

Commission OF Inquiry

FAQs Updated October 2016

1. What is the status of the Commission's investigation into the airport?

The Commission has been guided by Article 7 of our Terms of Reference - to "*consider the adequacy of current safeguards and the system of financial accountability for the Government of Bermuda*". The Commission's intention with regard to the airport redevelopment project has been to examine the manner in which a tender process was considered and to assess the outcome of that consideration. Government initially objected to civil servants answering any questions advanced by the Commission about the airport project. [Please see Letter of Objection re: L.F. Wade Airport Redevelopment, posted in the Documents section of this website.]

Following a press conference at which the Acting Attorney General announced Government's position in the matter, formal objection was received by the Commission in accordance with Commission rules. The Commission ruled on the objections [see posted Ruling on Airport project objections] and the two civil servants who had received written questions concerning the airport redevelopment project from the Commission, (Accountant General Curtis Stovell and Financial Secretary Anthony Manders), subsequently appeared before the Commission and answered those questions and others asked at the hearing by Commission counsel and Commission members. These questions and the answers can be found in the posted witness statements of Accountant General Stovell and Financial Secretary Manders as well as in the posted transcripts for Friday October 7 and Tuesday October 11, along with any documents that they provided.

2. Who has provided witness statements to the Commission to date? Where can these statements be found?

Witness statements and any attached documents relevant to matters discussed in the witness statements are posted on the Commission's website.

3. Is the Commission posting transcripts of the public hearings?

Transcripts have been posted on the Commission's website as they were received. The process took longer than anticipated but all transcripts from the hearings have now been posted.

4. How many additional witnesses will appear before the Commission?

The Commission is finalising its list of potential witnesses for the next hearing set for the week commencing Monday November 28. Former Premier and former Minister for Tourism and Transport, Dr. the Hon. Ewart Brown, was scheduled to appear at the last hearing but his counsel obtained an adjournment until Wednesday November 30. Former Accountant General Joyce Hayward was also unable to appear at the September hearing and she has been rescheduled for the November hearing. The possible recall of witnesses who appeared in September is also under review by the Commission.

5. How many witnesses have refused to appear? How will their refusal be dealt with?

No witnesses have refused to appear.

6. How much of the Commission's budget has been spent to date? Why isn't the Commission accounting for its expenditures as they occur?

The Commission is proposing to account for the expenditure of its budget upon completion of its work i.e. when its report is submitted to the Premier. Government has already confirmed both the Commission's extension until December 31, 2016 and an increase in budget from the originally budgeted sum of \$480,000 to \$1,168,000.

The Commission is allocated funding through the Cabinet Office and is responsible for managing its budget. Although the Commission is not subject to Financial Instructions, the Commission's practice has been to obtain, where possible, up to three quotes for goods and services that are required – with two exceptions. The first was the retention of counsel for the Commission and the second was the design and development of the Commission's website.

With respect to the payment for goods and services, the practice is to have Commission staff review all bills. Once satisfied that they are correct, bills are signed as approved and sent to the Cabinet Office Accounting section for payment.

7. Is it possible that the Commission will request an additional extension beyond December?

The Commission remains focused on a target completion date of December 31, 2016.

8. In what form will the Commission's final report be presented? Will the full report be made available to the public?

The Commissions of Inquiry Act 1935 requires only that the Commission present its report to the Premier and that it do so in writing. In addition, Section 6 states that the Commissioners shall also "when required, furnish to the Premier a full statement of the proceedings of the Commission, and of the reasons leading to conclusions arrived at or reported".

9. Is the Commission still accepting submissions? What is the deadline for making a submission to the Commission?

Yes, the Commission is still accepting submissions from anyone who wishes to make a submission. The Commission would like to have them to hand before Friday, November 18.

10. Has the Commission received any submissions from the general public?

Yes, we have received a number of submissions since we began our work, a good number of which were sent in after we commenced our public hearings on September 29th. A number of them have however, been anonymous and while we have an interest in following up on them, in some cases, it is difficult if not impossible to do so without the person coming forward and sharing with the Commission precisely what information they do have. We therefore appeal to anyone who has made such a submission to contact the Commission (or a Commission member) and we assure you that both you and the information that you have to share will be treated confidentially.

11. When do hearings resume?

The hearings resume on Monday, November 28, 2016 at 10:00am at St. Theresa's Church Hall, Laffan Street, Hamilton.