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Public Cannot Know Who Was Paid For Work on Festivals in BVI, Says Premier Wheatley

Wheatley claims that festival contractors faced emotional distress due to public ridicule after disclosure of their identities

Politics / **Published On May 06, 2024 07:15 AM /**

Staff Consortium **May 06, 2024**

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Natalio Wheatley

The names of individuals and businesses who worked on national festivals in the British Virgin islands over the past two years would remain secret, BVI Premier Natalio Wheatley decided during a recent sitting of the House of Assembly.

Asked for details on finances of the Virgin Islands Festivals Committee, including payables and receivables for 2022 and 2023, Wheatley told District Eight Representative Marlon Penn that “in the spirit of transparency, the names of the individuals and businesses are redacted.”

The censored information was presented because “I cannot in good conscience participate in something I’ve been seeing happen since I’ve come to his House, especially with the COI, where persons’ identities who have done transactions with government...[are] placed into the public square, and persons are targeted and ridiculed,” Dr. Wheatley said.

The premier argued that Freedom of information legislation had to be passed, “before the life of this administration ends” so that the country could have “a good conversation about what type of information should be accessible to the public.”

Wheatley claimed that there have been people who were driven “almost to the point of emotional breakdown” due to the public scrutiny they have received. “I’m not going to participate in that, whether it’s public funds or not,” he declared. “I do not believe that it is in the public interest to do that to individuals in the public”.

“With all due respect, this country is run by laws, not by the premier’s conscience,” said Mr. Penn. “The premier cannot determine which laws of the country he will obey and not obey,” he continued, noting that somewhere in the region of \$3 million in public funds was spent. “The Premier cannot arbitrarily determine what he will and will not make public, and this House should not facilitate that type of behavior,” argued Mr. Penn

In response to a query from Speaker Corine George Massicote, Dr. Wheatley disclosed that not all of the money had been spent under the aegis of contracts that needed to be publicly registered, and he said that he did not have a list of those who had been paid pursuant to a contract vs. those who had not. However, he maintained that he believed it was better to shield festival contractors from the public scrutiny that would arise if their identities were made known.

“It’s becoming a trend where the questions are not being answered,” said Mr. Penn, telling Speaker George-Massicote that the information has previously been included in these reports.

After a short recess, Speaker George-Massicote recovered proceedings and shared with the premier her opinion that the request for identities was indeed in the public interest. However, Wheatley cited House standing order 18.6 to argue that his opinion on the question of public interest was the only one that mattered.

Mr. Penn, expressed his disquiet at the Speaker’s seeming deference to the Premier on the question. “We cannot set a precedent in this House where any Premier can dictate what can or cannot be said or what’s in the public interest, especially when you’re dealing with public funds.”

When the finance minister takes the position to conceal information from the public, “it makes me wonder what else is being hidden,” Mr. Penn declared. However, because the standing orders of the House stipulate that the decision on disclosure is based solely on the Minister’s opinion of the public interest question, Speaker George-Massicote indicated that while she agreed with Mr. Penn’s position that the information should be public, she was unable to force the Premier to provide the requested information.

“Have we not learned anything from the COI?” Mr. Penn responded. “Have we not learned anything about transparency, accountability? Are they only buzzwords that are convenient when it suits us?” He argued that the House had set “a dangerous precedent” by allowing Premier Wheatley to dodge disclosure of who received money for the staging of the territory’s festivals over the past two years.