



GOVERNMENT OF ANTIGUA AND BARBUDA

Office of the Prime Minister

6 January, 2006

Cabinet Press Statement

The Cabinet has been carefully considering in some detail the Report in respect of the Public Utilities Authority submitted by Mr. Don Mitchell CBE, QC, on December 14 2005 following his appointment as the sole investigator on November 21 2005. The Report addresses Mr. Mitchell's findings under the five terms of reference of the investigation and makes twelve recommendations following his interview of persons whom he invited to meet with him. The persons interviewed included the former APUA Commissioners, APUA General Manager Leon Chaku Symister and eight divisional managers, media persons, and members of Opposition parties. