subject only to any restrictions that are truly necessary, the register should be open to public access.”

1. Relevant Reports, Policies and Legislation:

Review Legislation: “Register of Interest Act, 2006” can be accessed [here](#).

The Register of Interest Act, 2006 (ROI Act, 2006) makes provision for the registration of interests by public officials.

2. Lead Implementer: Permanent Secretary, Sharleen DaBreo-Lettsome, Permanent Secretary, Deputy Governor’s Office

3. Scope: The ROI Act, 2006 does not comply with the requirement for public officials to register their interests based on the agreed Framework Agreement for the implementation of the recommendations of the COI Report.

4. Process: The process included:

- a. The Attorney General, in a memo dated, 18th July, 2022, notified the Office of the Deputy Governor that the Premier withdrew the Bill from the House of Assembly on 14th July, 2022 and he indicated that a new Bill would be submitted in keeping with the Government’s commitment under the Framework for the Implementation of the Recommendations of the Commission of Inquiry Report and other Reforms.
- b. The Attorney General provided the Office of the Deputy Governor with a draft copy of the Bill for approval and submission to Cabinet.
- c. The Bill was passed in the House of Assembly on 21st July, 2022 and assented to by the Governor on 12th December, 2022. The Act was brought into force by the Governor on 13th December, 2022.
- d. The Act was further amended in 2024 to improve efficiency, enforce stricter compliance, and ensure greater public access to Members' declarations. The Bill was passed in the House of Assembly on 9th April, 2024 and assented to by the Governor on 16th January, 2024.

5. Changes: The changes include:

- a. The ROI (Amendment) Act, 2024 introduced several significant changes to the governance and accountability framework in the Virgin Islands.
- b. These changes include:
 - i. key changes to enhance transparency and accountability;

- ii. updates to definitions of "child," "child of the family," and "spouse" for broader applicability;
 - iii. strengthening of compliance by imposing a two-session suspension and salary withholding for Members who fail to submit required information;
 - iv. greater authority for the Registrar to request additional records, with penalties for false or misleading declarations;
 - v. reduction in the processing time for access to the Register from 15 to 10 days, with a standardised request form introduced;
 - vi. updating of the declaration form for Members for clearer reporting of financial interests, gifts, and assets; and
 - vii. replacement of the term "Legislative Council" with "House of Assembly" to reflect current parliamentary terminology.
6. **Impact:** The ROI (Amendment) Act, 2024 has a significant impact on governance in the Virgin Islands, particularly in terms of transparency, accountability, legislative integrity, and public trust. Key areas where governance is affected includes:
- a. increased transparency and accountability, allowing citizens to monitor the financial and business interests of elected officials;
 - b. stronger enforcement of ethical standards to provide for the automatic suspension of non-compliant Members;
 - c. improved public trust in Government as citizens can now see that strict rules are in place to ensure politicians act with integrity;
 - e. efficient legislative processes to give the Registrar of Interests clear legal authority to enforce compliance, streamlining administrative processes.
 - f. strengthened institutional oversight for the Registrar who can now report violations to the Integrity Commission.
7. **Conclusion:** The implementation of the ROI (Amendment) Act, 2024 establishes a high standard for transparency, compliance, enforcement, and public trust.

Recommendation B3: Public Register of Interests

"I recommend that, before the introduction of a registration of interests system designed to cover all persons in public life, a properly formulated and costed plan should be produced for the implementation of such a system, and a commitment made to ensure that it is, and will continue to be, funded and resourced so that the system is efficient and effective."

1. Relevant Reports, Policies and Legislation:

- a. **Review Plan:** *Plan for the Registration of Interests* which is attached as **Appendix I**.

The COI Report requires that a Plan be formulated and costed to address the registration of interests designed to cover all persons in public life.

2. **Lead Implementers:** Permanent Secretary, Sharleen DaBreo-Lettsome, Deputy Governor's Office and Permanent Secretary, Premier's Office, Carolyn Stoutt-Igwe.
3. **Scope:** The GoVI has implemented a digital declaration system for the Register of Interests for public officers. This enables public officers in Grade 17-21, which include the Deputy Governor, Financial Secretary, Cabinet Secretary, Permanent Secretaries, Deputy Secretaries, Deputy Financial Secretaries, Magistrates, the Director of Public Prosecutions, Heads of Departments and their Deputies to name a few to declare their financial interests electronically. These officials are mandated to disclose information of any pecuniary interest or other material benefit which a public officer might reasonably be thought by others to influence his or her actions taken in the performance of his or her functions as a public officer.

As it relates to the electronic registration of interests for Members of the House of Assembly, the Department of Information Technology is presently building the system, which will be in place for the registration of the Members' interests in May 2025. The Registrar is presently organising information sessions to educate the Members on the new process to register their interests.

4. **Process:** The process provides for the following:
 - a. Public officers in Grades 17-21 must declare their interests on the forms provided in Schedule 3 of the Public Service Management Act, 2024, which has been translated into an online registration system.
 - b. A comprehensive training programme has been designed for public officers on how to use the digital declaration system effectively.
 - c. A digital system for members of the House of Assembly is presently being built and will be ready for the Members' registration in May 2025. The system includes consistent monitoring and enforcement of the provisions set out in the Register of Interests Act, 2024 and the Public Service Management Act, 2024.
 - d. The Registrar will maintain the online register, examine the declarations to ensure accuracy, obtain information from registrants that would satisfy the declarations, identify fraudulent or materially misleading declarations and consistently monitor the information for updates.
 - e. Clear guidelines on accessibility will provide how the public can access the data electronically and will remain in accordance with the Register of Interests Act.
 - f. The declaration of interests by public officers will remain private with access gained by the Governor and Deputy Governor.
 - g. The Registrar of Interests has prepared clear guidelines on accessibility to public officers' information by the Governor and Deputy Governor.
5. **Changes:** The digital system provides a modern way of declaring and managing interests by streamlining the submission and management of financial information. It provides greater transparency which will help in mitigating potential conflict of interests and build public trust.
6. **Impact:** The system will provide greater accountability among public officials and serve as a deterrent for unethical behaviour.

7. **Conclusion:** The digital register reflects the GoVI's commitment to good governance and the rule of law.

Recommendation B4: Public Register of Interests

"I recommend that, once the registration of interests system for Members of the House of Assembly has been established, evaluated and its extension costed, then consideration should be given to its extension to other public officials on an incremental basis. For example, the first tranche of public officers to be covered could be the most senior officers such as the Permanent Secretaries, the Financial Secretary and the Cabinet Secretary (or those acting in such roles); the second tranche could be members of statutory boards; and so on, until all public officers intended to be included are covered."

1. Relevant Reports, Policies and Legislation:

Legislation: "Public Service Management Act, 2024" can be accessed [here](#).

The Public Service Management Act, 2024 (PSMA, 2024) includes provisions for the Registration of Interests of specified public officers under Part VIII (Sections 27-33).

2. Lead Implementer: Permanent Secretary, Sharleen DaBreo-Lettsome, Deputy Governor's Office

3. Scope: The PSMA, 2024 makes provision in Schedule 2 of the Act that Deputy Secretaries, Deputy Financial Secretaries, Heads of Department and their Deputies, Public Officers in Grades 17 to 21 must declare their interests. This was implemented as recommended.

4. Process: The process includes the following:

- a. The Register of Interests (Amendment) Bill, 2024 initially included provisions for public officers, but after its Second Reading on 7th March 2024, members decided during the Committee stage, that legislation for public officers should be separate from legislation governing House of Assembly Members.
- b. As a result, these provisions were moved to the Public Service Management Bill. Cabinet, through Memo No. 102 of 2023, directed the drafting of a Public Service Management Bill to establish a clear legal framework for the Public Service.
- c. The Deputy Governor's Office submitted drafting instructions to the Attorney General on 1st November 2023.
- d. Later, in Memo No. 219 of 2024, Cabinet reviewed and approved the Bill, deciding it should be introduced for its first reading in the House of Assembly.
- e. The Bill was then submitted to the Cabinet Office on 15th August 2024 for onward transmission and passed in the House of Assembly on 29th August, 2024, assented to by the Governor on 15th November, 2024 and brought into force on 1st January, 2025.

5. Changes: The significant change because of the implementation includes:

- a. increased transparency and accountability for public officers in senior positions (Grades 17-21, Heads of Departments, Deputies) are now required to disclose their financial interests;
- b. stronger anti-corruption measures by providing a deterrent against bribery, misuse of office, and conflicts of interest;

- c. greater oversight and monitoring through verifying declarations and maintaining an accurate and secure register;
- d. improved legal framework for ethical conduct by holding public officers to global best practices in governance and anti-corruption;
- e. potential administrative and cultural shifts through training and education to change the perception of invasion of privacy; and
- f. enhanced mechanisms for investigations and disciplinary action through allowing law enforcement agencies to access the Register only with a court production order.

6. Impact: As a result of the implementation:

- a. increased transparency and accountability through confidence in the integrity of the Public Service by ensuring that officers do not have undisclosed conflicts of interest;
- b. stronger anti-corruption measures as a deterrent against bribery, misuse of office, and conflicts of interest;
- c. greater oversight and monitoring through verifying declarations and maintaining an accurate and secure register;
- d. improved legal framework for ethical conduct;
- e. potential administrative and cultural shifts; and
- f. enhanced mechanisms for investigations and disciplinary action.

- 7. Conclusion:** The Public Service Management Act is a crucial step toward modernising and strengthening the Public Service. By establishing clear policies, promoting transparency, and enforcing accountability, it promotes a more efficient, ethical, and professional Public Service. This Act ensures that public officers operate with integrity, reducing conflicts of interest and enhancing public trust in government institutions. Ultimately, it will lead to better governance, improved service delivery, and a more effective Public Service that meets the needs of the people.

Recommendation B5: Declaring HoA Interests

“I recommend that sections 66 and 67 of the Constitution are amended to make clear the circumstances in which a person seeking election to the House of Assembly or a Member of the House who (either personally or through a dba, a partnership or company with which he or she is associated) contracts with the BVI Government needs to declare such an interest, how such a declaration should be made and the consequences of him or her not doing so.”

This recommendation was included in the terms of reference for the Constitutional Review Commission and was therefore considered during their consultations.

1. Relevant Reports, Policies and Legislation:

- a. **Reviewer:** Mr. Denniston Fraser (See **Appendix D** - Reviewer’s Profiles)

- b. **Reviewer's Report:** "Report of House of Assembly Members Contracting with the Government including Statutory Boards" can be accessed [here](#) .

Recommendation B6: Coverage of Government of the Virgin Islands

"I recommend that sections 66 and 67 of the Constitution are amended to make clear whether, having regard to the purpose of these provisions, the term "Government of the Virgin Islands" is intended to encompass statutory bodies whether engaged in commercial or non-commercial activity. It is my view that they should include such statutory bodies."

This recommendation was included in the terms of reference for the Constitutional Review Commission and was therefore considered during their consultations.

Recommendation B7: Review of Assistance Grants

"I recommend that there should be a wholesale review of the BVI welfare benefits and grants system, including House of Assembly Members' Assistance Grants and Government Ministries' Assistance Grants. Without seeking to limit the ambit of that review, it should seek to move towards an open, transparent and single (or, at least, coherent) system of benefits, based on clearly expressed and published criteria without unnecessary discretionary powers. Such discretionary powers should only be maintained where necessary; and, where any such powers are maintained, then they should be subject to clearly expressed and published guidance. The review should be conducted by a body established for the purpose, drawing upon the experience and expertise within the BVI, with expert input with regard to (e.g.) the design of any new scheme. Whilst this review is a longer-term project and may be evolutionary in its process, it should be conducted as soon as practical. It need not and should not, for example, await the outcome of other proposed reviews (such as the proposed Constitutional Review)."

Recommendation B8: Transition Assistance Grants

"I recommend that, without prejudice to any new scheme that may take its place following the review I have proposed, House of Assembly Members' Assistance Grants and the Government Ministries' Assistance Grants in their current form should cease forthwith."

Recommendation B9: Allocate Funds for Assistance Grants

"I recommend that the funds that have been allocated to such grants in the past be reallocated to the Social Development Department for distribution, on application, in accordance with its criteria for the distribution of benefits. Those criteria can be reconsidered in the light of the increase in both funds and calls on its funds which that transfer will involve. Over and above any transitional provisions considered appropriate, the Social Development Department should be able to make an assessment of individuals who claim that immediately revoking discretionary assistance granted to them in the past by elected officials would result in particular hardship and/or unfairness."

Recommendation B10: Public Assistance for District Projects

"If and insofar as the review I have recommended concludes that there is some public benefit to having public funds allocated to local, district projects then I recommend that consideration be given to:

- 1. having clearly expressed and published criteria by which such potential projects are assessed for public assistance*
- 2. an open and transparent process for the proper recording, assessment and monitoring of projects*
- 3. assessment and monitoring being made, not by (or just by) elected public officials, but by a panel including members of the relevant district community*

However, steps should also be taken to ensure that current or ongoing grants are not inappropriately interrupted by this proposed recalibration, and that recipients of grants are not unfairly prejudiced by the change of system to one that is more open and transparent. Transitional provisions may be required. Funds that have been allocated to such grants can be reallocated for distribution through such transitional provisions, before any new, more permanent system is established."

Recommendation B11: Public Assistance for Educational Scholarships

“I would expect the proposed review to conclude that there is some public benefit to having public funds allocated to grants for educational scholarships etc. If and as far as it does, then I recommend that consideration be given to:

- 1. having clearly expressed and published criteria by which applications for such grants are assessed for public assistance*
- 2. an open and transparent process for the proper recording, assessment and monitoring of applications and grants*
- 3. assessment and monitoring being made, not by (or just by) elected public officials, but by a panel including members of civic society*

However, steps should also be taken to ensure that current or ongoing grants are not inappropriately interrupted by this proposed recalibration, and that recipients of grants are not unfairly prejudiced in (e.g.) their education by the change of system to one that is more open and transparent. Transitional provisions may be required. Funds that have been allocated to such grants can be reallocated for distribution through such transitional provisions, before any new, more permanent system is established.”

1. Relevant Reports, Policies and Legislation:

a. Policies Approved by Cabinet:

- i. Virgin Islands Assistance Grants Programme Policy can be accessed [here](#).
- ii. Social Assistance Programme Design and Monitoring Evaluation Framework can be accessed [here](#).
- iii. Virgin Islands Social Protection Policy can be accessed [here](#).
- iv. Civil Mitigation Policy can be accessed [here](#).
- v. Emergency Disaster Fund Management Policy can be accessed [here](#).
- vi. Institutional and Non-Institutional Grant Issuance Framework for the British Virgin Islands can be accessed [here](#).

b. Legislative Amendments: “Public Assistance (Amendment) Act, 2024” can be accessed [here](#).

2. Lead Implementers: Permanent Secretary, Tasha Bertie, Ministry of Health and Social Development, Permanent Secretary, Dr. Marcia Potter, Ministry of Education, Sports and Youth Affairs, Permanent Secretary, Elvia Smith-Maduro, Ministry of Communication and Works, Deputy Financial Secretary, Jeremy Vanterpool, Ministry of Finance, and Permanent Secretary, Ministry of Tourism, Culture and Sustainable Development.

3. Scope: The scope of implementation:

- a. **Social Assistance:** The BVI welfare benefits and grants system, including House of Assembly Members’ and Government Ministries’ Assistance Grants, underwent a comprehensive review. This led to legislative changes and the development of policies to support COI **B7 recommendation**. The Ministry of Health and Social Development then created policies, legislation, and measures to meet the COI recommendation and the Government’s goals.
- b. **Education Grants:** In response to Recommendation B11 of the Commission of Inquiry, the Ministry of Education, Youth Affairs and Sports moved swiftly to take concrete steps in reviewing and reforming the existing Assistance Grants Programme.
- c. **Civil Mitigation Policy:** The **Civil Mitigation Policy** is a crucial framework that enhances how Government addresses infrastructure-related challenges in communities across all nine electoral

- districts in the Virgin Islands. It is important to highlight that Civil mitigation infrastructure assistance differs from traditional grants in that it does not involve direct financial aid to individuals.
- d. **Emergency Disaster Fund Policy:** The COI recommended reviewing and enhancing the Emergency Disaster Fund (EDF) policy for better disaster preparedness and response. The government revised the existing policy, focusing on financial oversight and incorporating the National Shock Responsive Programme (NSRP) to improve disaster response.
 - e. **Institutional and Non-Institutional Grants:** While the COI called for an extensive overhaul of the grant governance framework, the government opted for a phased implementation approach due to resource limitations. This approach maintained existing grant policies but introduced new frameworks to accommodate additional grant types, ensuring a gradual transition to more robust governance structures.
4. **Process:** The process of implementing:
- a. **Social Assistance:** The process and challenges with implementing Social Assistance reforms:
 - i. **Resource Constraints:** Increased applications and demands for social assistance pressured administrative capacity. Additional challenges were insufficient staffing, and restricted recruitment. Extra funding helped, but initial pressure remained.
 - ii. **Technical Expertise:** Required expertise in policy, modelling, and data management was supplemented by external partners, causing operational delays.
 - iii. **Legislative Complexity:** Amending laws required detailed coordination and review, with high demand also affecting the Attorney General's Chambers.
 - iv. **Operational Scope:** Transitioning to a centralized framework necessitated new procedures, training, and outreach, requiring adjustments in administrative processes.
 - v. **Resistance:** Eliminating discretionary grants led to resistance from political figures and beneficiaries due to perceived loss of flexibility and confidentiality concerns among beneficiaries and staff.
 - vi. **Technological Delays:** Developing the Social Protection Management Information System (SPIMS) was essential for efficiency but faced IT capacity limitations and configuration delays.
 - b. **Education Grants:** The process and challenges with implementing Education grants reform:
 - i. The first action was the establishment of a review panel, comprising members of civic society officially appointed by Cabinet.
 - ii. An interim Assistance Grants Policy was introduced in August 2022 to allow for continuity.
 - iii. By September 2022, the review panel had submitted a draft policy with comprehensive guidelines to the Ministry, and this was subsequently forwarded to the Governor and Premier on 31st October, 2022.
 - iv. The draft policy underwent a robust consultation and feedback process.

- v. The Premier emphasised the need for wider public consultation on the draft policy.
 - vi. In parallel, the Internal Audit Department was engaged in October 2022 to offer technical feedback, ensuring that the policy was not only clear but also enforceable and sustainable.
- c. **Civil Mitigation:** The process and challenges with implementing Civil Mitigation Policy:
- i. The Ministry established an interim internal technical assessment team consisting of technical staff from the Ministry of Communications and Works, the Public Works Department, and the Water and Sewerage Department.
 - ii. The Ministry also notified the District Representatives of their approved budget allocations and invited them to submit a list of priority concerns within their respective districts.
 - iii. The draft policy was shared with the Governor's Office and the COI Tripartite meeting.
 - iv. The draft policy was subsequently submitted to the COI Implementation Assistance grant sub-committee and underwent a robust review and feedback process.
 - v. Cabinet approved the draft policy via Cabinet Memo No. 134/2024 on 5 June 2024.
 - vi. After Cabinet approval, the policy was also shared with the District Representatives who were invited to a meeting on 24 June 2024, to provide their feedback on the policy and be oriented to relevant procedures.
 - vii. Letters were sent to the members of the Technical Assessment Committee as per the approved policy on 24th January 2025 and an initial meeting of the committee was held on 30th January 2025.

The Minister made a statement on 10 March 2025 formally introducing the policy to the public and the policy can be found on Government's website and the Ministry's Facebook.

