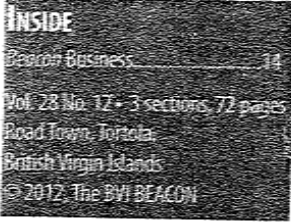


Bill see page 21



Complaints commish urges public to pressure gov't

Responds to criticisms

By **CHRYSTALL KANYUCK**
ckanyuck@bviibeacon.com

In a way, any special report published by Complaints Commissioner Elton Georges' office represents a failure, because it means that a valid complaint and the office's subsequent recommendations haven't led to a resolution, the commissioner said Monday.

But even after a complaint reaches the special report stage – only nine of Mr. Georges' 28 investigations have since his office

was founded about three years ago – government officials can still right whatever wrong took place, Mr. Georges said Monday.

He was speaking during a press conference he held in part to respond to recent criticisms of his work from Third District representative Julian Fraser, the former government minister who is accused in a recent special report of inappropriately meddling in the affairs of the Ministry of Natural Resources and Labour.

Now that Mr. Georges' latest two special reports have been made public and were widely reported in the media, it's the pub-

Complaints see page 22

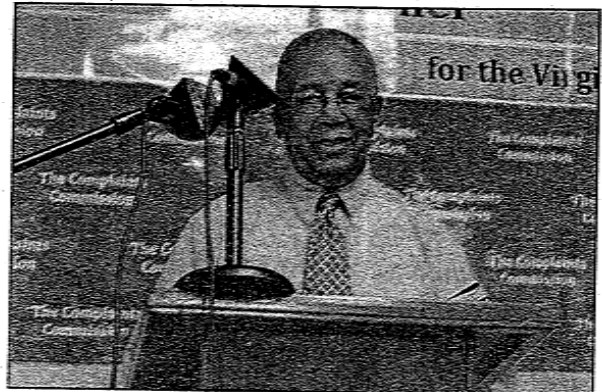


Photo: **CHRYSTALL KANYUCK**

Complaints Commissioner Elton Georges speaks to reporters about the complaints process and his latest two special reports Monday.

Local News

Complaints: Commish responds to criticisms

Continued from page 1

lic's turn to pressure leaders to take action, he said.

"Enough people just need to say to the government, 'You need to do the right thing,'" he added.

At the Monday press conference, when some reporters suggested that perhaps the commissioner needed more authority to take action, rather than just to make recommendations, Mr. Georges disagreed.

Instead of establishing restrictive laws or threatening punishments, "Government should act right by the people," he said.

Complaints process

Mr. Georges also explained the complaint process. Generally, after a resident brings a complaint to the office, he will try to arrange an "early resolution" with the department or agency involved, he said.

If he is unsuccessful, he conducts an investigation to find out whether there was any government wrongdoing. His findings are then provided to government officials to help them resolve the matter, he said.

His investigations only become public in a special report if the government fails to take what Mr. Georges considers to be adequate action.

In part because of this process, Mr. Georges took issue with recent allegations from Mr. Fraser that the latest special report was motivated by a desire to "mislead the public."

"It was never meant to get to the public," Mr. Georges said. "I expected that the government would do what it needed to do."

Sea Cows Bay complaint

According to the commission's Ninth Special Report, an application to reclaim land in Sea Cows Bay was deferred for more than 10

years, receiving neither approval nor denial with reason.

One of the factors that contributed to government's lack of response, according to the report, was that authority for developments in that area were left with Mr. Fraser, who represents the Sea Cows Bay area, after he stopped being the minister of natural resources and labour in 2002.

The Complaints Commission Act authorises Mr. Georges to issue subpoenas during an investigation, ordering those who have information necessary to his investigation to appear to give evidence. But Mr. Georges said this is a power he has not used, and shouldn't use except as a last resort.

Instead, Mr. Fraser was asked to give evidence in person or in writing regarding a development plan in Sea Cows Bay, but he did not respond, according to the report. When

Mr. Georges' findings were critical of Mr. Fraser, he was again invited to submit his own comments for the investigation report, and again there was no response.

After the report was made public, however, Mr. Fraser reportedly told *Virgin Islands News Online* that Mr. Georges' intention behind the report was "malicious," but the commissioner said he approaches his investigations impartially and in good faith.

"I go where the evidence leads," Mr. Georges said Monday.

'Good governance'

Although the issues leading to the complaints largely predate the new government, which took office in November, officials in the new administration also were given a chance to respond before the reports were published, but they did not do so, according to Mr. Georges.

On the Sept. 17 National Democratic Party radio programme, a caller asked about the Sea Cows Bay report. Natural Resources and Labour Minister Dr. Kedrick Pickering said he did not wish to discuss the matter.

However, Ronald Smith-Berkeley, permanent secretary for the MNRL, said Tuesday that the ministry is working with the complainant to resolve the situation as quickly as possible.

"Everything will be made right, as much as we possibly can," Mr. Smith-Berkeley said. "I will ensure that these kinds of things – these inordinate delays – will not happen again."

When Mr. Georges was asked if the lack of response from government officials to his special reports "got to him," he said he is disappointed, but he still has hope.

"It's an issue of good governance," he said. "We have to keep trying."