- d. **Emergency Disaster Fund Policy:** Resource constraints and the need to balance disaster preparedness with other budget priorities presented significant challenges. Coordination between government agencies, NGOs, and international partners also posed difficulties, and legislative delays hindered the swift alignment of policy changes with existing laws.
 - e. **Institutional and Non-Institutional Grants:** Implementation challenges included limited resources, which slowed initial progress. Additionally, the complexity of consultations and drafting of new policies extended timelines, while the phased approach ensured that the new framework was integrated smoothly into existing systems.
5. **Changes:** The changes implemented for:
- a. **Social Assistance:**
 - i. **Transition Grant Programme:** Facilitated the transfer of beneficiaries from discretionary grants to the Public Assistance Programme.
 - ii. **Social Assistance Programme Design Document:** Provided the strategic and operational framework for the reformed Public Assistance Programme.

- iii. **Public Assistance (Amendment) Act, 2024:** Strengthened the legal framework for social assistance, redefining benefit types, eligibility criteria, and decision-making authority. The draft Public Assistance Regulations will operationalise the legislation by establishing benefit calculation methods and creating a structured mechanism for scaling up operations in response to shocks, in alignment with the Disaster Management Act.
 - iv. **Social Protection Management Information System (SPIMS):** Designed to establish a centralised platform for processing applications, managing beneficiary data, and improving service delivery.
 - v. **Public Communication and Outreach:** Introduced a structured communication strategy to educate beneficiaries about the new system and build public trust.
 - vi. **Increased Decision-Making Authority:** Granted greater autonomy to social workers to make benefit determinations within the framework of established guidelines.
- b. **Education Grants:**
 - i. Increase in the structure and consistency in how applications were processed.
 - ii. Applicants are now allowed to apply only once per year, promoting greater equity by enabling a larger pool of individuals to benefit from available funds.
 - iii. Cabinet-approved national priority areas, like those used in the Virgin Islands National Scholarship Programme, have been adopted.
 - iv. Applicants seeking educational grants in these priority areas may now be eligible for enhanced funding.
 - v. By March 2025, all grant application records—from submission to final decision—are expected to be fully electronic through the Ministry’s portal. This will significantly improve transparency, traceability, and efficiency in the grant application and review process.
- c. **Civil Mitigation Policy:** Under the new policy:
 - i. Requests for civil mitigation works must safeguard public infrastructure and assets while serving the public good.
 - ii. The structured evaluation system ensures that requests align with predefined project categories, as outlined in the policy, with clear criteria to determine whether government intervention is warranted.
 - iii. District representatives and residents alike can submit requests through a standardised application process, empowering communities to raise concerns and seek solutions more transparently.
 - iv. Accountability and effective implementation of infrastructure construction and maintenance will be improved through structured assessment by the Technical Assessment Committee.
- d. **Emergency Disaster Fund Policy:**

- i. New fund allocation protocols were introduced to ensure rapid disaster response, with an emphasis on mitigation and recovery.
 - ii. New risk-financing mechanisms, including insurance products and contingency funds, were also established to manage unforeseen disaster expenses.
 - iii. The revised policy has resulted in better coordination between various stakeholders involved in disaster response, improving the overall effectiveness of relief efforts.
 - iv. Faster fund disbursement and enhanced preparedness have led to quicker responses to natural disasters, reducing their long-term impact.
- e. **Institutional and Non-Institutional Grants:**
- i. A clear grant issuance framework was developed, establishing eligibility criteria, competitive application processes, and monitoring mechanisms.
 - ii. The policies also align with best international practices in procurement and financial governance.
 - iii. Transparency measures, including public databases and audits, were introduced to increase visibility and trust in grant allocations.
 - iv. The reforms have significantly increased transparency in grant allocations, allowing the public greater access to information about how funds are distributed.
 - v. The introduction of structured application processes has improved accountability and reduced the misuse of funds, ensuring that grants are used effectively for their intended purposes.
6. **Impact:** The impact of changes implemented for:
- a. **Social Assistance:**
- i. **Unified and Transparent System:** The fragmented system of discretionary grants was replaced with a single, rules-based framework.
 - ii. **Improved Targeting and Efficiency:** Clear eligibility criteria and standardized benefit calculation methods ensures that assistance reaches those most in need. The new information management system also allows for swifter accessibility to reports and specific data information.
 - iii. **Expanded Benefit Types:** The new framework introduced tiered benefits, including basic income support, targeted top-ups (e.g., disability, home care, childcare), and emergency assistance.
 - iv. **Faster Processing:** The introduction of SPIMS improved processing times, reducing delays in benefit distribution.
 - v. **Greater Equity:** Benefits are now determined based on objective criteria, reducing the influence of political discretion and enhancing fairness in service delivery.

- vi. **Enhanced Accountability:** Expanding independent oversight by the Public Assistance Committee and maintaining a structured appeals process enhances transparency and strengthens public confidence in the system.
- vii. **Improved Confidentiality:** Applicants are registered as numbers in the new system. Names are not assigned.
- b. **Education Grants:** The new policy transferred decision-making authority from elected officials to an impartial committee, reducing discretionary power. This change improved transparency and necessitated effective communication to the public to ensure understanding and trust in the new system.
- c. **Civil Mitigation Policy:** A review of the data collected during and after the implementation of the interim policy revealed the following:
 - i. Between August and December 2023, a total of twelve requests from District Representatives were reviewed. This increased to thirty requests in 2024, with an additional nine requests submitted by residents.
 - ii. Of these requests, eight have been successfully addressed to date. Thus far in 2025, seven requests have been received from District Representatives. Of these requests, one has been successfully addressed to date. This steady inflow indicates both the accessibility and continued demand for the Civil Mitigation infrastructure development.
- d. **Emergency Disaster Fund Policy:** The revised policy has implemented changes to financial oversight of the EDF. Public service agencies are now structured to manage disaster risks, focusing on public welfare protection. Additionally, community-level preparedness initiatives have been integrated to support self-governance and enable local communities to manage risks and recovery efforts.
- e. **Institutional and Non-Institutional Grants:** The updated framework enhances governance by minimizing discretionary allocations and refining decision-making procedures. This improvement in grant disbursement efficiency has boosted public service delivery, while the heightened transparency in grant allocations has fostered greater public trust.
- 7. **Conclusion:** The government's response to the COI's recommendations has led to notable changes in public financial management, governance, and accountability. The reforms introduced have enhanced transparency and oversight as well as improved the efficiency of public service delivery and the management of public resources. Although challenges such as resource constraints, political sensitivities, and the need for continuous capacity building persist, the progress made thus far highlights the importance of continuing efforts in reforming public financial governance. Moving forward, it is necessary to continue monitoring and refining these policies to ensure their effectiveness, ensuring that the government remains responsive to new needs and maintains public trust. Through ongoing commitment and collaboration, the objectives of the COI can be achieved, resulting in a more accountable and transparent public sector.

Recommendation B12: Review of House of Assembly Assistance Grants

“With regard to past grants, I recommend that there should be a full audit of all grants made by Members of the House of Assembly (including COVID-19 Grants; House of Assembly Members’ Grants) and/or Government Ministries/Ministers for the last three years, including applications which have not been granted, such audit to be performed by the Auditor General or some other independent person or body instructed by her, and a report on that audit presented to the Governor. Whilst I

appreciate the difficulties of such an audit in circumstances in which there is a dearth of documentation, an independent audit enquiry should enable any further appropriate steps, such as a criminal investigation and the recovery of public money (including recovery from any public official who has acted improperly in enabling and/or making the grant) to be taken. Unless, in the meantime, the relevant BVI authorities consider otherwise, further steps, including any criminal investigation etc, can await the outcome of that audit.”

The Auditor General’s reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B13: Audit of Covid-19 Assistance

“I recommend that, as soon as practical, a full audit of all four COVID-19 Assistance Programmes (i.e. the Transportation Programme, the MSME Programme, the Farmer and Fisherfolk Programme and the Daycares, Schools and Religious Organisations Programme) be performed by the Auditor General or some other independent person or body instructed by her, and a report on that audit be presented to the Governor. There should be a specific requirement for public officials to cooperate with that audit, including by producing documents and providing information promptly when requested by the audit team. The Auditor General is best placed to identify the terms and scope of the exercise. Without seeking to limit the ambit of that review, I recommend that, in respect of each programme, the terms of that exercise should include consideration of:

- 1. the authorised programme criteria*
- 2. the steps (a) required and (b) taken to ensure the principles of good governance were met*
- 3. the extent to which grants were made to those who did not satisfy the authorised programme criteria*
- 4. where bands of grant were used, the extent to which (and why) bands were adopted without regard to the amount allocated by Cabinet to the programme and/or need*
- 5. where there have been any proposals for back-end accounting, the extent to which the system of back-end accounting has been put into effect, and the extent to which it has proved effective in recovering money inappropriately allocated*

Unless, in the meantime, the relevant BVI authorities consider otherwise, further steps, including any criminal investigation and steps to recover public money (including recovery from any public official who has acted improperly in enabling and/or making the grant) can await the outcome of that audit.”

The Auditor General’s reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B14: Investigation into Premier’s Office Obstructing Internal Audit and Auditor General

“I recommend that the appropriate BVI authorities consider whether a criminal investigation should be held into the conduct of the Premier’s Office in obstructing the Director of the Internal Audit Department in respect of her audit of the COVID-19 Assistance Programmes.”

The Auditor General’s reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B15: Amend Audit Act

“I recommend that consideration should be given by the Governor as to whether an investigation, to be conducted by an independent person or persons, should be held into the conduct of the Premier’s Office in obstructing the Auditor General in respect of her audit of the COVID-19 Assistance Programmes.”

The Auditor General's reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B16: Amend Audit Act

"I recommend that consideration be given to amending the Audit Act 2003 so as to make a failure on the part of any person to cooperate with or otherwise impede the Auditor General, without legitimate excuse, a criminal offence."

1. Relevant Reports, Policies and Legislation:

Review Legislation: - Audit Act, 2003 can be accessed [here](#).

Amended Legislation: Audit Amendment Act, 2022 can be accessed [here](#).

The Audit Act was strengthened to make it a criminal offence to impede the work of the Auditor General.

2. Lead Implementer: Permanent Secretary, Sharleen DaBreo-Lettsome, Deputy Governor's Office.

3. Scope: The **Audit Act, 2022** expanded the auditing framework to enhance oversight across the Public Service, including:

- a. Strengthening the independence and authority of the Auditor General.
- b. Mandating cooperation from all government bodies, statutory boards, and public officers in audit exercises.
- c. Introducing measures to address non-compliance, including penalties for failure to cooperate with audit processes.

4. Process: The process included:

- a. A Cabinet Paper was submitted to amend the Audit Act, 2003 as part of the Commission of Inquiry Report and Other Reforms Framework.
- b. In Cabinet Memo No. 52 of 2022, Cabinet approved amendments to make it a criminal offense to obstruct or fail to cooperate with the Auditor General without a legitimate excuse.
- c. Drafting instructions were sent to the Attorney General's Chambers on 6th July 2022, and the draft Bill was received on 15th July 2022.
- d. The House of Assembly passed the Bill on 21st July 2022, it was assented to by the Governor on 10th August 2022, and it came into force on 11th August 2022.

5. Changes: Changes include:

- a. The Act introduced several key reforms, including stronger enforcement mechanisms to ensure government bodies comply with audit requirements and expanded powers for the Auditor General to conduct thorough and independent audits.

- b. Additionally, the legislation was strengthened to make it an offense for anyone to fail to cooperate with, impede, hinder, or resist the Auditor General in performing their duties.
 - c. Those found guilty are liable on summary conviction to a fine of up to \$5,000, reinforcing accountability and compliance within the public sector.
6. **Impact:** These legislative changes have fortified the governance framework by ensuring that public officers are held accountable for their actions. The empowerment of the Auditor General's office serves as a deterrent against malfeasance, promoting a culture of integrity and responsibility within the Public Service.
 7. **Conclusion:** The Audit Act enhances transparency and accountability by reinforcing compliance with audit procedures and strengthening the authority of the Auditor General. By introducing penalties for non-cooperation, the Act ensures that audits are conducted effectively, promoting responsible governance, financial integrity, and public confidence in government institutions.

Recommendation B17: Cooperation with Auditors

"I recommend that, notwithstanding the availability of any potential criminal sanctions for obstructing the Director of the Internal Audit Department and the Auditor General, a failure by a public officer or any employee of a statutory board to cooperate with either auditor, without reasonable excuse, should be treated as gross misconduct."

1. Relevant Reports, Policies and Legislation:

Legislative Amendments: "Services Commissions (Amendment) Regulations, 2022" can be accessed [here](#).

The Service Commissions Regulations were amended and strengthened to make it a criminal offence to impede the work of the Auditor General.

2. Lead Implementer: Permanent Secretary, Sharleen DaBreo-Lettsome, Deputy Governor's Office.

3. Scope: The **Audit Act, 2022** expanded the auditing framework to enhance oversight across the Public Service, including:

- a. Strengthening the independence and authority of the Auditor General.
- b. Mandating cooperation from all government bodies, statutory boards, and public officers in audit exercises.
- c. Introducing measures to address non-compliance, including penalties for failure to cooperate with audit processes.

4. Process: Drafting instructions were submitted to the Attorney General's Chambers on 6th July 2022. The amendments were returned and signed by the Governor on 19th July 2022 and subsequently published in the Gazette on 21st July 2022. This swift turnaround allowed the policy to be in force early in the implementation process. HR units and heads of department were notified to begin enforcing the new standards through internal compliance frameworks.

5. Changes: This reform redefined non-cooperation with oversight bodies as more than poor performance or negligence—it is now treated as serious misconduct.

Key changes include:

- a. **First offence:** 30-day suspension or demotion.
 - b. **Second or repeated offence:** Dismissal. The regulation aligns public officers conduct and expectations with broader accountability reforms; and ensures that public officers understand the consequences of interfering with audits.
6. **Impact:** The change has had a deterrent effect, encouraging greater cooperation with audit and internal review processes. The message to public officers is clear: failure to cooperate with auditors is both a criminal and disciplinary matter. It also enhances the authority of the Auditor General and Director of Internal Audit, reinforcing their roles in promoting transparency and fiscal responsibility.
7. **Conclusion:** Recommendation B17 has been fully implemented. It institutionalises accountability by ensuring that non-cooperation with oversight bodies is punishable under public service law. This complements legislative reforms under B16 and strengthens the Virgin Islands' framework for internal governance and audit integrity.

Recommendation B18: Governance and Audit of Contracts

"I recommend all contracts in respect of major projects (i.e. projects valued at over \$100,000, even if they have been the subject of contract splitting or sequential contracts) considered by Cabinet (or, if not considered by Cabinet, considered and approved by a Minister) over the last three years should be the subject of a full audit performed by the Auditor General or some other independent person or body instructed by her, and a report on that audit presented to the Governor. The terms of that exercise should include consideration of:

1. *whether there has been any manipulation of a project to avoid the open tender requirements (e.g. contract splitting, or the use of sequential or otherwise associated contracts for the same substantive project)*
2. *any waiver of the open tender process, including the adequacy of any reasons therefor*
3. *the means by which and by whom the contractor(s) were selected*
4. *whether the project was completed and, if not, the estimated costs and likelihood of completion*
5. *value for money*

Unless in the meantime the relevant BVI authorities consider otherwise, further steps including any criminal investigation and steps towards the recovery of public money (including recovery from any public official who has acted improperly in enabling and/ or making the grant) can await the outcome of that audit."

The Auditor General's reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B19: Tender Waivers

"I recommend that:

1. *all government contracts other than major contracts should contain a provision that there are no associated contracts which together would trigger the open tender process for major contracts*
2. *all Cabinet Memoranda which propose a tender waiver should be provided to the Director of the Internal Audit Department in advance so that she can make observations to Cabinet as to the appropriateness of a waiver and also instigate any audit of the project that she considers fit"*

The Auditor General's reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B20: Investigation of SCB Harbour Development and Neighbourhood Partnership

"In respect of:

- 1. the Sea Cow Bay Harbour Development Project*
- 2. the Virgin Islands Neighbourhood Partnership Project*

I recommend that each matter be referred to the appropriate authorities for consideration of whether a criminal investigation and/or investigations in relation to the recovery of the public money expended should be made, having regard to:

- 1. all the available evidence including the Auditor General's Report on the project and the information provided to the Commission of Inquiry*
- 2. the dual evidential and public interest tests"*

The Auditor General's reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B21: Investigation of ESHS Perimeter Wall Project and BVI Airways

"In respect of:

- 1. the Elmore Stoutt High School Perimeter Wall Project*
- 2. the BVI Airways Project*

I recommend that the current criminal investigations (in which there are public officials as persons of interest) are allowed to run their course."

The Auditor General's reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B22: Audit of CSC Contracts

"In respect of the government contracts with Claude Skelton Cline since 2019, I recommend that, as soon as practical, a full audit of these contracts be performed by the Auditor General or some other independent person or body instructed by her, and a report on that audit be presented to the Governor. The terms of that exercise should include consideration of:

- 1. the evidenced work done by Mr Skelton Cline under these contracts*
- 2. the contractual obligations of Mr Skelton Cline under these contracts, and any mismatch between those obligations and the work done*
- 3. to the extent that he was not performing his contractual obligations, the circumstances in which Mr Skelton Cline was paid out of the public purse*
- 4. whether the contracts provided value for money*

Unless in the meantime the relevant BVI authorities consider otherwise, further steps including any criminal investigation and steps to recover public money (including recovery from any public official who has acted improperly) can await the outcome of that audit"

The Auditor General's reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B23: Audit of EZ Shipping Contracts

“In respect of the government contracts with EZ Shipping concerning the provision of radar barges since 2019, I recommend that, as soon as practical, a full audit of these contracts be performed by the Auditor General or some other independent person or body instructed by her, and a report on that audit be presented to the Governor. The terms of that exercise should include consideration of:

- 1. the circumstances in which the services of EZ Shipping came to be retained by the BVI Government*
- 2. the extent to which there was compliance with the procurement regime for major contracts, and the justification for any departure*
- 3. why the services were provided prior to the approval of the Joint Task Force, the National Security Council, the Cabinet and/or the Governor*
- 4. the policy objectives of the contracts, and the efficacy of the contracts in fulfilling those objectives as revealed by the data*
- 5. value for money*

Although this will be a matter for the National Security Council, in my view, consideration of national security should not affect the access accorded to the Auditor General in performing this audit (although it may affect her ability to publish her report in unredacted form). Unless in the meantime the relevant BVI authorities consider otherwise, further steps including any criminal investigation and steps to recover public money (including recovery from any public official who has acted improperly) can await the outcome of that audit.”

The Auditor General’s reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B24: Statutory Boards Review – Financial Reports and Audits

“I recommend that there be a review of all statutory boards to establish:

- 1. the extent to which those boards are behind in their obligations to submit timely financial reports and audits;*
- 2. the extent to which those boards are applying policies intended to promote good governance such as a conflict of interest policy and a political interference policy; and*
- 3. the extent to which those boards follow a due diligence policy;*

The review should be undertaken by a senior public officer and should identify what steps need to be taken to remedy any deficiencies and a timescale in which these steps should be accomplished, in the form of a report to the Governor. The review should be completed within six months.”

Recommendation B25: Establishment of Statutory Boards

“I recommend that there be a review of the provisions under which statutory boards are established and maintained; and in particular, in respect of each, any powers that are exercised in respect of such boards by the executive government, with a view to identifying appropriate powers in statutory provision. This review could be performed by a senior BVI attorney, or a retired BVI/Eastern Caribbean judge.”

Recommendation B26: Establishment of Statutory Boards

“I recommend that there should be an overriding statute that sets out the framework for all statutory boards. The results of the review I propose would feed into such a statute. More detailed parts of the framework can be dealt with in regulations and protocols made under the proposed Act. The regulations should provide for the appointment and removal of statutory board members, published and applicable to all such boards.”

Recommendation B27: Creation of Statutory Boards Commission

“As part of the proposed Constitutional Review, I recommend that consideration is given to establishing a Statutory Boards Commission, which would be responsible for the process of selection and revocation of statutory board membership, and monitoring the internal policies and procedures put in place by statutory boards (such as declarations of interests and conflicts of interest, at least pending overarching provisions in, e.g., the Integrity in Public Life Act 2021 and new Registration of Interests legislation) intended to strengthen good governance. Whilst this Commission could have representatives appointed by (e.g.) the Governor, Premier and Leader of the Opposition, I recommend that it has a majority of members appointed from BVI civic society. Those appointments should, of course, be the subject of an open and transparent process.”

Recommendation B28: Protocol for Appointment and Removal of Chair and Members of Statutory Boards

“I recommend that, pending such overarching provisions and as soon as practical, there should be a protocol for the appointment and removal of statutory board members, published and applicable to all such boards, which should be identified in the protocol itself. The protocol should be based on the principles of good governance, so that appointments and revocations of appointments are based on clearly expressed and published criteria. It should, therefore, include provision (e.g.) for advertisement of posts, appropriate application forms, appropriate checks, interviews before a panel including independent members, restricted circumstances in which the executive cannot proceed with the panel’s recommendation, and the rights to an independent appeal in appropriate cases. It should not be necessary for it to include any residual ministerial discretionary powers. Any such powers should only be maintained where necessary; and, where any such powers are maintained, then they should be subject to clearly expressed and published guidance. The Protocol should have, as a default, rolling periods of appointment, so that retirements are also on a rolling basis (even if reappointments are allowed).”

Recommendation 29: Review of Statutory Boards Appointment

“I recommend that consideration is given by the Governor (and any independent investigator he might appoint to consider this matter) as to whether it is necessary for any appointments to statutory boards made since 2019 to be revoked to enable appointments through a more open and transparent system to be made.”

1. Relevant Reports, Policies and Legislation:

a. Reviewers’ Reports:

- i. “2023 Statutory Boards Review1 and 2” by Mrs. Antoinette Skelton and Mr. Nelson Samuel can be accessed [here](#) and [here](#) respectively.
- ii. “2022 Statutory Boards Review” by Mr. Jamal Smith can be accessed [here](#).
- iii. “Report of Investigation into Statutory Boards Recommendation B29” by Mrs. Sheila Braithwaite can be accessed [here](#).

b. Policies:

- i. Statutory Boards Policy can be accessed at **Appendix F (List of Policies Approved by Cabinet)**.
- ii. Protocol for the Appointment and Removal of Statutory Board Members can be accessed [here](#).

c. Legislative Amendments: *List of legislation amended/passed during COI* is attached at Appendix J.

- i. Tourist Board (Amendment) Act, 2024.
 - ii. H. Lavity Stoult Community College (Amendment) Act, 2024.
 - iii. BVI Health Services Authority (Amendment) Act, 2024.
 - iv. National Parks Trust (Amendment) Act, 2024.
 - v. BVI Ports Authority (Amendment) Act, 2024.
2. **Lead Implementer:** Permanent Secretary, Premier' Office, Carolyn Stoult Igwe.
3. **Scope:** The scope of the implementation of the recommendations spanned all aspects of the operation of statutory boards, including:
- a. their fulfilment of financial, good governance and due diligence obligations;
 - b. review of the best structure, including that of an overarching provision;
 - c. controls on Board membership;
 - d. whether a Statutory Board Commission should be established to oversee Board membership, policies, integrity framework and other oversight aspects;
 - e. a separate overarching provision governing Board membership dealing with appointing/removing members, protocol for appointments, advertising/ selection of members, terms/timing of members to allow for rolling appointments; and
 - f. Whether appointments made starting in 2019 should be revoked.
4. **Process:** The process of implementing the recommendations included the following:
- a. reviewed the Action Plans of the various Review Reports, especially the Jamal Smith Report;
 - b. analysed and sought legal advice in relation to whether overarching legislation was the most effective approach to addressing the concerns across all statutory bodies;
 - c. reviewed appointment practices across statutory boards;
 - d. reviewed financial reporting records;
 - e. conducted a legislative gap analysis to identify deficiencies on the provisions of different statutory boards across common criteria;
 - f. reviewed Stipends paid to Board members; and
 - g. reviewed appointments since 2019;
5. **Changes:** The changes implemented included:
- a. created and executed Implementation Plans for the Action Plans of Review Reports, especially the Jamal Smith Report;

- b. amended the legislation of five representative statutory boards as a model for amending the remaining ones as part of the medium to long-term governance plan;
 - c. developed a Protocol for the Appointment and Removal of Statutory Board Members which was approved by Cabinet (see **Appendix F**);
 - d. developed a Statutory Boards Policy to address the overarching provision recommended to address common concerns;
 - e. Identified and amended the priority statutory boards legislation and included provisions for financial regulations, integrity provisions and reporting requirements whose legislation is to be addressed;
 - f. developed a Good Governance Resource Guide;
 - g. established the requirement for financial reporting; and
 - h. confirmed that there was no need for action as appointments to Statutory Bodies after 2019 had expired and reappoints had not been done.
6. **Impact:** The impact of changes implemented, include:
- a. Statutory Boards whose legislation has been amended operate under the same standard thus ensuring consistency of financial reporting, good governance provisions and management principles of Boards;
 - b. Access to a wider pool of applicants for Boards based on the requirement to advertise coming out of the protocol;
 - c. Clear processes for selecting candidates for Board Membership; and
 - d. More timely appointments of members to Boards.
7. **Conclusion:** With the acceptance and commencement of implementation of most recommendations emanating from the reviews on statutory boards, the Territory is continuing its path to statutory board reform. With the work that has been done to date, there is evidence of some of the major components of the Virgin Islands Modern Governance Approach, namely: inclusion; easier access to services (information on Board vacancies, for example); continued accountability; greater transparency; and building capacity. Ongoing monitoring of statutory boards, through the quarterly submission of reports, will continue. With the Protocol for the Appointments and Removal of Statutory Board Members and the Statutory Board Policy now in place, the Premier's Office has a framework for its monitoring of statutory boards. The ongoing plan of action to review and modernise statutory boards' legislation will result in improved governance and management of statutory boards. The Premier's Office is putting measures in place with the pending launch of a dedicated software and appointment of staff to support the already implemented monitoring of statutory boards to ensure that Government continues to receive value for money on its investment since subventions to statutory boards account for 20 percent of its budget.

Recommendation B30: Review of Process of Disposal of Crown Land

“I recommend that there should be a wholesale review of processes for the disposal of Crown Land, to ensure that such disposals are the subject of an open and transparent process. This review could (and, in my view, should) be led by a senior public officer. Without restricting the ambit of any such review, it seems to me that that review should include consideration of:

- 1. an independent body or independent bodies being established to consider applications for Crown Land disposals for domestic and/or commercial use;*
- 2. the degree and nature of the involvement of members of local community in an advisory capacity;*
- 3. criteria for the disposal of Crown Land for domestic and commercial use (including whether applications for domestic and/or commercial Crown Land by non-belongers ought to be entertained and, if so, the criteria for such grants), which should be both published and applied;*
- 4. whether there should be any executive discretionary powers in relation to Crown Land disposals;*

Any such powers should only be maintained where necessary; and, where any such powers are maintained, then they should be subject to clearly expressed and published guidance.”

1. Relevant Reports, Policies and Legislation:

a. **Reviewer:** Mr. David Abednego (See **Appendix D** - Reviewer’s Profiles).

b. **Reviewer’s Report:** “Virgin Islands Crown Lands Distribution Policy Review Report” can be accessed [here](#). The report addressed the considerations outlined in the Commissioner’s recommendation and provided a historical context for the review of Crown Land distribution, citing the various communities where the issue is prevalent. The Report made nine recommendations, including:

- i. National Estate Committee - creation of a central authority;
- ii. Technical Support – remaining of all the technical agencies under the Ministry responsible for Crown Lands;
- iii. Crown Lands Authority – establishment of a central authority for disposal of Crown Lands;
- iv. Crown Lands Advisory Committee – establishment of a committee to advise Government on best uses of available Crown Lands;
- v. Criteria and Application Process – documentation of criteria for the disposal of Crown Lands;
- vi. Crown Asset (register) - creation of a land register indicating the available Crown Lands;
- vii. Valuation of Crown Lands – establishment of a fair valuation of Crown Lands for disposal; and
- viii. Discretionary Powers - Cabinet should follow established procedures and guidelines.

c. **Legislation Passed:** “Crown Lands Management Act, 2024” can be accessed [here](#).

2. **Lead Implementer:** Permanent Secretary, Dr. Ronald Smith-Berkeley, Permanent Secretary, Ministry of Environment, Natural Resources and Climate Change.
3. **Scope:** In response to Recommendation 30, the Government implemented the Virgin Islands Crown Lands Management Policy which informed the Crown Lands Management Act, 2024.

- a. The Policy:
 - i. established the framework for the sustainable administration, management, development and use of the Territory's Crown Lands, to support the socio-economic development and environmental protection initiatives of the Territory; and
 - ii. defined the framework (administrative and legislative) to support the sustainable management and development of the Territory's Crown Lands for the benefit of present and future generations.
- b. Key components of the Act make provisions for:
 - i. **Sustainability:** ensuring that land use practices promote environmental conservation and responsible development;
 - ii. **Affordability:** making land accessible for purposes that benefit the community, such as housing and public projects;
 - iii. **Suitability of Lands for Development:** assessing land characteristics to determine appropriate uses and prevent unsuitable development;
 - iv. **Eligibility Criteria:** establishing clear guidelines for individuals and entities seeking to acquire or lease Crown lands;
 - v. **Responsible Management:** implementing oversight mechanisms to ensure transparent and efficient land management; and
 - vi. **Record Keeping and Information Sharing:** effectively record and disseminate information about the value and use of Crown Lands.
4. **Process:** Both the Virgin Islands Crown Land Policy, which later became the Draft Crown Land Management Bill, 2024, underwent an extensive public consultation process to ensure community involvement and transparency. Key aspects of this process included:
 - a. **Public Meetings:** Seven public meetings were held across the Virgin Islands, from Anegada to Jost Van Dyke. These sessions were led by the Premier & Minister of Finance, and Minister with responsibility for Environment, Natural Resources, and Climate Change (including Crown lands). The Premier was accompanied by technical support from the ministry.
 - b. **Focus Groups:** Two focus groups were engaged to provide detailed feedback and insights on the Bill's provisions. One focus group had already received Crown land, while the other group was still waiting to be awarded Crown land.
 - c. **Written Submissions:** The public was invited to submit written feedback, allowing individuals and organisations to contribute their perspectives and suggestions.
5. **Changes:** The implementation of the Virgin Islands Crown Lands Management Act, 2024 is expected to bring significant changes and benefits to land management and development in the Virgin Islands, including:
 - a. A structured and transparent process for distributing Crown lands will ensure fair and equitable access for residents, businesses, and community projects;

- b. The establishment of a Land Use Plan will help prevent haphazard development and promote sustainable urban and rural planning;
 - c. The creation of the Crown Lands Advisory Board and Standing Committees will introduce checks and balances to prevent favouritism, corruption, and political interference in land distribution;
 - d. Public accountability measures will ensure that land decisions are made in the best interest of the Virgin Islands;
 - e. The Act prioritises making Crown lands available for housing, agriculture, and community development, helping residents secure land for homes and livelihoods;
 - f. Improved access to public lands will enhance community well-being and support the long-term social and economic development of the Virgin Islands;
 - g. With clearer land policies, local and foreign investors may have greater confidence in land-based projects, leading to job creation and economic expansion; and
 - h. The enforcement of clear policies will help address squatting and unauthorised development, ensuring that Crown lands are used appropriately and legally.
6. **Impact:** The implementation of the Virgin Islands Crown Lands Management Act, 2024 will bring significant changes to governance in the Territory by promoting transparency, accountability, and strategic land management. Some key governance shifts include:
- a. The establishment of a Crown Lands Advisory Board and Standing Committees introduces independent oversight, reducing the likelihood of favouritism or political interference in land allocations;
 - b. A clear legal framework for land distribution ensures that decisions are documented, justified, and publicly accessible, improving government credibility;
 - c. The government will have formalised structures for land use planning, reducing ad hoc decision-making;
 - d. The Land Use Plan will ensure that Crown lands are allocated strategically, aligning with national development priorities;
 - e. The legislation encourages community engagement, ensuring that local voices and concerns are considered in land-use decisions;
 - f. By decentralising decision-making to Standing Committees focused on specifically designated Crown lands, governance will become more responsive to local needs; and
 - g. Governance will shift towards a data-driven approach, where land use decisions are based on environmental, economic, and social impact assessments.
7. **Conclusion:** The Crown Lands Management Act, 2024, will move the Virgin Islands toward a more structured, transparent, and sustainable governance model for land management. By addressing historical land issues, promoting fairness, and ensuring strategic land use, the legislation has the

potential to strengthen institutional capacity, boost economic development, and enhance public trust in governance.

The Crown Lands Management Act, 2024, marks a major shift in governance by promoting transparency, accountability, community engagement, and strategic planning in land management. It strengthens the Territory's legal frameworks as well as boosts public confidence in government, ultimately shaping a more equitable and sustainable future for the Virgin Islands.

Recommendation B31: Review of Process of Disposal of Crown Land

"I recommend all disposals of Crown Land, whether outright, by lease or otherwise, over the last three years be the subject of a full audit performed by the Auditor General or some other independent person or body instructed by her, and a report on that audit be presented to the Governor. The terms of that exercise should include consideration of the following:

- 1. the extent to which a body independent of the executive (such as an Estate Land Committee) was involved in the selection process and, if so, the nature and extent of that role*
- 2. any criteria applied in consideration of the application and by whom*
- 3. whether the executive exercised any discretion in relation to the selection process and, if so, how it was exercised and whether any guidance or criteria were applied*

Unless, in the meantime, the relevant BVI authorities consider otherwise, further steps including any criminal investigation and steps to recover public money (including recovery from any public official who has acted improperly) can await the outcome of that audit."

The Auditor General's reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B32: Investigation of Crown Land Disposal

"In respect of the disposal of Parcel 310 of Block 2938B, Road Town Registration Section, I recommend that the matter be referred to the appropriate authorities for consideration of whether a criminal investigation and/or investigations in relation to the recovery of the public money expended should be made having regard to:

- 1. all the available evidence including the information provided to the COI*
- 2. the dual evidential and public interest tests"*

The Auditor General's reports and investigations made specific recommendations to correct the causes of the various audits and investigations in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures. Audit Reports can be accessed [here](#).

Recommendation B33: Review of Residency and Belongership Status

"I recommend that there should be a review of processes for the grant of residency and belongsership status, and in particular the open discretion currently held by Cabinet to make grants. Any such powers should only be maintained where necessary; and, where any such powers are maintained, then they should be subject to clearly expressed and published guidance. This review could (and, in my view, should) be led by a senior public officer. As part of that review, the position with regard to the length of residence required for belongsership applications based on tenure should be clarified and confirmed by statute."

1. Relevant Reports, Policies and Legislation:

- a. **Reviewer:** Mr. Kedrick Malone (See **Appendix D** - Reviewer's Profiles).
- b. **Reviewer's Report:** "Review of Policy and Process for Granting Residency and Belongership" can be accessed [here](#).

The report provided a roadmap for implementing the recommendations under B33, including the drafting of new legislation, the establishment of a more transparent and accountable processing system, and the publication of guidelines for the grants of Residence and Belonger Status. It further stressed the importance of ensuring that the revised residency and belonger status process was fair and beneficial to the economy, particularly with respect to attracting skilled professionals and business investments while also protecting the interests of Virgin Islanders.

2. **Lead Implementer:** Permanent Secretary, Joseph Smith-Abbott, Ministry of Tourism, Culture and Sustainable Development.
3. **Scope:** The overall objective of Recommendation B33 was to reduce discretion in the immigration process and ensure a fairer, more transparent system for granting residence and belonger status. By August 2024, the Virgin Islands successfully introduced a statutory framework for these applications, moving away from arbitrary decision-making and creating a more consistent, transparent process. The implementation of these reforms led to a reduction in the overall number of applications, which was likely due to:
 - a. clarity in eligibility requirements;
 - b. clearing of the backlog; and
 - c. the normalization of applications based on legal timelines.
4. **Process:** The following measures were part of the process:
 - a. To facilitate this engagement, the Government announced a series of public meetings aimed at gathering input from residents and stakeholders.
 - b. On 28th February, 2024, the Cabinet of the Virgin Islands approved the **Belonger Status and Permanent Residence Policy**. The policy aimed to balance economic growth, cultural integration, and social stability by recognising the contributions of immigrants while safeguarding the interests and heritage of Virgin Islanders. The Policy can be accessed [here](#).
 - c. Following the public consultations, the Government proceeded to amend the Immigration and Passport Act to align with the recommendations of the COI. These amendments sought to clarify the criteria for granting residence and belonger status, reducing the discretionary powers previously held by the Cabinet.
5. **Changes:** The implementation of the Residence and Belonger Status Policy and associated legislative amendments under Recommendation B33 resulted in several significant changes that have positively impacted the immigration process and governance in the Virgin Islands. These changes include:

Implementation Area	Significant Change
Streamlined and Transparent Application Process	The creation of a unified application tracker replaced the Department of Immigration's multiple tracking systems. This consolidation improved oversight, management, and transparency, reducing errors. Applicants and the public enjoyed more predictable processing times and clearer communication, boosting confidence in the system.

Implementation Area	Significant Change
Legal Framework to Reduce Discretionary Power	The Residence and Belonger Status Policy reduced Cabinet's discretionary power by establishing clear criteria and guidelines. This created an objective, transparent, and fair framework for granting these statuses based on defined public criteria instead of discretion.
Reduction in Backlog of Applications	The RATED programme's resources and new tracking systems helped clear the backlog of applications, particularly after the June 2022 spike. The Immigration Department improved its operational efficiency despite some delays.
Enhanced Capacity for Application Processing	Additional resources, including temporary staff and system upgrades, allowed the Department of Immigration to process applications more efficiently. The RATED programme also reduced delays by easing staffing shortages.
Legislative and Policy Reform	Amendments to the Immigration and Passport Act, passed by the House of Assembly, established clearer guidelines for eligibility and residency. These changes addressed gaps in policy and aligned with COI recommendations, making the immigration system better suited to the Territory's needs.
Improved Governance	The process has become more predictable and fairer, aligning with international immigration standards and demonstrating transparency. The quota setting committee will improve governance by creating a clear process for approving different nationalities and sectors.
Ongoing Monitoring and Adjustment	The new policy and legislation create a framework for monitoring and refining immigration policies. This system can adapt to future challenges, ensuring flexibility and responsiveness. The Board of Immigration aligns the process with the new framework's goals.

6. **Impact:** Key Changes Included:

- a. Clear definitions of ordinarily resident status and minimum residence periods for applicants;
- b. Streamlined application process with standardised documentation and transparent procedures;
- c. Updated provisions for granting of residence and believer status under the revised policy;
- d. Enhanced oversight of the immigration process, including clearer paths for appeals and reviews in case of unjust decisions;
- e. Legislative framework introducing a quota setting committee to shape the Territory's policy on Residence and Belonger Status;
- f. The Residence and Belonger Status Policy, part of Recommendation B33, has significantly impacted public service and governance in the Virgin Islands. Stakeholder engagement during

development ensured the policy addresses community needs, improving public trust in the immigration system.

- g. Aligning with the Public Service Transformation goal, this consultative approach ensures policies are legally sound and beneficial. It enhances decision-making and strengthens the Department of Immigration with new tracking systems and legislative changes.
 - h. Legislative amendments reduce discretionary powers and introduce clear criteria, leading to fairer decision-making and stronger governance.
 - i. The policy promotes social stability by fairly integrating new residents, aligning with international best practices, enhancing the Virgin Islands' reputation globally, and reflecting its commitment to good governance and the rule of law.
 - j. A total of 3,193 applications were processed from June 2022 to February 2025, which include backlogged applications and those received, considered, and approved at various stages of the process as of June 2022. The Cabinet's approval process included both backlogged applications (those awaiting action before June 2022) as well as more recent submissions. A large number of applications were approved in the Residence category, which reflected both historical and new applications. Seven hundred and sixty-nine outstanding applications are left to enter the processing queue as of February 2025.
7. **Conclusion:** The Residence and Belonger Status Policy contributes to the broader social stability and cohesion of the Virgin Islands. By ensuring that the immigration process is fair and based on clear, objective criteria, the policy helps to integrate new residents into the community in a way that is inclusive and equitable. By aligning immigration policies with international best practices and ensuring that the process is fair, transparent, and consultative, the Virgin Islands has strengthened its reputation on the international stage. The public's positive response to the policy reflects a growing recognition of the Territory's commitment to good governance, accountability, and the rule of law.

One of the most important lessons learned from the process was the value of stakeholder consultation. The policy was shaped by feedback from a wide range of stakeholders, ensuring that the policy was not only legally sound but also practical and reflective of the needs and concerns of the community.

Recommendation B34: Audit of Belonger Status

"I recommend that all applications for and grants of residency and belongship status under the Fast Track scheme be the subject of a full audit performed by the Auditor General or some other independent person or body instructed by her, and a report on that audit be presented to the Governor. The terms of that exercise should include consideration of the following:

1. *the extent to which the statutory criteria were applied to the application, and by whom*
2. *whether the executive exercised any discretion in relation to the selection process and, if so, how it was exercised and whether any guidance or criteria were applied*
3. *whether, in terms of governance, there were any inherent weaknesses in the Fast Track scheme*

Unless, in the meantime, the relevant BVI authorities consider otherwise, further steps including any criminal investigation can await the outcome of that audit."

1. Relevant Reports, Policies and Legislation:

- a. **Audit Report:** The Auditor General recommended several actions in her Report to address weaknesses in the former attempt to regularise applicants for Residence and Belonger Status. This report can be accessed [here](#).

2. **Lead Implementers:** Permanent Secretary, Joseph Smith-Abbott, Ministry of Tourism, Culture and Sustainable Development and Nadia Demming-Hodge, Chief Immigration Officer (Ag.).
3. **Scope:** The focus of Recommendation B34 was a review of the programme entitled: Clear Path to Regularisation termed in short, *Fast Track Programme* for certain categories of applicants for Residence and Belonger Status. The intended aim of the programme, as stated, was to provide a more streamlined, accessible process for individuals who met the necessary criteria.
4. **Process:** The Government addressed the regularisation of the Immigration Department's processing of applications by:
 - a. Conducting a comprehensive review of the current residence and belonger status application processes, which had been perceived as opaque and inconsistent. This aimed to address how the discretion previously held by Cabinet was applied, replacing it with more objective and publicly available criteria.
 - b. Expediting the processing of applications for those who met the established criteria was expected to reduce backlogs, speed up the granting of residence status and support economic growth by enabling skilled workers to obtain residence status more quickly.
 - c. The creation of clear guidelines for applicants which would ensure that applicants understood the criteria they needed to meet, the process they needed to follow, and the timeline for the decision-making process.
5. **Changes:** The implementation of Recommendation B34 provided the following changes:

Recommendation	Response
1. Applicants who were awarded status under the Programme but did not meet statutory requirements should be referred to the Attorney General's Chambers for an assessment and appropriate corrective actions.	The Immigration and Passport (Validation) Act, 2023 validated applications promptly and clearly. Applicants meeting the requirements had their status officially recognised.
2. An assessment of Section 16(5a) in the Immigration and Passport Act should be conducted to ensure it achieves its intended purpose, particularly regarding the possible invalidation of awards for those who remain outside the Territory.	Previously awarded grants have not been reviewed. Status awards are still given out as per the provisions. Applicants must now include a letter in their application confirming their intent to reside in the Territory.
3. Applicants who were awarded residency but not issued certificates should have their certificates issued.	The recommendation has been fully implemented. Certificates of residence have been issued, and a bulletin on March 9, 2023, reminded individuals to collect them. All certificates have been successfully distributed.
4. Refunds should be issued to fourth generation applicants who overpaid for their certificates of Belonger status.	The Ministry of Finance and the Immigration Department refunded fees to all but one individual living outside the Territory. Efforts to refund this person continue, demonstrating the government's commitment to fairness and transparency.

Recommendation	Response
5. Policy makers should consider the short- and long-term impacts of policy changes, particularly when legislative changes are involved.	The National Sustainable Development Plan (NSDP) provides a framework for government policies, supporting long-term planning and aligning programmes with development goals. The Quota Setting Committee in the Immigration Amendment Act follows the NSDP's development goals.
6. The government's approach to immigration reform should be comprehensive, driven by research, analysis, and stakeholder engagement.	The Residence and Belonger Status Policy uses a comprehensive immigration reform approach. Research, data collection, and stakeholder input shaped the policy, making it responsive to current needs and adaptable to future challenges.
7. The criteria for the Executive's discretionary powers should be documented, with clear information provided to stakeholders.	The Executive's discretion was reduced by clear statutory criteria, limiting discretionary powers to special cases. The Government's Discretionary Powers policy aims to guide future decisions, ensuring exceptions are documented and justified.
8. Instructions from the Executive to program administrators should be documented in writing and kept on file.	The recommendation has been accepted and will be implemented in future cases. Written instructions are now required to ensure greater accountability and transparency.
9. Clear criteria should be established for programme administrators, especially when the oversight role of the Board is reduced.	Assessment guidelines established in 2024 ensure consistent application evaluations, despite reduced Board oversight.

6. **Impact:** The implementation of Recommendation B34 provided the foundation for implementing reforms that would lead to a more efficient, transparent, and equitable immigration system in the Virgin Islands, focusing on reducing discretionary power, streamlining processes, and ensuring clear and fair criteria for applicants.
7. **Conclusion:** Implementing B34 is crucial for modernising the Virgin Islands' immigration system and enhancing governance. The government has addressed concerns from the Auditor General's review of the Fast-Track Programme under Recommendation B34. Aligning these actions with Recommendation B33 has helped streamline immigration processes, reduce discretionary powers, and ensure fairness and transparency in granting residence and believer status.

Recommendation B35: Public Service Transformation

"I recommend that the Public Service Transformation Programme is led by the Deputy Governor, unless the Governor is satisfied that a joint lead by the Deputy Governor and the Permanent Secretary Premier's Office (or the Permanent Secretary of another Ministry) is more likely to result in a quicker or otherwise better finalisation and implementation of the programme. The implementation should be driven forward energetically, and without delay."

1. Relevant Reports, Policies and Legislation:

Recommendation B35 calls for a comprehensive review of the Public Service Transformation Programme (PSTP) to ensure it is appropriately structured, resourced, and aligned with good governance principles. While the recommendation does not necessitate immediate legislative changes, it requires that the transformation agenda be formalised through robust policy planning. The PSTP

addresses service delivery, performance management, and institutional integrity across the Public Service.

2. **Scope:** The scope of implementation encompassed several critical areas aimed at enhancing governance structures and improving the overall efficiency of the Public Service. These included strengthening strategic leadership, advancing digital transformation through e-government initiatives, modernising human resource management, streamlining public service delivery, and improving financial management practices. The programme sought to create a more agile, responsive, and citizen-focused public service, capable of addressing contemporary challenges.
3. **Lead Implementer:** Deputy Governor.
4. **Process:** The implementation of the Public Service Transformation Programme was structured to ensure efficiency, accountability, and modernisation of government operations. The process included:
 - a. The designation of leadership, where the Deputy Governor was assigned to lead the transformation efforts, with the flexibility of a joint leadership if deemed more effective by the Governor.
 - b. A comprehensive framework was developed, aligning with governance priorities.
 - c. Stakeholder engagement played a critical role in ensuring buy-in from ministries.
 - d. The rollout of implementation followed a phased approach, with a focus on quick wins.
 - e. Regular monitoring and evaluation mechanisms were also introduced to track progress and address challenges.
5. **Changes:** The following reforms have been initiated or strengthened as part of the review:
 - a. Establishment of a new results-based management framework;
 - b. Integration of digital governance tools into daily operations;
 - c. Expansion of training and leadership development initiatives;
 - d. Streamlining of departmental structures to reduce duplication; and
 - e. Improved communication strategies to promote transparency and employee engagement.
6. **Impact:** The PSTP review has begun to create a more accountable, responsive, and performance-driven Public Service. The public is beginning to experience more reliable and timely service delivery. Additionally, enhanced oversight and performance tracking have bolstered institutional accountability.
7. **Conclusion:** Recommendation B35 is being actively implemented and represents a foundational aspect of the broader governance reform agenda. The ongoing review and revision of the Public Service Transformation Programme reflect a serious commitment to building a modern, efficient, and citizen-focused public administration.

Recommendation B36: Public Service Management Code

“I recommend that the Public Service Management Code is finalised and put in place as soon as practical, with a view to it being incorporated into a Public Service Management Act at some early stage.”

1. Relevant Reports, Policies and Legislation:

- a. **Policies Approved by Cabinet:** Public Service Management Code can be accessed [here](#). The **Public Service Management Code** serves as a practical guide to the application of the Act and is essential for embedding standards of conduct, performance, and administrative procedures within the Virgin Islands Public Service.

2. Lead Implementer: The Office of the Deputy Governor

3. **Scope:** The Code formalises standards of conduct, improves transparency in decision-making, and creates a more accountable public service structure. Provisions focus on several key areas, including defining clear policies and procedures for recruitment, promotions, performance management, disciplinary actions, and professional development within the public sector. Additionally, it establishes mechanisms for succession planning and workforce capacity building, ensuring that the Public Service remains resilient and efficient.
4. **Process:** The implementation of the Public Service Management Code was pursued as a critical step in strengthening governance, enhancing public administration, and ensuring consistency in the management of public officers. The process included:
 - a. extensive consultation with key stakeholders, including the Office of the Deputy Governor, the Department of Human Resources, and legal advisors, to finalise a comprehensive framework that aligns with best practices in public service management;
 - b. the drafting phase, a comprehensive review, and thereafter validation and final approval and implementation; and
 - c. establishing the Code as a policy document, with a long-term vision of incorporating it into a Public Service Management Act to provide it with legislative authority.

This goal was realised and the Act was passed in the House of Assembly on 29th August, 2024.

The Code was officially launched on 28th March, 2023 as one of the transformation initiatives of the Government of the Virgin Islands.

5. **Changes:** The finalisation and implementation of the Code led to changes in the management of the Public Service, including:
 - a. Performance management systems were strengthened, ensuring that officers were evaluated based on merit and accountability;
 - b. Disciplinary and grievance procedures were clearly outlined, fostering greater confidence in the fairness and transparency of human resources management;
 - c. Additionally, the establishment of career development pathways, improved opportunities for professional growth and succession planning all enable transparency and greater confidence within the Public Service.

6. **Impact:** The implementation of the Code has strengthened institutional accountability and enhanced leadership within the Public Service. By setting clear standards for recruitment, promotions, and disciplinary actions, the Code has reinforced ethical governance and minimised risks of political or administrative interference. The move towards incorporating the Code into legislation ensures long-term sustainability, preventing arbitrary changes that could undermine its effectiveness.
7. **Conclusion:** The Public Service Management Code provides the operational backbone for the Public Service Management Act and anchors many of the reforms under the broader transformation agenda.

Recommendation B37: Public Service Training

“I recommend that the Department of Human Resources coordinates the expenditure on the training of public officers.”

1. **Relevant Reports, Policies and Legislation:**
 - a. **New Legislation Passed:** “Public Service Management Act, 2024” can be accessed [here](#).
2. **Lead Implementers:** Permanent Secretary, Sharleen Dabreo-Lettsome, Deputy Governor’s Office.
3. **Scope:** The scope of this initiative expanded significantly to cover the entire Public Service, with VIPSLI now offering a standardised, competency-based curriculum across all grades and locations. Initially, it implemented pre-existing departmental training plans, such as the 2023 training of 25 Customs Officers and the relaunch of HR’s onboarding programme. By 2024, VIPSLI had trained approximately 10,000 repeat attendees through 102 in-person and online courses, covering topics from Public Service 101 to leadership, IT, finance, and emergency management. Strategic partnerships with regional and international institutions have enhanced the programme, aligning it with global best practices.
4. **Process:** The implementation of Recommendation B37 followed a strategic, best-practice approach, including:
 - a. In 2022, Cabinet approved the centralisation of most training funds under the Department of Human Resources, consolidating them into the Virgin Islands Public Service Learning Institute (VIPSLI), except for the RVIPF and teaching services due to their specialised needs.
 - b. Key staffing appointments were made, including a Director, HR Manager, Learning and Development Partners, and support staff.
 - c. VIPSLI is housed in on the third floor of the Home Grown Building enabling unified coordination of the centralised training framework.
5. **Changes:** Changes include:
 - a. The consolidation of learning funds under the Virgin Islands Public Service Learning Institute (VIPSLI) has transformed training across the Public Service, positioning the Institute as the central hub for professional development.
 - b. In 2024 alone, VIPSLI delivered 102 diverse courses, ranging from Public Service 101 (completed by 350 officers) and customer service training (111 officers), to specialised sessions in security, IT, finance, AI, and digital governance.

- c. Emergency and disaster training alone engaged over 2,000 participants.
 - d. Key initiatives included finalising a contract with CARICAD for two emerging leadership cohorts, piloting subject-specific courses (e.g., Emergency Care and Treatment (ECAT), Governance, Litigation Portal), and managing scholarship, study leave, and attachment programmes.
 - e. Training investments totalled approximately \$461,052.46 domestically and \$349,320 abroad, reflecting a robust commitment to building capacity and enhancing service delivery across the Public Service.
6. **Impact:** The centralised management of training funds has significantly enhanced transparency and accountability. The initiative has ensured that all training expenditures are aligned with national workforce planning and governance priorities, with structured assessments providing valuable data for informed decision-making. This approach has reinforced a culture of continuous improvement and strategic investment in public service, setting a benchmark for effective governance that is both sustainable and scalable.
 7. **Conclusion:** Recommendation B37 is progressing steadily, with a more structured and strategic approach to training now in place. By coordinating training through a centralised mechanism, the Public Service is better positioned to build capacity, support reform, and deliver high-quality services.

Recommendation B38: Review of Law Enforcement Agencies

"I recommend that there is a review of the law enforcement and justice systems, to include not only the front-line agencies (such as the Royal Virgin Islands Police Force, the Financial Investigation Agency, HM Customs and the Immigration Department, insofar as the last two mentioned are involved in the law enforcement system), but also the Prison Service and the Office of the Director of Public Prosecutions. Consideration should be given as to whether it should also cover the whole or parts of the Attorney General's Chambers and/or the courts. I recommend that this review forms an element of the Constitutional Review I have proposed. The scope of the review will need careful consideration but it should in my view include a review of:

1. *structure (including whether the front-line law enforcement agencies should have a lead agency and what should that be, and under which arm(s) of government should law enforcement lie, particularly, where responsibility for border control should lie)*
2. *resources and funding*
3. *conduct and standards*
4. *terms and conditions*

The review need not be a single project – strands will need to be identified and prioritised – and it can draw on the work of reviews currently in progress in relation to the Royal Virgin Islands Police Force and the Prison Service."

Recommendation B39: Vetting of Customs and Immigration Officers

"I recommend that all serving HM Customs and Immigration Department Officers at all levels of seniority be subject to full vetting by an independent agency. Without limiting the ambit of that exercise, it should involve determining if there has been a failure to disclose:

1. *relevant information before or when first appointed and which may have led to the officer being deemed unsuitable*
2. *relevant information thereafter including the existence of a second job or a conflict of interest which could reasonably be seen to compromise the individual officer's ability to fulfil his or her role now and in the future*

In the event that a similar exercise is not being undertaken in relation to the Royal Virgin Islands Police Force and the Prison Service, then their officers should be included in this process."

1. Relevant Reports, Policies and Legislation:

- a. **Law Enforcement Review Vol. 1 and Vol. 2** can be accessed [here](#) and [here](#) respectively. Recommendation B39 mandates the development and implementation of a robust vetting process for all law enforcement officers in the Virgin Islands. This includes members of the Royal Virgin Islands Police Force (RVIPF), Her Majesty's Customs, and the Immigration Department. The plan aims to strengthen internal integrity, prevent corruption, and restore public confidence. The Service Commissions Act and Regulations and the Police Regulations were amended.
2. **Lead Implementer:** Governor.
3. **Scope:** The vetting process applies to all serving officers and recruits in the RVIPF, Customs, and Immigration. Vetting will involve background checks, financial disclosures and conflict of interest screening.
4. **Process:** The process includes:
 - a. Cabinet approved the Police (Amendment) Regulations, 2024 (Memo No. 169) to establish a legislative framework for implementing the Vetting Policy within the Royal Virgin Islands Police Force (RVIPF).
 - b. The Regulations came into force on 15th July 2024, following consultations with the RVIPF and Police Service Commission.
 - c. The outsourcing agreement for an independent vetting agency is currently under review by the Commission.
 - d. Separately, Cabinet also approved the Service Commissions (Amendment) Bill, 2024 (Memo No. 195) to extend the Vetting Policy to Customs, Immigration, and Prison Services.
 - e. The Act came into force on 11th October 2024, with supporting regulations enacted on 17th December, 2024.
 - f. A draft outsourcing agreement was submitted to the Public Service Commission in January 2025, and once signed, vetting by the independent agency can commence.
5. **Changes:** The outsourcing agreement, which formally grants the vetting team the authority to conduct vetting of officers, has not yet been signed by the Police Service Commission. As a result, it remains challenging to provide a comprehensive report on the changes implemented to date. However, once the agreement is signed, the framework is in place to commence the immediate vetting of existing officers as well as recruits.
6. **Impact:** - Although full implementation is pending, through the consultation meetings, the initiative has already improved awareness of accountability and ethical standards within law enforcement. Officers are more conscious of the scrutiny tied to their roles.
7. **Conclusion:** Recommendation B39 is a key part of restoring credibility and operational integrity in the law enforcement sector. Effective vetting will act as a safeguard against corruption and misconduct. The foundation is being laid, and next steps must focus on scaling the process across all relevant agencies.

Recommendation B40: Investigate Corruption in Customs

“I recommend that officers appointed by the Commissioner of Police investigate possible corruption within HM Customs.”

The matter was referred to the relevant authority.

Recommendation B41: Facilitating Fight Against Crime

“I recommend that consideration is given to ensuring that the Royal Virgin Islands Police Force and (as necessary) other enforcement agencies have the facilities and powers to prevent, monitor and detect crime, and prepare matters for prosecution, including by way of access to and use of modern scientific techniques and intelligence material. This can be done through a panel comprising representatives of (e.g.) the Attorney General, the Director of Public Prosecutions, the Police Commissioner, HM Customs Commissioner and the Immigration Department, with external expertise being brought in as and when required. The panel should prepare a report, setting out recommendations as to what is required, to be presented to the Governor.”

1. Relevant Reports, Policies and Legislation:

- a. **Reviewer:** His Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS).
- b. **Reports:** **Law Enforcement Review Vol. 1 and Vol. 2** can be accessed [here](#) and [here](#) respectively.

2. Lead Implementers: Governor.

3. **Scope:** A comprehensive review of law enforcement and criminal justice bodies was conducted, focusing on agencies such as the RVIPF, HM Customs, and the Immigration Department. One key recommendation from this review was to ensure that law enforcement agencies possess the necessary facilities and powers to prevent, monitor, and detect crime, and to prepare cases for prosecution. This includes granting access to and the use of modern scientific techniques and intelligence materials. To implement this, a panel was appointed to assess and enhance these capabilities.

4. Process: The process has included the following:

- a. Since the Commission of Inquiry (COI) in 2021, significant steps have been taken to enhance the capabilities of the Royal Virgin Islands Police Force and other law enforcement agencies in the Virgin Islands.
- b. These measures aim to bolster crime prevention, monitoring, detection, and the preparation of cases for prosecution, particularly through access to modern scientific techniques and intelligence materials.
- c. Notably, before this recommendation was made, the Financial Crime Unit consisted of only six officers. However, by January 2025, the Unit's staffing had expanded to thirteen officers, with four vacant positions and one actively undergoing recruitment.
- d. Additionally, enhancements to the compensation package have been implemented to improve retention and attract qualified personnel to the Unit, ensuring greater capacity to address financial crimes effectively.
- e. In response to the COI's findings, a Commission of Inquiry Implementation Unit was created to oversee and report on the progress of implementing the COI's recommendations.

- f. As of February 2024, the Unit reported that work on all fifty recommendations had commenced, with twenty-nine fully completed and twenty-one in progress.
5. **Changes:** Changes include:
- a. HMICFRS conducted a comprehensive review of the Territory's law enforcement and criminal justice bodies. The first volume of this review, published in June 2024, examined nine public sector bodies, including the Royal Virgin Islands Police Force (RVIPF), HM Customs, and the Department of Immigration.
 - b. The report identified areas for immediate improvement and made 138 recommendations aimed at enhancing the effectiveness and efficiency of these agencies.
 - c. The implementation of these recommendations is expected to lead to improved inter-agency collaboration, better access to modern scientific techniques and intelligence material, and overall strengthened crime prevention and detection mechanisms.
 - d. Additionally, HMICFRS has released the second volume of its review, which provides a more detailed assessment of the current arrangements and offers further recommendations for sustainable improvements in the BVI's law enforcement and criminal justice systems.
6. **Impact:** Since June 2024, the British Virgin Islands (BVI) have undertaken several reforms aimed at strengthening law enforcement, modernising border security, and enhancing the efficiency of the criminal justice system. This includes:
- a. In response to recommendations from the HMICFRS report, steps have been taken to formalise a Criminal Justice Advisory Board (CJAG) to promote better coordination among key justice agencies, including the RVIPF, Office of the Director of Public Prosecutions, HM Customs, Immigration, and the Attorney General's Chambers. This initiative underscores a broader commitment to improving inter-agency collaboration.
 - b. Despite these efforts, the Territory experienced a 12% increase in reported crime during 2024, particularly involving gun-related offenses. In response, the Royal Virgin Islands Police Force adopted more proactive strategies, resulting in several arrests and stronger enforcement.
 - c. Concurrently, workforce planning efforts have gained traction, with staffing increases across key investigative and incident response teams.
 - d. Officer training has also been enhanced through collaboration with the Virgin Islands Public Service Learning Institute (VIPSLI), and a revised crime prevention strategy has been implemented under the direction of the Police Commissioner.
 - e. Modernisation of border security has also been a priority. As such:
 - i. In October 2024, the BVI launched the Online Embarkation/Disembarkation (ED) Card System, allowing travellers to submit required information prior to arrival and easing congestion at entry points. This system became mandatory in January 2025.
 - ii. Additionally, Automated Passport Control (APC) kiosks were introduced at the Terrance B. Lettsome International Airport to speed up entry for eligible travellers, while the Advanced Passenger Information System (APIS) was implemented to facilitate pre-screening of passengers using international databases.

- f. In support of these reforms, the 2025 Budget includes allocations for salary increases and new hiring across law enforcement agencies, reflecting the Government's commitment to strengthening the public safety workforce.
 - g. These initiatives mark significant progress in modernising the Territory's approach to crime prevention, justice administration, and border security—though continued attention and investment and will be critical to sustaining long-term improvements.
7. **Conclusion:** The reforms implemented in the Virgin Islands since June 2024 demonstrate a firm commitment to modernising the criminal justice system, improving border security, and enhancing the capabilities of law enforcement agencies. The establishment of the Criminal Justice Advisory Board, proactive crime prevention strategies, investment in officer training, and the digital transformation of immigration procedures all represent meaningful strides in strengthening public safety and institutional coordination. Despite ongoing challenges, including a rise in certain types of crime, these efforts reflect a strategic and collaborative approach to addressing systemic gaps. Continued focus on inter-agency cooperation, technological advancement, and workforce development will be essential to achieving lasting improvements in the Territory's security and justice landscape.

Recommendation B42: Update Criminal Procedure Rules

"I recommend that Criminal Procedure Rules are revised, to give the criminal courts modern case management powers."

The Eastern Caribbean Supreme Court (ECSC) has been actively working to revise and update its Criminal Procedure Rules (CPR) to enhance the efficiency and effectiveness of criminal proceedings across its member states and territories, including the Virgin Islands. The Virgin Islands was in the process of finalising local CPR with the first draft of the Rules received from the Attorney General's Chambers when they were advised of the plans for the wider Rules by the ECSC.

Revise Criminal Procedure Rules for Public Consultation: To involve stakeholders in the reform process, the ECSC released revised Criminal Procedure Rules for public consultation. This initiative invited feedback from various criminal justice stakeholder groups to ensure the rules are comprehensive and practical. A draft of the Criminal Procedure Rules 2024 has been made available, outlining proposed changes aimed at streamlining criminal procedures. Key aspects of the draft include:

1. **Court Operations:** specifying when courts shall hear criminal matters and the operating hours of the Criminal Division's office;
2. **Electronic Records:** mandating that Criminal Division records be maintained electronically to the extent possible;
3. **Verbatim Records:** requiring official verbatim records of all criminal proceedings to be made using audio recording equipment; and
4. **Electronic Filing:** governing the practice and procedure for the electronic filing of documents, aligning with the ECSC's Electronic Litigation Filing and Service Procedure Rules.

These proposed rules are part of the ECSC's ongoing efforts to modernise the judicial process and improve access to justice.

Recommendation B43: Revise Jury Act

“I recommend that consideration is given to revising the Jury Act in two respects. First, consideration should be given to increasing the size of the pool of jurors by (e.g.) changing the criteria to enable those who are long-term residents to sit on juries. Second, consideration should be urgently given to granting the court wider powers to hear judge-only criminal trials.”

1. Relevant Reports, Policies and Legislation:

- a. **Review Legislation:** The Virgin Islands Jury Act, 2022 repealed and replaced the previous Jury Act, Revised Edition 2013. The new Act updated provisions regarding juror qualifications, disqualifications, and exemptions, while reinforcing legal protections for jurors and establishing modern jury management systems.

2. Lead Implementer: The Office of the Deputy Governor and the Registrar, Supreme Court.

3. **Scope:** The review encompasses several key areas of the jury system, including juror eligibility and disqualification criteria, procedures for jury selection and randomisation, and the terms and conditions under which jurors serve. It also addresses exemptions and deferrals, compensation and support mechanisms for jurors, enforcement provisions for non-compliance or misconduct, and the use of technological and administrative tools to manage jury pools more effectively.

4. Process: The process included:

- a. Cabinet, via Memo No. 87 of 2022, approved the repeal of the existing Jury Act (Cap 36) and the introduction of the Virgin Islands Jury Act, 2022, aimed at modernising the jury system and clarifying eligibility criteria.
- b. The Bill was passed on 25th October, 2022 and assented to on 14th November 2022.
- c. Subsequent amendments were passed on 31st October, 2023 and assented to in November 2023—one to allow assessor nominations by the Chairman of the Judicial and Legal Services Commission and the Deputy Governor, and another to legalise juror lists generated after 29th December, 2021.
- d. These amendments took effect once the 2022 Act was enacted.
- e. Implementation followed a detailed review of jury selection and trial processes, with consultations across the judiciary and legal sectors.
- f. While constitutional change would be required for judge-only trials, efforts focused on expanding juror eligibility to strengthen the justice system.

5. **Changes:** The most notable change was the formalisation of juror qualifications, ensuring a larger and more diverse jury pool. The Act introduced mechanisms to better manage jury selection, such as the Jury Management Database, which improves efficiency in selecting jurors. Exemptions were also clarified, ensuring critical workers such as police officers and medical practitioners are duly burdened with jury duty.

6. **Impact:** The revised Jury Act supports the principles of good governance by ensuring that jury selection is fair, transparent, and inclusive. Strengthening the jury process also bolsters the rule of law, reinforcing public trust in the judiciary. However, the failure to address judge-only trials (requires constitutional changes) limits judicial flexibility, especially in complex cases where an impartial jury may be difficult to assemble.

7. **Conclusion:** The Jury Act is a critical step toward strengthening the administration of justice in the Virgin Islands. By modernising outdated provisions, expanding juror eligibility, and introducing clearer procedures and support mechanisms, the Act enhances the fairness, efficiency, and credibility of the jury system. It ensures greater public participation in the justice process, promotes transparency, and upholds the fundamental right to a fair trial. In doing so, it reinforces public confidence in the legal system and aligns the Territory's jury practices with contemporary standards of good governance and the rule of law.

Recommendation B44: Revising, Consolidating and Publishing Laws

"I recommend that consideration is given to building upon the current initiatives for revising, consolidating and publishing in readily accessible form the laws of the BVI, including early consideration for prioritising elements of this project and producing a work programme for it."

1. Relevant Reports, Policies and Legislation:

Review Legislation/Review Plan: Recommendation B44 calls for a full consolidation of the laws of the Virgin Islands, to bring together all current legal instruments into an accessible, up-to-date, and coherent format. The aim is to improve legal clarity, accessibility, and public understanding of the law. The review does not immediately involve changes to the substance of the law but is intended to support later reforms through better legal organisation and transparency.

2. Lead Implementer: The Attorney General's Chambers

3. **Scope:** The consolidation process involves compiling all statutes passed by the House of Assembly along with their amendments, as well as subsidiary legislation such as regulations, rules, and orders. It also includes the archiving of repealed or superseded laws, the harmonisation of cross-references, numbering, and formatting for consistency, and the identification of outdated or redundant laws for potential repeal in a separate legislative exercise.

4. **Process:** Work commenced with a legal audit of all primary and secondary legislations currently in force. A digitisation initiative is underway to centralise legislative texts in a modern legal database. Drafting teams are tasked with producing consolidated versions of Acts, integrating amendments into a single document. A phased publication schedule will allow for public access to consolidated laws on an online platform.

5. Changes: Initial achievements and procedural improvements include:

- a. development of a legal consolidation policy and implementation roadmap;
- b. scanning and digitisation of archived laws and amendments;
- c. initiation of a public legislation portal to host consolidated texts; and
- d. engagement with legislative users (e.g., legal professionals, public officers, students) to identify accessibility needs.

6. **Impact:** The consolidation will greatly enhance legal certainty and reduce the risk of administrative and judicial errors due to outdated or fragmented statutes. It will also improve public access to the law,

facilitating better compliance and informed civic participation. Legal professionals and public officers will benefit from simplified legal references and streamlined workflows.

7. **Conclusion:** Recommendation B44 is a transformative administrative reform aimed at improving the structure and accessibility of Virgin Islands law.

Recommendation B45: Management of Complaints

“I recommend that the Complaints Commissioner be required to report annually to the Governor, Deputy Governor and the House of Assembly/ Standing Finance Committee of the House of Assembly, setting out the extent to which there has been a response to her criticisms and recommendations. That would give the House/ Committee an opportunity to scrutinise the report and raise questions about it as part of the budget process.”

Section 24 of the Complaints Commissioners Act, 2003 already requires the Complaints Commissioner to issue reports within six months of the financial year and for the Governor to cause them to be laid in the House of Assembly within three months of receipt. The outstanding 2021 and 2022 annual reports from the Complaints Commissioner were laid in the House of Assembly in June 2024. The outstanding 2023 annual report was received in February 2025. It will be laid in the House of Assembly before May 2025.

3.3 OTHER REFORMS

The following good governance reforms were proposed by GoVI as part of its commitment to strengthening governance in the Virgin Islands.

3.3.1 Whistleblower Act (In progress)

1. **Scope:** The amendments to the Whistleblower Act will introduce significant changes, enhancing protections for whistleblowers. The COI's recommendations included broadening the scope of the Act, particularly by redefining “Improper Conduct” and shifting oversight responsibilities to the Complaints Commissioner. This shift was aimed at creating an independent oversight mechanism, ensuring that whistleblower protections were no longer under direct government control.
2. **Process:** The implementation of these reforms faced time constraints, as the urgency of the changes limited the extent to which full consultations could be conducted. This resulted in less thorough stakeholder input, which may have impacted the overall robustness of the reform process.
3. **Proposed Changes:** Key measures will introduce include the establishment of a Whistleblower Fund to support legal costs and provide financial rewards for whistleblowers. Additionally, a new reporting framework will be put in place, with Disclosure Receiving Officers ensuring that channels for reporting misconduct are clear and accessible. Legal protections for whistleblowers will also be strengthened, ensuring that individuals reporting in good faith are shielded from retaliation.
4. **Expected Impact:** The reforms will lead to greater confidentiality for whistleblowers, encouraging more individuals to report misconduct without fear of exposure. Legal safeguards will increase trust in the system, fostering an environment where individuals feel safe to disclose unethical behaviour. The expansion of reporting channels will also mean that more people have access to mechanisms for whistleblowing, making the process more inclusive and lessening barriers to reporting.

The effectiveness of the reforms will be assessed by tracking the number of disclosures, the legal outcomes of investigations and prosecutions, and changes in workplace culture.

A reduction in unethical behaviour and an increase in reporting rates will be positive indicators of the system's success.

5. **Conclusion:** The Whistleblower Act will empower the people of the Virgin Islands to hold public officials accountable, promotes transparency and trust in governance.

3.3.2 Amendments to the Elections Act (In progress)

1. **Scope:** The amendments to the Elections Act are designed to incorporate key recommendations outlined in the Supervisor of Elections' Report and the Report of the Observer Mission following the 2023 General Elections. These recommendations aim to improve electoral integrity, transparency, and governance. The Commission of Inquiry (COI) Report specifically emphasised the need for reform in areas such as campaign financing and called for legislative amendments to address issues raised in both post-election reports.
2. **Process:** Cabinet, in Memo No. 199 of 2023, accepted the 2023 General Elections Report and recommended that it be laid on the table in the House of Assembly. The report was formally laid on the table of the House of Assembly. Subsequently, two informal sessions of the House were convened to review the recommendations and determine which should be prioritised for legislative amendment. Based on these deliberations, drafting instructions were submitted to the Attorney General's Chambers on 17th May 2024. The first draft of the Bill was received and is currently under review by the Supervisor of Elections and the Office of the Deputy Governor. Once feedback is compiled and the outstanding queries addressed, additional drafting instructions will be issued to the Attorney General's Chambers to finalise the Bill for Cabinet approval and submission to the House of Assembly.
3. **Proposed Changes:** The proposed legislative amendments are comprehensive and seek to modernise and strengthen the electoral process. Key changes include:
 - a. Definitions for key terms such as "domicile", "resident", "ordinary resident" and competent "witness";
 - b. Establishment of the Office of the Elections and an Elections Advisory Committee;
 - c. Provision for continuous voter registration;
 - d. Mandatory information-sharing from designated public officers to the Elections Office;
 - e. Consolidation of Form No. 3 and expanded authority to designate polling stations;
 - f. Introduction of new voting methods to enhance accessibility;
 - g. Development of an electoral code of conduct;
 - h. Formal registration of political parties and independent candidates; and
 - i. Campaign finance reform to ensure transparency and accountability in election funding.
4. **Intended Impact:** These reforms are expected to significantly enhance the integrity and efficiency of the electoral process in The Virgin Islands. By institutionalising best practices, introducing clear definitions, and formalising key mechanisms such as continuous registration and campaign finance regulation, the amendments will contribute to a more transparent, inclusive, and accountable democratic framework.

5. **Conclusion:** The proposed amendments to the Elections Act represent a critical step in modernising the Virgin Islands' electoral system in line with international standards and public expectations. The integration of recommendations from the Supervisor of Elections, Observer Mission, and COI underscores the Government's commitment to strengthening democratic governance. Once enacted, these legislative changes will help build greater trust in the electoral process and improve public confidence in the institutions that support democracy.

3.4 IMPLEMENTATION SUMMARY

In implementing the forty-eight (48) recommendations of the COI Report, the GoVI:

1. Approved 12 policies through Cabinet;
2. Passed/Amended 17 pieces of legislation/Regulations through the House of Assembly

As mentioned in section 1.3.1, Appendix D of the COI Implementation Plan was converted to the GRAP to track the implementation of recommendations managed by the COI Implementation Unit and reviewed by established committees, senior officials, Ministers, the Premier and the Governor. A copy of the ***Governance Reform Action Plan*** is attached as **Appendix G** reflecting the completion of the implementation of policies and legislation related to the 48 recommendations.

All the policies approved by Cabinet are at various stages of implementation within their respective Ministries. Thirteen of fifteen pieces of legislation have been assented to by His Excellency the Governor and brought into force by the Minister of Government responsible for the subject. Two remaining pieces of legislation, the Immigration and Passport (Amendment) Act, 2024 and 2025 and the Public Assistance (Amendment) Act 2024 will be brought into force on 30th June, 2025. Both pieces of legislation require extensive operational changes to be in place before the respective departments can deliver their services to the public to a high standard and in keeping with the commitments in the respective legislation.

In the case of the Immigration and Passport (Amendment) Act, 2024 and 2025, this entails the publication of Guidance for Applicants of Residency and Belonger Status, a document which explains the changes to the legislation in plain language for the public to understand. It also requires amendments to existing Regulations and an extensive education campaign to be put into place to increase public understanding and for operational adjustment to be made to the Department of Immigration Status Unit to operationalise the new standards, processes and procedures.

In the case of the Public Assistance (Amendment) Act, 2024, this entails the preparation of detailed ***Public Assistance Regulations*** to support new social assistance structures based on the significant changes to deliver social assistance services in a transparent, accountable and fair manner. Operational changes in the areas of human resources, training, systems, procedures and other fundamental systemic changes are being put into place. The Ministry and Department of Social Development are being assisted by the United Nations Children's Fund (UNICEF) who is providing legal and technical assistance with developing and implementing the regulations.

3.5 GoVI PERSPECTIVE ON COMPLETION OF 48 RECOMMENDATIONS

The completion of the 48 COI recommendations was a pivotal experience for GoVI, encompassing both elected officials and public officers, significantly enhancing the relationship between these entities and wider public stakeholders. The Government dedicated necessary resources, and public officers, particularly Permanent Secretaries, demonstrated exceptional commitment to ensure that the recommendations were executed in the best interest of the Territory, frequently surpassing the COI recommendations. Members of Cabinet and the House of Assembly also allocated additional time and effort to the approval of policies and enactment of legislation.

The perspectives of the Cabinet as conveyed by the Premier, the House of Assembly as conveyed by the Speaker, and the public officers as conveyed by the Deputy Governor appears at the commencement of this Report, all attest to the transformative impact of the implemented recommendations on governance and a steadfast dedication to ongoing governance reforms.

3.6 PERSPECTIVE OF KEY FUNCTIONS SUPPORTING IMPLEMENTATION

The Cabinet Office and Attorney General's Chambers were key institutions in the implementation process. The following is the perspective of the Cabinet Secretary and the Attorney General in their capacity of facilitating the executive and legislative arms of Government in carrying out the implementation of the recommendations of the COI:

3.6.1 Perspective of Attorney General, Hon. Dawn J. Smith:

Every day for the past 1,516 days, that is to say, for the past 4 years, 1 month and 24 days, the Attorney General of the Virgin Islands has been involved in the Commission of Inquiry or its aftermath in several fora and usually several fora at a time. Such is the nature of the role. After all this time, my perspective on the Commission of Inquiry in general and on the implementation of the 48 recommendations is rolled into one simple truth: without actionable data, impeccable recordkeeping, and robust policymaking, a government is a ship at sea without a sail, vulnerable to myths and perceptions about safe passages and wasting limited precious resources on avoidable repairs.

My work tells me that the root cause of governance shortcomings in the Virgin Islands is that we try to operate in these treacherous times without three essential elements:

1. robust data collection and analysis;
2. systematic and transparent record keeping; and
3. evidence-based policy development.

I see too often that the absence of actionable data leads to errors, misconceptions and false emotive realities. These all drain public resources and too frequently drive decision-making. Narrative replaces measurement, while we solve the wrong problems or duplicate and contradict our several efforts.

During the COI, poor record-keeping (or inaccessible records), made it difficult to respond to requests for information and assistance, thereby fuelling adverse inferences and conclusions, creating a credibility gap and widening trust deficits. This persists outside of the COI process as well.

Focused and evidence-based policy making have also been hard to come by. I would have preferred to see greater reliance on data and records rather than policy driven by external pressures and

misconceptions that could not be honed or corrected for the benefit of the people of the Virgin Islands due to lack of data in actionable form.

I worry about the symbolic over the substantive, but I believe that the Virgin Islands can be nimble enough to break the cycle in which we find ourselves because the tools to do so have been developed and deployed by other jurisdictions to amazing effect. Our people have achieved a lot through learning from others, adaptation, innovation and forward-thinking. We need to focus on targeted capacity building, break down silos and pool resources to achieve results that we can incrementally build on to achieve our goals.

I live through the daily challenges of emotion over information, creating false narratives that drive misguided actions, errors that waste limited public resources on ineffective solutions, hidden history causing us to repeat mistakes and reinvent solutions, eroding public trust through inconsistency and unaccountability and the vicious cycle where administrative weakness prevents the investments needed to build administrative strength.

The most successful modern governments have recognised that actionable data, robust recordkeeping and evidence-based policy development are not luxury items, but essential infrastructure, determining whether a country's resources are directed effectively or squandered on an aimless journey. Ultimately, the choice is clear: invest in the capacity to navigate, or resign ourselves to drifting at the mercy of prevailing winds.

3.6.2 Perspective of Cabinet Secretary, Sandra Ward:

The Cabinet of the Virgin Islands was central to the process for government's implementation of the recommendations emanating from the Commission of Inquiry (COI) Report. Supporting the Cabinet's role was the Cabinet Office that facilitated the process by liaising with respective ministries and the Attorney General's Chambers to track the progress of Cabinet papers in keeping with established deadlines.

During this period, in addition to its regular weekly meetings, the Cabinet of the Virgin Islands held seven Special Meetings to consider Bills, Reports and other COI related documents for onward submission to the House of Assembly. The Cabinet Office produced eighteen weekly monitoring reports to the COI Implementation Unit that detailed Cabinet Actions taken on the COI Recommendations, including the status of Cabinet papers, whether approved, deferred or withdrawn.

The Cabinet Office was assigned COI Recommendation B05: inter alia that the Ministerial Code of Conduct and the Cabinet Handbook should be aligned. Furthermore, a decision was taken by the COI Steering Committee whereby the Cabinet Office was tasked with the responsibility to conduct a comparative analysis to compare the aforementioned documents for similarities and differences to establish any overlaps or contradictions between the two documents. Our findings of the analysis, which highlighted four notable non-alignments, were submitted and subsequently formed part of the Cabinet paper, "COI Recommendation B05: Integrity in Public Life Legislative Framework". The Cabinet then decided that the Ministerial Code be updated based on the recommendations submitted in the alignment process conducted by the Cabinet Secretary, and any other recommendations to strengthen the Code, and that the Cabinet Secretary be assigned to spearhead this project.

While there were frustrating periods caused by the submission of late papers or key departments not completing their assigned sections on time, there was still a hierarchal willingness to flex established deadlines to ensure that the government met its COI obligations. Upon reflection, the Cabinet and the Cabinet Office team rose to the occasion and I am pleased that we contributed to the Government's success.

SECTION 4 - THE FUTURE OF GOVERNANCE REFORM IN THE VIRGIN ISLANDS

4.1 COI REPORT ACCELERATED GOVERNANCE REFORM

From the Government's perspective, the COI report accelerated governance reform efforts in the Virgin Islands, some of which were already planned, in progress, attempted, or envisioned. Despite systemic challenges in execution and implementation, past governance reforms did not have the same level of engagement and support as the implementation of the COI recommendations. They therefore did not have the same level of impact. This is evidenced by the following initiatives of GoVI over the past twenty-five years:

1. **The British Virgin Islands National Integrated Development Strategy (NIDS) (2000):** Prepared by Mr. Otto O'Neal, then Head of the Development Planning Unit, Ministry of Finance, GoVI, British Virgin Islands. NIDS aimed to change the Virgin Islands' approach to development planning, produced with assistance from the Economic Commission for Latin America and the Caribbean (ECLAC) and its affiliate, the Latin American and Caribbean Institute for Economic and Social Planning (ILPES). The report was published by the United Nations in November 2000 and can be accessed [here](#).
2. **Public Sector Development Programme (PSDP) (1999 – 2005):** Launched in 1999, the PSDP aimed to modernize the Government of the Virgin Islands and strengthen public administration. It focused on institutional reform, improved service delivery, and enhanced human resource capacity across the Public Service. Major achievements included the restructuring of the Personnel Department into the Department of Human Resources (2000), improvements in performance management, and the foundation for future budgeting reforms. Although concluding around 2005, its legacy continues to influence ongoing transformation efforts such as the Public Service Transformation Programme.
3. **Formation of Human Resources Department (HRD) (2000):** As part of the broader PSDP, the Personnel Department transitioned to the Department of Human Resources (HRD) in 2000, marking a shift from basic personnel administration to strategic human resource management. The HRD became the central authority for driving HR policies, overseeing recruitment, managing employee benefits, and leading efforts towards continuous public service reform. This laid the groundwork for advancements such as forming the Virgin Islands Public Service Learning Institute (VIPSLI) and introducing frameworks like the Public Service Management Code.
4. **Public Procurement and Financial Regulations: (2013)** Reforms to enhance transparency and efficiency in public procurement processes included:
 - **Key Measures:**
 - Introducing competitive bidding processes.
 - Establishing a public procurement board.
 - Implementing stronger financial oversight.
 - **Revised Regulations:**
 - Transparent tendering processes.
 - Clear contract management guidelines.
 - **Impact:**
 - Reduced corruption and increased fairness.
 - Enhanced accountability in public funds usage.

5. **Service Delivery and Good Governance (2013):** Targeted initiatives in 2013 aimed at improving service delivery and good governance introduced structured governance promoting transparency, accountability, and ethical conduct in public administration. Emphasis on citizen-centred service delivery encouraged adoption of measurable service standards and streamlined processes, laying foundations for ongoing transformation efforts like the Customer Service Care Centre.
6. **Public Service Transformation Programme (PSTP) (2017 – present):** Initiated following Hurricanes Irma and Maria, the PSTP aimed to modernize the Public Service and build institutional resilience. Focus areas included good governance, service innovation, digital transformation, and talent development. Achievements include establishing VIPSLI, the Customer Service Care Centre, and implementing the Public Service Management Code.
7. **Public Service Transformation Strategic Framework 2025:** Guiding the next phase of reform, this roadmap launched on 24th March 2025, sets the direction for transforming government operations to be more agile, transparent, accountable, and client centred. It emphasizes modernizing systems, improving workforce capabilities, and embedding a culture of continuous improvement and innovation.
8. **National Sustainable Development Plan (NSDP) (2019 – 2023):** Commenced in December 2019, the NSDP entitled, Vision 2036: Building a Sustainable Virgin Islands, provides a framework grounded in the UN Sustainable Development Goals, including Goal 5, Good Governance and Leadership. It incorporates work from NIDS, 2000 and the Virgin Islands' Recovery and Development Plan which can be accessed [here](#). The NSDP serves as the framework for fiscal, strategic, and operational planning, as set out in the 2025 Budget Address, which can be accessed [here](#) and the Speech from the Throne 2025 outlining GoVI's legislative agenda which can be accessed [here](#).
9. **Modern Governance Reform (2023):** Aiming to strengthen transparency, accountability, and ethical leadership across the public sector, these reforms focus on modernizing legislation, improving procurement and oversight, and enhancing institutional performance. Actions include implementing COI recommendations, updating governance frameworks, and building capacity through training and leadership development. The Modern Governance Reform (2023) can be accessed [here](#).
10. **Key Governance Legislation Initiated before COI:**
 - a. **Public Finance Management (PFM) Act (2013):** Strengthened the PFM framework to modernize accounting practices, financial reporting, and internal controls to improve accuracy, accountability, and timeliness in financial management.
 - **Initiatives:**
 - Implementing IPSAS.
 - Strengthening internal controls.
 - Regular audits and reviews.
 - **Capacity Building:**
 - Training finance officers.
 - Standardizing procedures.

- **Impact:**
 - Greater accuracy and reliability.
 - Improved public resources management.
- b. **Public Service Management Act, 2024:** Initiated by the Deputy Governor’s Office before the COI, this act modernizes public administration by outlining roles, responsibilities, and expectations of public officers. Key provisions include principles for ethical conduct, performance management, workforce planning, and employee development, aligning with regional and international best practices.

4.2 GOVERNMENT’S COMMITMENT TO ONGOING REFORM

4.2.1 Aligning Governance Reform with Governance Autonomy

As stated by the Premier of the Virgin Islands on numerous occasions, both privately to the UKG and publicly to the people of the Virgin Islands and its stakeholders, “the COI is the most comprehensive and robust governance reform in the history of the Virgin Islands” (letter of 19 September 2024 to OT Minister Stephen Doughty, MP following meeting of 11 September 2024 in London) The Premier’s statement reflects the GoVI position that the COI was more about the lack of impactful governance reform, than it was about corruption. The rapid development of the Virgin Islands since Ministerial Government in 1967 led to socioeconomic advancements as evidenced by leadership in global industries (tourism and financial services), a high standard of living and GDP per capita, and the rapid expansion of its diverse population, all without the governance structures that typically facilitate such growth and development. Clearly, national development had outpaced governance reform.

In signing the Framework Agreement, the GoVI, under the leadership of Premier Wheatley, embraced the recommendations of the COI Report except for the partial suspension of the Virgin Islands Constitution 2007 and proclaimed that the reforms were in the best interest of the Virgin Islands. In his Statement of 08 June 2022 (*which can be accessed [here](#)*) following the Framework Agreement, Premier Wheatley stated that, *“This is our opportunity as a society to transform these Virgin Islands into a model democracy where we have better institutions, better systems, better processes, better public services, better infrastructure and an economy that delivers for all”*. The GoVI clearly embraced the opportunity to align its governance systems with its political autonomy and has worked assiduously towards this goal.

4.2.2 Transition to Ongoing Governance Reform

The implementation phase of the COI process is pivotal for enacting the 12 major policies approved by Cabinet and the 17 pieces of legislation passed in the HOA. This is where substantive reforms take root, become institutionalised, and are integrated into the daily operations of Government. In anticipation of this phase, the GoVI introduced and developed the Governance Reform Transition Plan (GRTP) to facilitate the transition from targeted implementation of the COI recommendations to broader and ongoing governance reform. A preliminary version of the GRTP was presented to the OT Minister Doughty in November 2024 to demonstrate the GoVI’s intention and commitment to governance reform and was further refined by GoVI, in collaboration with the Governor’s Office team over the past four months. The final plan was submitted to and approved by the Cabinet on 9 April 2025. The ***Governance Reform Transition Plan***, attached as **Appendix K**, focuses on seven (7) key objectives:

1. **Completion of COI Recommendations:** Support the completion of post-legislative processes to get legislation assented to and brought into force, as well as complete other reforms the Government agreed to undertake.

2. **COI Review and Evaluation:** Complete review and assessment processes and establish the time and conditions under which the Order in Council held in reserve will be lifted.
3. **Ongoing Governance Reform:** Strengthen ongoing governance reform under these two initiatives:
 - a. **Medium to Long Term Governance Reform:** Complete actions from the Ministerial Action Plan designated for implementation in the medium to long term.
 - b. **Policy and Legislation Implementation:** Implement policies approved and legislation passed following the forty-eight COI recommendations, including training public officers and instituting new procedures, processes, and protocols to ensure recommendations are institutionalised.
4. **Public Education:** Launch a campaign to inform the public about the impacts of the implemented recommendations, changes to Government services, and how to access resources and information related to the reforms.
5. **Monitoring and Evaluation of Reforms:** Monitor and evaluate the effectiveness of legislation, policies, processes, procedures, and access to information to ensure implementation plans achieve their stated objectives and document evidence of their effectiveness or ineffectiveness.
6. **Institutional Development and Strength:** Implement plans to strengthen GoVI's capability, resources, and institutions to conduct and sustain reform changes.
7. **Systemic Change:** Use evidence gathered from monitoring and evaluation phases to adjust processes, policies, and legislation to ensure governance is fit for purpose and serves the best interests of the Virgin Islands.

To accomplish these objectives, GRTP is guided and supported by the following tools:

1. **Governance Reform Implementation Action Plan (GRIAP):** Appendix 1 of the GRTP provides detailed actions/milestones, times, responsible Ministry, and steps required to implement policies, legislation, and other reforms of the COI.
2. **The GRTP Communication Plan** (Appendix 2 of the GRTP) offers social media-driven strategies to support transitioning from implementing the COI recommendations to broader governance reform.

4.2.3 Integrating ongoing Governance Reform with Public Service Transformation

The Governance Reform and Transformation Programme (GRTP) suggests that, upon completing the assessment phase, ongoing governance reform should be mainstreamed into the Premier's Office as the coordinating ministry of Government. It is proposed that this ongoing governance reform be integrated with the Public Service Development Programme (PSDP). The co-chairpersons for this integration will be the Permanent Secretary of the Premier's Office and the Permanent Secretary of the Deputy Governor's Office. They will follow the guidelines set forth in the Modern Governance Policy established in 2023.

This collaboration between governance reform and public service reform aims to unify these agendas into a single coordinated reform programme. The execution of this reform will be managed collaboratively between the two ministries, with coordinated monthly reporting to Cabinet, accompanied by recommendations for continuous improvement of the public service.

4.3 COI AS A PATH TO GREATER SELF-GOVERNANCE

The successful implementation of the COI recommendations is creating a new platform for governance growth and development in the Virgin Islands. It aligns governance autonomy with political autonomy for the first time since local political autonomy was achieved under the Ministerial system of government in 1967. Consequently, it fosters an environment conducive to the flourishing and facilitation of the socio-economic aspirations of the Virgin Islands. This has implications for various aspects of the Virgin Islands' future, including:

1. The development of robust governance institutions that will support a strong and people-centred democracy;
2. Increased confidence in governance institutions through appropriate checks and balances, bolstering trust in local political leadership;
3. A strengthened constitutional negotiating position based on enhanced governance and the establishment of institutional structures that will accommodate greater autonomy and self-governance; and
4. Enabling a more collaborative and modern partnership with the United Kingdom built on mutual trust, respect, and cultural understanding, recognizing the Virgin Islands' right to self-determination and reflecting the distinctiveness of the Territory.

The journey from initial confrontation at the beginning of the COI to the collaboration that characterizes its conclusion has proven to be necessary and mutually beneficial for the Governments of the Virgin Islands and the United Kingdom, as well as their citizens.

SECTION 5 - GOVERNMENT'S RELATIONSHIP WITH ITS PEOPLE

5.1 THE RELATIONSHIP BETWEEN ELECTED OFFICIALS AND THE PUBLIC

The relationship between elected leaders and the people they serve is deeply rooted in the history of the Virgin Islands, reflecting values born out of their struggles for representation and survival. This relationship is significant, with a well-documented history beginning in 1950 when the Legislative Council of the Virgin Islands was restored after fifty years of absence. The Great March of 1949, advocating for the representation of the needs of the Territory's citizens, marked a pivotal moment in strengthening this sacred relationship between BVI elected leaders and their constituents. The establishment of Ministerial Government in 1967 further solidified this relationship by granting elected leaders autonomy over critical issues such as health, education, and infrastructure—issues that had ignited the 1949 March for local representation after abolishment of the local Legislative Council in 1901.

Since the introduction of Ministerial Government in 1967, elected leaders have been entrusted as guardians and caretakers of the people they serve. The district system of electing representatives fostered a personal bond of trust, ensuring that elected leaders were dedicated to serving their community and facilitating access to governmental resources within their mandate. Personal interactions and trust formed the basis of this relationship, as the systemic structures enabling elected leaders to address their constituency's needs were slow to develop.

5.2 THE IMPACT OF GOVERNANCE REFORM ON THE PUBLIC

5.2.1 Education and Awareness the Key to Bridge the Change Gap

The recommendations of the COI Report have generated increased interest in the governance of the Territory. Officials found the scope and complexity of some changes challenging as GoVI began to reform its systems,

particularly in areas such as social services, residence and belonging status, and Crown lands. The public also experienced challenges with adjusting to the changes during the process. Extensive consultations were conducted at various stages including review, policy, and legislative, to enhance public awareness and understanding, as documented in Section 3 of this report, Implementation of the COI Recommendations.

5.2.2 Impact of Governance on the Most Vulnerable

As time progressed and the pace of life accelerated due to the rapid development of the Virgin Islands and the increasing demands of a quickly evolving society, systems established to meet the legitimate needs of the electorate—through fund allocations to elected representatives, grants for district infrastructure, and grant programmes for both every day and emergency needs—became susceptible to common abuses. These abuses stemmed from the lack of institutional processes, structures, policies, data, research, understanding of needs or trends, and legislative frameworks to ensure transparency, accountability, and fairness. This issue was highlighted by the findings of the Commission of Inquiry (COI), which were publicly aired, included in the COI Report, and addressed through the implementation of recommendations detailed in Section 4 of this report.

The COI's recommendation to remove grant allocation responsibilities from elected leaders was appropriate initially, given the governance system weaknesses that have now been addressed through the implementation of COI recommendations. The reform process has produced a system that ensures the accountability, transparency, and fairness needed for the use of public funds to meet the legitimate needs of the population. The implementation of several measures has established the institutional structure, processes, and policies recognized by the Government of the Virgin Islands (GoVI) as necessary:

1. Institutional and Non-Institutional Grants Policy to guide ministries in preparing grant policies for their functions;
2. Civil Mitigation Policy to guide the distribution of funds allocated to the Ministry of Communications and Works for addressing public infrastructure issues in districts, many of which adversely impact private properties;
3. Shock Response Grants for disaster and social impact needs;
4. Emergency Disaster Relief Grant policy to assist individuals affected by disasters; and
5. Public Assistance (Amendment) Act, 2024 to provide public assistance to the most vulnerable.

While these measures support the institutional structure required for the necessary levels of transparency, accountability, and fairness needed in the use of public funds, establishing a new social system that integrates technology, preserves the cultural values of the Virgin Islands, maintains trust between elected officials and constituents, and meets the needs of the most vulnerable within a fair, accountable, and transparent framework is a significant challenge.

5.2.3 Localised Social Assistance

The Government of the Virgin Islands anticipated that the removal of access to financial assistance through elected representatives would adversely affect certain segments of the population, particularly seniors who have traditionally sought such assistance from their local representatives. This change has increased the need for decentralisation of certain services through public service institutions governed by the reforms outlined in this Report.

The provision in the 2025 budget for the development of district councils establishes an avenue to serve the most vulnerable members of the communities where they reside. This mechanism will be developed to collaborate with local district representative offices, which are most familiar with the residents of each constituency. Upon full implementation, social assistance services will be provided to the most vulnerable individuals in accordance with transparent, accountable, and equitable measures, while maintaining the traditional personal bonds of trust established by those elected to serve the public.

5.3 GOVERNANCE REFORM EDUCATION AND AWARENESS

5.3.1 Launch of Education and Awareness Campaign

Whilst some parts of the population kept pace with the changes through their participation in the various stages of the implementation process, most will have a surface level understanding until the changes directly impacted their daily lives. To assist the public with a deeper understanding and awareness of the impact of the COI Reforms, GoVI created the Communication Plan which is Appendix B of the ***Governance Reform Transition Plan*** attached to this Report as **Appendix K**. The Communication Plan is centred around a branded program targeting both members of the public and public officers in its awareness-building and education programs regarding the changes resulting from the implementation of the recommendations of the COI, including:

1. what has changed concerning the specific subject of the various policies and legislation passed because of the implementation of the recommendations of the COI;
2. how those changes impact the lives of the public and how government now works because of them;
3. how the public can access information on the changes and the various forms, procedures and processes that support them;
4. how the public should engage and interact with the Government to gain the benefit and value of the services; and
4. the benefits and importance of the implemented COI recommendations to improved governance in the Virgin Islands in the medium to long term.

In launching the campaign in December 2024, Governance Reform Delivery Manager Kedrick Malone stated that, “Unless the public sees and feels the value and benefits of the changes, then we would not have succeeded in transforming governance in the Virgin Islands. So, the public will have the last word, and the Governance Transformation communication campaign is designed to provide every opportunity for their feedback and engagement”. Press Release dated 11th December 2024 can be accessed [here](#).

The communication campaign was branded G.R.E.A.T VI (Governance Reform Education and Awareness Transformation of the Virgin Islands) in March and started with a series of town hall meetings during the month on the four major islands of Anegada, Tortola, Virgin Gorda, and Jost Van Dyke. The Premier and his Ministers led the meetings supported by Permanent Secretaries and key officials. This gave the public the opportunity to directly engage with GoVI to express their views, concerns, and ideas with Ministers and officials and for GoVI to impart key information to the public. For those unable to attend the Town Hall meetings in person, the Premier, his Ministers, and Permanent Secretaries conducted an online meeting on the Government’s Public Eye news channel where the public engaged directly with Ministers and officials. A ***Report of Government of the Virgin Islands Town Hall Meetings on the Impact of the COI*** is attached as **Appendix L**.

The G.R.E.A.T VI branded communication campaign logo



The need for strong and sustained communication was evident during these initial sessions and is critical to communicating the transformative changes of the COI Reforms. Ongoing communication guided by the GRTP Communication Plan continues as the various Ministries and departments roll out the changes to the public. Current communication to the public can be found on the Government of the Virgin Islands website at www.bvi.gov.vg/governance-reform.

5.4 ACCESS TO INFORMATION ON GOVERNANCE REFORM

5.4.1 Access to Government Information

Access to current, relevant and correct information in the normal course of doing business with Government is very important. With the scope and importance of the changes coming out of governance reform, access to information is critical to the success of governance reform. The main information communication conduit between the GoVI and the public, is the Government website, www.bvi.gov.vg, therefore this website must be fit for purpose.

It is important therefore that there are continuous efforts to ensure that the GoVI website provides access to current and correct information on legislation, policies, procedures, processes, forms, applications and other information required by the public to do business with Government and that this information be accessible in a manner that is customer-focused and user friendly.

5.4.2 New Government Website:

During the development of the GRTP, an evaluation was conducted of the Government's primary website, www.bvi.gov.vg, to assess its capability to disseminate crucial information on governance reform. The Department of Information Technology (DOIT) was already in the process of redesigning the site, recognizing the need for modernization. The Governance Reform Delivery Manager invited DOIT to present its vision for the site at a retreat attended by Ministers, Permanent Secretaries, and Department Heads on 7th February 2025. This presentation highlighted how the updated government website would meet the communication needs of the public, including implemented governance reforms. The *Department of Information Technology's Presentation on new Government Website* is attached at **Appendix M**.

The redesigned site will be oriented towards addressing public requests from a services perspective. The public will have access to a menu of services such as Immigration, Crown Lands, and social assistance, enabling them to follow a sequence to obtain pertinent information about the services they seek. Information will be presented comprehensively with appropriate links to various departments and agencies consolidated at a single point of contact. Ensuring current and accurate information is the responsibility of Ministries and their respective Departments, with Information Officers in each Ministry accountable for maintaining up-to-date information, processes, procedures, forms, applications, and other relevant information.

5.4.3 One source for all Governance Reform Information

All information on governance reform is centralised at www.bvi.gov.vg/governancere-form, covering the publication of the COI Report to the implementation of its policies, legislation, and ongoing communication of its recommendations. The site provides the following:

1. Access and links to the COI Report and reviews of its recommendations, policies approved by Cabinet, and legislation passed in the House of Assembly.
2. Information and links to the reforms implemented under each of the ten categories of reform in the COI Report.
3. Communication and links to all governance reform information and the GREAT VI communication campaign, including:
 - a. Press Releases;
 - b. Brochures on significant areas of public assistance, residency and belonger status, crown lands, and integrity in public life; and
 - c. Videos.
4. Links to key ministries and departments responsible for governance reform changes.
5. All other information related to past, current, and future governance reform.

Ministry information officers will manage the site, working with colleagues from various ministries and departments to keep the information current and updated.

SECTION 6 - ASSESSMENT SUMMARY AND RECOMMENDATIONS

Over the course of implementing the COI recommendations, the GoVI has established a governance platform that is transforming the Virgin Islands. As the most comprehensive and intense governance reform in the history of the Territory, the governance recommendations implemented have created change that in many instances, exceeded the recommendations of the COI Report. Both at the level of the reports produced by the Reviewers, policies approved, and legislation passed by GoVI, the opportunity to address longstanding issues to advance governance in the Territory was actioned.

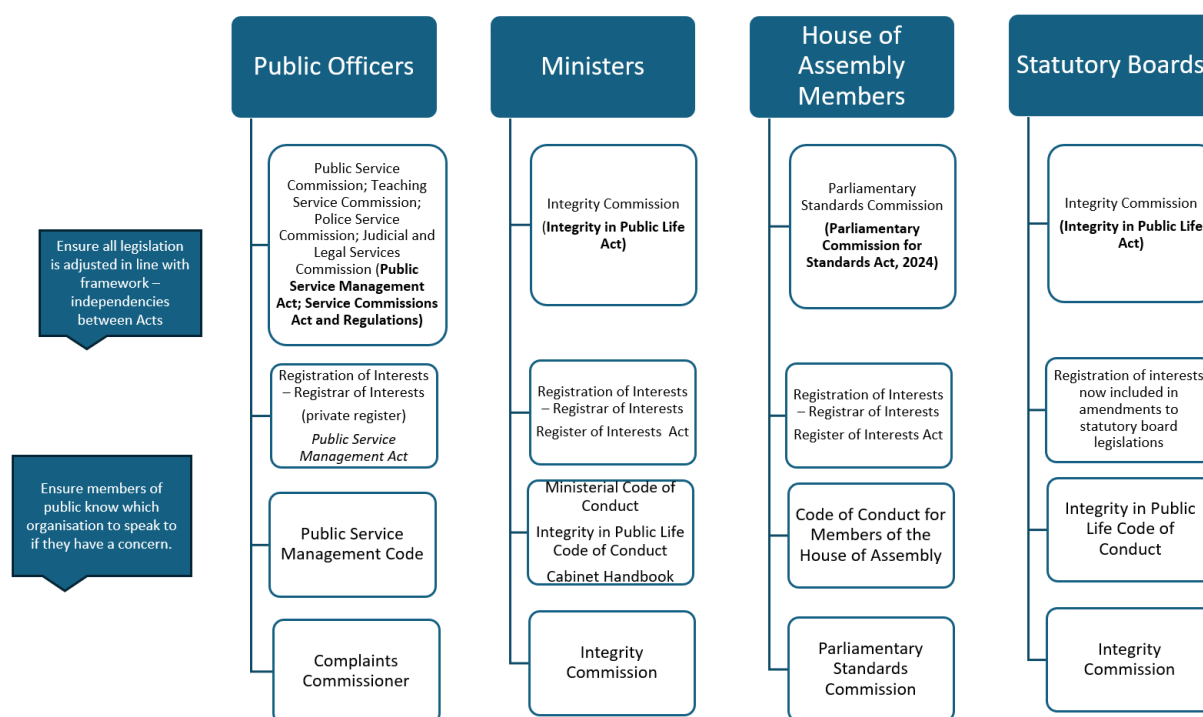
In reviewing what was implemented versus what was recommended in the COI Report, the GoVI summarised its positions on the various recommendations as follows:

6.1 ELECTED PUBLIC OFFICIALS' INTERESTS

The Integrity Framework illustrated in **Table 2** below, marks a significant advancement in institutional transparency and accountability within the Territory. By establishing clear guidelines and oversight mechanisms, it ensures that all public officials, from ministers to statutory board members, adhere to the highest standards of conduct. The structured approach not only addresses immediate concerns about integrity but also lays a robust foundation for future governance. Moreover, the inclusion of multiple commissions, such as the Integrity Commission and the Parliamentary Standards Commission, underscores the commitment to a transparent and equitable governance system. These commissions will serve as watchdogs, maintaining checks and balances across various branches of government.

Proactive measures, including mandatory registration of interests and comprehensive codes of conduct, reflect a forward-thinking initiative aimed at fostering trust and confidence among the public. The Territory's dedication to enhancing governance standards through the Integrity Framework is commendable. It sets a precedent for other regions, demonstrating that good governance is achievable through meticulous planning, legal reform, and unwavering commitment to ethical standards. As the framework continues to evolve and adapt, it will undoubtedly contribute to a more accountable, transparent, and just administrative environment.

TABLE 2 - INTEGRITY FRAMEWORK FOR THE GOVERNMENT OF THE VIRGIN ISLANDS



6.2 ASSISTANCE GRANTS

The restructured Public Assistance Programme signifies a fundamental transformation in the Virgin Islands' approach to social protection. By consolidating benefits, introducing clear eligibility criteria, and enhancing governance and oversight, the new framework improves both fairness and efficiency in the delivery of social assistance. The scope of the implemented reforms closely aligns with the COI's recommendations, notably by merging assistance into a single transparent system based on objective criteria, thereby eliminating discretionary powers previously exercised through House of Assembly Members' Assistance Grants and Government Ministries' Assistance Grants. This alignment with the COI's five recommendations reflects a deliberate effort to establish a more accountable and equitable social assistance framework.

These changes position the Virgin Islands to provide better support for its most vulnerable populations, increases public confidence, ensures sustainable management of social assistance resources, and lays the groundwork for future social protection reforms.

6.3 CONTRACTS

The Auditor General's reports and investigations made specific recommendations to correct the causes of the various audits and investigations into contracts in the COI Report. They were all addressed by various changes to legislation, policies, governance, processes and procedures.

6.4 STATUTORY BOARDS

The Statutory Board Policy and legislative amendments provided a systematic approach to establishing, managing, and dissolving Statutory Boards. These measures ensure that these Boards serve the Territory's best interests through:

1. a strong legal framework;
2. clear criteria for establishment and review; and
3. the 28 OECD policy standards.

Supporting elements include:

1. compliance checklist;
2. mandatory quarterly reporting template; and
3. appointment and removal protocol for board members.

Developed collaboratively with over 85 percent of Statutory Boards, the Cabinet-approved policy includes categorisation, stipends rationalisation, financial governance protocols by the Ministry of Finance, and provisions for re-evaluation of the policy within two years. The Government of the Virgin Islands is committed to maximising the value of Statutory Boards for its customers and to ongoing efforts to continue to transform Statutory Board governance within the Governance Reform plan for 2025.

6.5 DISPOSAL OF CROWN LANDS

The Crown Lands Management Policy and Crown Lands Management Act, 2024, represent a significant advancement in governance by enhancing transparency and accountability. They promote decentralised and community-based decision-making through community engagement to guide the Virgin Islands towards a more structured, transparent, and sustainable land management governance model. By addressing historical land issues, promoting fairness, and ensuring strategic land use, the legislation will strengthen institutional capacity, stimulate economic development, and enhance public confidence in governance. Furthermore, it seeks to bolster public trust and confidence in the government, contributing to a more equitable and sustainable future for the Virgin Islands.

6.6 LEASES

While significant progress has been made, the full implementation and monitoring of the new lease management system will be critical to ensuring long-term success. Continued training and capacity-building for officers managing leases will help maintain high standards, and ongoing reviews of government buildings will ensure that properties are being utilised efficiently. Expanding public access to leasing information through periodic reporting and audits can also strengthen transparency and trust.

By establishing a modernised lease management system, enforcing standards, accelerating government building repairs, and building internal expertise, the Virgin Islands has taken a proactive approach to improving

governance and financial management in this area, fully aligning with the COI Report's recommendations for greater oversight and efficiency in public service operations.

6.7 RESIDENCE AND BELONGER STATUS

The Government of the Virgin Islands fully embraced the opportunity to reform the processes surrounding the grant of Residence and Belonger Status in alignment with Recommendation B33. The reforms transitioned the system from one dominated by open Cabinet discretion to a statutory framework grounded in transparency, equity, and predictability. Key achievements included the approval and implementation of the Residence and Belonger Status Policy, the passage of legislative amendments to the Immigration and Passport Act, and the introduction of clear, published guidelines for applicants.

Compared to the COI's recommendations, the Government not only met but, in several respects, exceeded expectations. The legislative framework now includes structured criteria, limits on discretion, and a formal process for appeals and quota setting, all aimed at improving the integrity and accountability of the immigration system. Public consultations and stakeholder engagement played a pivotal role throughout, ensuring reforms were responsive to community needs and reflective of broader national goals.

The Auditor General's recommendations under B34 were also comprehensively addressed, including the validation of previous grants, issuance of outstanding certificates, refunds for overpaid fees, and codification of clearer administrative instructions. These measures contributed to restoring public confidence in the system and addressing past governance deficiencies.

The establishment of a Quota Setting Committee and the alignment of immigration policy with the National Sustainable Development Plan will lay the groundwork for sustained and adaptive governance reform. Continued monitoring, institutional strengthening, and capacity building will be central to consolidating the gains achieved and advancing higher standards of public administration.

6.8 THE PUBLIC SERVICE

The Public Service, guided by the Public Service Management Act and Code, is set to drive essential reforms in line with the COI Report. Implementing these frameworks requires training public officers, adhering to ethical standards, and reinforcing merit-based recruitment and promotions.

Enhancing performance management is vital for progress, focusing on efficiency and accountability through a results-based appraisal system, clear career paths, and leadership development programmes. Re-introducing service charters will set citizen expectations and measure the effectiveness of Government departments, ministries and agencies.

Modernising governance involves e-Governance solutions to streamline operations, reduce delays, and improve access. A centralised Human Resource Management System (HRMS) will support workforce planning and data-driven decisions, while strengthened cybersecurity ensures secure advancements.

Capacity building includes mandatory ethics training, mentorship, and ongoing professional development, supported by regional and international partnerships. A salary review and benefits framework addresses compensation concerns.

Public engagement and transparency are enhanced through open data initiatives, citizen participation platforms, and collaboration with civil society and the private sector. Strengthening inter-agency coordination, establishing complaints mechanisms, and consistent policy reviews will boost accountability. These reforms aim to create a more efficient, transparent, and accountable public service.

6.9 LAW ENFORCEMENT AND JUSTICE

The reforms introduced in response to HMICFRS recommendations have already led to tangible improvements in law enforcement operations, crime prevention, and justice administration. While initial crime spikes were observed in 2024, recent data suggests a decline in offenses due to strategic interventions. Additionally, the second volume of the HMICFRS Review has been published, debated in the HOA, and made public. It offered further insights into the sustainability of reforms and additional recommendations for continuous improvement. Moving forward, ongoing monitoring and assessment will be essential to ensure long-term success in crime reduction, judicial efficiency, and public safety across the BVI.

6.10 GOVERNANCE AND SERIOUS DISHONESTY IN PUBLIC LIFE

The GoVI has undertaken substantial measures to mitigate governance deficiencies following the COI Report, including:

1. **Legislative Reforms:** The enactment of the Public Service Management Act and Public Service Code aims to enhance transparency, accountability, and efficiency within the public sector.
2. **Governance & Oversight:** Improvements in public financial management have been achieved through stricter procurement and auditing regulations, alongside initiatives to prevent political interference in hiring and promotions.
3. **Anti-Corruption Efforts:** Significant efforts have been made to strengthen the Integrity Commission, with an increased emphasis on financial disclosures and accountability of public officers.
4. **Law Enforcement & Justice:** The Royal Virgin Islands Police Force (RVIPF), Financial Investigation Agency (FIA), and Director of Public Prosecutions (DPP) have received additional resources to investigate corruption and misconduct within public office.
5. **Judicial & Legal System Enhancements:** Steps have been taken to improve case management and prosecution of financial crimes in accordance with COI recommendations.

The comprehensive legislative reforms introduced between late 2024 and early 2025 underscore the Virgin Islands' commitment to bolstering transparency, accountability, and the efficacy of its legal and governance frameworks. These initiatives not only align the Territory with international standards but also fortify the capabilities of law enforcement and regulatory bodies to combat financial crime, ensure corporate compliance, and uphold the rule of law. Collectively, these represent significant progress in the Government's ongoing efforts to modernise its justice and enforcement systems, reinforce public trust, and promote good governance throughout the Territory.

While the BVI has established a robust legal foundation for governance reform, it is imperative to sustain these efforts by ensuring full implementation, stronger enforcement, and increased transparency. Political determination and continued public engagement are essential to ensuring that these reforms result in enduring change.

SECTION 7 - CONCLUSIONS

7.1 GOVERNMENT OF THE VIRGIN ISLANDS CONCLUSIONS

The implementation of the recommendations from the COI Report has resulted in significant changes to governance in the Virgin Islands. These changes have created a foundation for the ongoing development of

the Public Service, improved service delivery to the residents of the Virgin Islands, and positioned the Territory on a path toward effective self-governance.

The adoption of these recommendations has embedded the principles of accountability, transparency, and fairness into the practice of governance. This process has promoted a collaborative approach to building a partnership with the United Kingdom, based on mutual trust, respect, and cultural understanding, while recognising the Virgin Islands' right to self-determination.

The Government of the Virgin Islands (GoVI) is now better prepared to provide governance that meets the needs of its diverse and growing population through effective communication, easier access to services, stronger enforcement, enhanced safety and security, increased transparency, better value for money, continued accountability, capacity building, inclusion, and socio-economic and political stability and growth.

Ministries have built upon previous reform programmes, fostering collaboration across ministries. The ongoing governance reform agenda, combined with the governance approach of the Public Service Transformation Programme (PSDP), aims to transform the GoVI into an exemplary model of governance.

The Virgin Islands have made advancements in enhancing the governance framework established for Overseas Territories. In some respects, the governance standards have been raised to levels approaching ideal compliance within the context of a developing democracy.

Implementing these recommendations has had a significant impact on the Virgin Islands and Virgin Islanders. It has reinforced confidence and resilience among the people in their capacity to overcome challenges and find the opportunity in crisis. During challenging periods—recovering from hurricanes, a global pandemic, and addressing governance failures—the public officers rose to implement reforms aimed at driving the Virgin Islands toward growth, prosperity, and achieving their aspirations.

Collaboration is essential for progress. The implementation of the COI recommendations, including the functionality of committees such as Steering, Tripartite, and Coordination, demonstrated the potential to transform the relationship between the GoVI and the UKG. This requires commitment to mutual respect, collaboration around shared goals, resource sharing, understanding each other's political and cultural context, and developing innovative solutions to challenges.

Continued efforts towards national capacity building, institutional development, and strengthening in governance areas are crucial for enhancing the positive impacts of implemented recommendations and progressing towards excellence in governance.

As a mature democracy, the UKG has developed effective institutions of governance and can assist the GoVI in achieving similar milestones. There is an opportunity for the GoVI and the UKG to discuss and agree on a plan to transform their historic relationship into a modern partnership that is mutually beneficial over the next five years. This plan could facilitate discussions between the two governments on future collaborative efforts in key areas of governance reform and national development identified in this report and the National Sustainable Development Plan of the Virgin Islands.

Both parties are encouraged to progress accelerated efforts to transform the current relationship into a partnership where both are seen as equals, as demonstrated during the COI implementation process.

The Virgin Islands, its Government, and people have shown a commitment to good governance and transforming into a model democracy. Through the implementation of forty-eight transformative recommendations within a governance structure with systemic challenges, they have demonstrated work ethic, character, and determination akin to their efforts in 1949 to obtain democratic representation.

SECTION 8 - ACKNOWLEDGEMENTS

8.1 GENERAL ACKNOWLEDGEMENT

The Government and people of the Virgin Islands express gratitude to the individuals and institutions who contributed to the implementation of the recommendations of the COI Report. The agreement to conduct a governance reform process whilst still delivering all government services without impacting service quality, was a challenging endeavour undertaken by both UKG and GoVI over three years from the Framework Agreement in May 2022 to April 2025 when this Report was approved by the Cabinet of the Virgin Islands. This effort to modernize the governance of the Virgin Islands provided an opportunity for the Government and people of the Virgin Islands to recognize that national development had outpaced governance reforms.

8.2 UNITED KINGDOM

Both Governments used the implementation of the COI Report recommendations to commit to better evidence-based decision-making, improved monitoring and accountability mechanisms, and joint leadership where agreements were based on mutual respect, understanding, dialogue, and new insights. Despite historical context and cultural differences, they took a coordinated approach to address challenges of government reform. The FCDO and Governor's Office staffs provided support throughout the process, including direct support from:

1. FCDO Ministers
 - a. Hon. David Rutley, MP
 - b. Hon. Stephen Doughty, MP
2. Governors
 - a. John Rankin
 - b. Daniel J. Pruce
3. FCDO Directors
 - a. Paul Candler
 - b. Ben Ladd
 - c. Sarah Hulton, OBE
4. Governor's Office
 - a. Ms. Charlotte Biswas, Directors of Strategy
 - b. Mr. David Humphries, Policy Officer

8.3 GOVERNMENT OF THE VIRGIN ISLANDS

Members Cabinet, Backbenchers, Opposition and Speaker during the implementation of recommendations of the COI Report.

5 MAY 2022 to APRIL 2023

Government of the Virgin Islands (Government of National Unity)

CABINET

- Hon. Dr. Natalio Wheatley, Premier and Minister of Finance
- Hon. Kye Rymer, Deputy Premier and Minister for Transportation, Works and Utilities
- Hon. Marlon Penn, Minister for Health and Social Development
- Hon. Melvin M. Turnbull, Minister for Natural Resources, Labour and Immigration

- Hon. Sharie de Castro, Minister for Education, Culture, Youth Affairs and Sports
- Hon. Dawn J. Smith, Attorney General

BACKBENCH MEMBERS

- Hon. Alvera Maduro-Caines, Junior Minister for Tourism
- Hon. Shereen Flax-Charles, Junior Minister for Trade and Economic Development
- Hon. Vincent Wheatley, Member for Ninth District
- Hon. Carvin Malone, Territorial Member
- Hon. Neville “Sheep” Smith, Territorial Member
- Hon. Mark Vanterpool, Member Fourth District

Speaker of the House of Assembly

- Hon. Corine George-Massicote

Member of the Opposition

- Hon. Julian Fraser, Leader of the Opposition and Member for the Third District

APRIL 2023 TO PRESENT

Government of the Virgin Islands

CABINET

- Hon. Dr. Natalio D. Wheatley, Premier and Minister of Finance
- Hon. Julian Fraser, RA, Deputy Premier and Minister for Natural Resources and Climate Change
- Hon. Kye Rymer, Minister of Communications and Works
- Hon. Sharie B. DeCastro, Minister for Education, Culture, Youth Affairs, and Sports
- Hon. Vincent Wheatley, Minister for Health and Social Development
- Hon Dawn J. Smith

BACKBENCH MEMBERS

- Hon. Luce Hodge Smith, Junior Minister for Culture and Tourism
- Hon. Lorna Smith MBE, Junior Minister for Financial Services and Trade
- Hon. Karl Dawson, Deputy Speaker

Speaker of the House of Assembly

- Hon. Corine George-Massicote

Members of the Opposition

- Hon. Myron V Walwyn, Leader of the Opposition and Member for the Sixth District
- Hon. Ronnie Skelton, Territorial Member
- Hon. Marlon Penn, Member for the Eighth District
- Hon. Mitch Turnbull, Member for the Fourth District
- Hon. Stacy "Buddha" Mather, Territorial Member

8.4 PUBLIC SERVICE OF THE VIRGIN ISLANDS

The Public Service of the Virgin Islands is appreciated for their dedication over approximately three years, serving in their regular roles while implementing COI recommendations under the Deputy Governor's leadership. The Steering Committee, comprised of key figures such as Permanent Secretaries and the Financial

Secretary, met frequently to address challenges and seek guidance. They were joined by the Governor, Premier, and Ministers in Tripartite meetings and Project Groups. Communications and Information Technology departments ensured public updates on progress.

8.5 REVIEWERS AND POLICY DRAFTERS

Reviewers and the Constitutional Review Commission played an essential role in the success of the initiative. Their expertise and insights contributed significantly to addressing concerns raised under specific recommendations.

Special Envoy to the Premier

The Special Envoy to the Premier, Benito Wheatley, provided diplomatic and strategic support in the establishment of the Government of National Unity and the ongoing relationship between GoVI and UKG.

Governance Reform Delivery Manager

The Governance Reform Delivery Manager, Kedrick Malone, facilitated collaboration between GoVI and the Governor's Office teams which enhanced the overall relationship between the two governments.

8.6 PEOPLE OF THE VIRGIN ISLANDS

The Territory's engagement and interest in the Commission of Inquiry and its outcomes were vital for achieving governance reform.

8.7 PUBLIC OFFICERS

Public officers are thanked for their contributions:

Premier's Office

- Permanent Secretary, Carolyn Stoutt Igwe
- Deputy Secretary, Dr. Lavon Chalwell-Brewley
- Strategy and Policy Development Lead, Mrs. Michelle Donovan Stevens
- Assistant Secretary, Miss Harriett Anderson
- Assistant Secretary, Tsai Maduro
- Director of Communications, Mrs. Karia Christopher
- Information Officer, Sonje Greenidge
- Senior Research Analyst, Joseph Rosan

COI Implementation Unit

- Director, Mrs Hadassah Fraser (nee Ward)
- Research Analyst, Mrs. Rosemary Delaney-Smith
- Administrative Officer, Ms. Krystal Maynard
- Officer Generalist III, Ms. Kerniel Chung

Persons Coopted to Support COI Implementation Unit

- Director of Projects and Deputy Financial Secretary, Ministry of Finance, Dr. Drexel Glasgow
- Director of Recovery and Development Agency, Miss Kinisha Forbes

Deputy Governor's Office

- Deputy Governor, Mr. David Archer Jr.
- Permanent Secretary, Mrs. Sharleen DaBreo-Lettsome
- Deputy Secretary, Mrs. Aisha Hill Massicote

- Security and Justice Policy Advisor, Mrs. Olva McKenzie Agard
- Supervisor of Elections, Ms. Scherrie Griffin

Attorney General's Chambers

- Attorney General, Honourable Dawn Smith
- Chief Parliamentary Counsel, Mrs. Christine Bowen
- Principal Crown Counsel, Ms. Maya Barry
- Drafting Unit of the Attorney General's Chambers

Cabinet Office

- Cabinet Secretary, Ms. Sandra Ward
- Deputy Cabinet Secretary, Mrs. Vicki Samuel-Lettsome

Ministry of Finance

- Financial Secretary, Mr. Jeremiah Frett
- Deputy Financial Secretary, Mr. Jeremy Vanterpool

Ministry of Communication and Works

- Permanent Secretary, Mrs. Elvia Smith-Maduro
- Deputy Secretary, Ms. Haley Trott
- Chief of Infrastructural Development, Mr. Duane Fraites
- Assistant Secretary, Ms. Sharlene Smith
- Senior Administrative Officer, Ms. Rea Vanterpool

Ministry of Tourism Culture and Sustainable Development

- Permanent Secretary, Mr. Joseph Smith Abbott
- Deputy Secretary, Mr. Malvern Brathwaite

Ministry of Education Youth Affairs and Sports

- Permanent Secretary, Dr. Marcia Potter
- Deputy Secretary, Mrs. Jillian Douglas-Phillips
- Deputy Secretary, Mr. Claude Kettle

***Ministry of Health and Social Development**

- Former Permanent Secretary, Mrs. Petrona Smith Davies
- Permanent Secretary, Ms. Tasha Bertie
- Chief Social Development Officer and the staff of Social Workers at the Social Development Department
- UNICEF Chief of Social Policy and the team of Social Policy Specialist with the UNICEF Office for the Eastern Caribbean Area
- Former Minister of Health, Honourable Marlon Penn

Gratitude is expressed to contributors, especially the Review Panel:

- Dr. Sauda Smith (Chair)
- Dr. Richard Georges
- Mr. Maurice Turnbull
- Ms. Kamika Forbes
- Ms. Kishelle Blaize-Cameron

Former Ministry of Natural Resources and Labour/Current Ministry of Environment, Climate Change and Natural Resources

- Permanent Secretary, Mr. Ronald Smith-Berkeley
- Deputy Secretary, Mr. Mervin Hastings
- Assistant Secretary, Mrs. Heather Skelton
- Assistant Secretary, Miss Lynda Varlack
- Assistant Secretary, Mrs. Tessa Smith-Claxton
- Environmental Officer, Miss Angela Burnett-Penn

Ministry of Financial Services Economic Development and Digital Transformation

- Deputy Secretary, Mrs. Sophia Berkeley
- Chief Immigration Officer, Nadia Demming Hodge, Department of Immigration,
- Status Unit Department of Immigration

Tripartite Committee Members 2022

His Excellency John J Rankin CMG, Governor of the Territory of the Virgin Islands (Co Chair)

Honourable Dr. Natalio Wheatley, Premier of the Territory of the Virgin Islands (Co Chair)

Honourable Kye Rymer, Deputy Premier/Minister of Communications and Works

Honourable Marlon Penn, Minister of Health and Social Development

Honourable Melvin Turnbull, Minister of Natural Resources and Labour

Honourable Dawn Smith, Attorney General, Attorney General's Chambers

Honourable Sharie deCastro, Minister of Education, Culture, Youth Affairs and Sports

Mr. David D. Archer Jr., Deputy Governor

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Mr. Jeremiah Frett, Financial Secretary

Mr. Ronald Smith Berkeley, Permanent Secretary, Ministry of Communications and Works

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Mr. Joseph Smith Abbott, Permanent Secretary (Ag.), Ministry of Natural Resources and Labour

Dr. Marcia Potter, Permanent Secretary, Ministry of Education and Culture

Mrs. Sharleen DaBreo Lettsome, Permanent Secretary, Deputy Governor's Office

Mrs. Hadassah Fraser (nee Ward), Director of Commission of Inquiry Implementation Unit

Other members of Commission of Inquiry Implementation Unit

Mrs. Charlotte Biswas, Director of Strategy, Governor's Office

Mr. David Humphreys, Communications and Policy Officer, Governor's Office

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Honourable Dr. Natalio Wheatley, Premier of the Territory of the Virgin Islands (Co chair)

Honourable Lorna Smith OBE, Deputy Premier/Minister for Financial Services Labour and Trade

Honourable Kye Rymer, Minister of Communication and Works

Honourable Vincent Wheatley, Minister of Health and Social Development

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Honourable Sharie deCastro, Minister of Education, Youth Affairs and Sports

Mr. David D. Archer Jr., Deputy Governor

Ms. Sandra Ward, Cabinet Secretary, Cabinet Office

Mrs. Carolyn Stoutt Igwe, Permanent Secretary, Premier's Office

Mr. Jeremiah Frett, Financial Secretary, Ministry of Finance

Mrs. Elvia Smith Maduro, Permanent Secretary (Ag.), Ministry of Communication and Works

Ms. Tasha Bertie, Permanent Secretary (Ag.), Ministry of Health and Social Development

Mr. Ronald Smith Berkeley, Permanent Secretary, Ministry of Environment Natural Resources and Climate Change

Dr. Marcia Potter, Permanent Secretary, Ministry of Education and Culture
Mrs. Sharleen DaBreo Lettsome, Permanent Secretary, Deputy Governor's Office
Mrs. Petrona Smith Davies, Permanent Secretary, Ministry of Financial Services Labour and Trade (later Ministry of Financial Services, Economic Development and Digital Transformation)
Mr. Joseph Smith Abbott, Permanent Secretary, Ministry of Tourism, Culture and Sustainable Development
Mr. Kedrick Malone, Governance Reform Delivery Manager (from 10 April 2024)
Mrs. Charlotte Biswas, Director of Strategy, Governor's Office
Mr. David Humphreys, Communications and Policy Officer, Governor's Office
Mrs. Hadassah Fraser (nee Ward), Director of Commission of Inquiry Implementation Unit
Other members of Commission of Inquiry Implementation Unit

Steering Committee 2022

Mrs. Carolyn Stoutt Igwe, Permanent Secretary, Premier's Office (Chair)
Mr. David D. Archer Jr., Deputy Governor (Advisor)
Hon. Dawn Smith, Attorney General, Attorney General's Chambers
Mr. Jeremiah Frett, Financial Secretary, Ministry of Finance
Mr. Ronald Smith-Berkeley, Permanent Secretary, Ministry of Communication and Works
Mr. Joseph Smith-Abbott, Permanent Secretary, Ministry of Natural Resources and Labour
Mrs. Petrona Smith Davies, Permanent Secretary, Ministry of Health and Social Development
Dr. Marcia Potter, Permanent Secretary, Ministry of Education, Culture, Youth Affairs and Sports
Mrs. Sharleen DaBreo Lettsome, Permanent Secretary, Deputy Governor's Office
Mrs. Hadassah Fraser (nee Ward), Director of Commission of Inquiry Implementation Unit
Other members of Commission of Inquiry Implementation Unit

Steering Committee 2024 - 2025

Mrs. Carolyn Stoutt Igwe, Permanent Secretary, Premier's Office (Chair until 31 March 2024)
Mr. Kedrick Malone, Governance Reform Delivery Manager (Chair from 01 April, 2024)
Mr. David D. Archer Jr., Deputy Governor (Advisor)
Hon. Dawn Smith, Attorney General, Attorney General's Chambers
Mr. Jeremiah Frett, Financial Secretary, Ministry of Finance
Mrs. Elvia Smith-Maduro, Permanent Secretary, Ministry of Communication and Works
Mr. Ronald Smith-Berkeley, Permanent Secretary, Ministry of Environment, Natural Resources and Climate Change
Ms. Tasha Bertie, Permanent Secretary (Ag.), Ministry of Health and Social Development
Dr. Marcia Potter, Ministry of Education, Youth Affairs and Sports
Mrs. Sharleen DaBreo Lettsome, Permanent Secretary, Deputy Governor's Office
Mr. Joseph Smith-Abbott, Permanent Secretary, Ministry of Tourism Culture and Sustainable Development
Mrs. Petrona Smith Davies, Permanent Secretary, Ministry of Financial Services Labour and Trade
Mrs. Hadassah Fraser (nee Ward), Director Commission of Inquiry Implementation Unit
Other members of Commission of Inquiry Implementation Unit

Coordination Committee

His Excellency Daniel Pruce, Governor of the Territory of the Virgin Islands
Honourable Dr. Natalio Wheatley, Premier of the Territory of the Virgin Islands
Mrs. Carolyn Stoutt Igwe, Permanent Secretary, Premiere's Office
Mrs. Hadassah Fraser (nee Ward), Director COI Implementation Unit
Mr. Kedrick Malone, Governance Reform Delivery Manager
Mr. David Humphreys, Governor's Office
Mrs. Rosemary Delaney-Smith, COI Unit Notetaker

Governance Reform Coordination Centre Meetings

Mrs. Hadassah Fraser (nee Ward), Director COI Implementation Unit

Mr. Kedrick Malone, Governance Reform Delivery Manager
Mrs. Rosemary Delaney-Smith, COI Unit Notetaker
Mrs. Charlotte Biswas, Governor's Office
Mr. David Humphreys, Governor's Office

SECTION 9 – REFERENCES

1. Budget Address 2025, Government of the Virgin Islands
2. COI Implementation Plan, Ministry of Finance, GoVI
3. Department of Information Technology's Presentation on new Government Website, Department of Information Technology, GoVI
4. Framework for the Implementation of the Recommendations of the Commission of Inquiry Report and Other Reforms, Government of National Unity
5. Governance Reform Action Plan, COI Implementation Unit, Premier's Office
6. Governance Reform Transition Plan, Implementation Unit, Premier's Office
7. Implementation Plan for the Registration of Interests, Deputy Governor's office, GoVI
8. List of Appointed COI Reviewers and their Profiles, COI Implementation Unit, Premier's Office
9. List of Legislation Amended/Passed during COI, COI Implementation Unit, Premier's Office
10. List of Policies Approved by Cabinet, COI Implementation Unit, Premier's Office
11. List of Reviewers' Report, COI Implementation Unit, Premier's Office
12. Ministerial Action Plan, COI Implementation Unit, Premier's Office
13. National Integrated Development Strategy (NIDS), 1999, Government of the Virgin Islands
14. National Sustainable development Plan 2036
15. Recovery to Development Plan, Government of the Virgin Islands, 2018
16. Report of Government of the Virgin Islands Town Hall Meetings on the Impact of the COI, COI Implementation Unit, Premier's Office
17. Reports from Ministries on COI Implementation
18. Speech from the Throne 2025, Government of the Virgin Islands
19. The British Virgin Islands Commission of Inquiry Report of the Commissioner, The Rt. Hon. Sir Gary Hickinbottom

All links included in this report can be found at **Appendix N**, and can also be found on the Governance Reform website at www.bvi.gov.vg/governance-reform.

SECTION 10 - APPENDICES

Appendix A -The British Virgin Islands Commission of Inquiry Report of the Commissioner, The Rt. Hon. Sir Gary Hickinbottom

Appendix B - Framework for the Implementation of the Recommendations of the Commission of Inquiry Report and Other Reforms

Appendix C – Implementation Plan for the COI Recommendations

Appendix D – List of Appointed COI Reviewers and their Profiles

Appendix E – List of Reviewers' Report

Appendix F – List of Policies Approved by Cabinet

Appendix G – Governance Reform Action Plan

Appendix H – Reports from Ministries

Appendix I – Implementation Plan for the Registration of Interests

Appendix J – List of Legislation Amended/Passed during COI

Appendix K – Governance Reform Transition Plan

Appendix L - Report of Government of the Virgin Islands Town Hall Meetings on the Impact of the COI

Appendix M – Department of Information Technology's Presentation on new Government Website

Appendix N – List of links included in the COI Self-Assessment Report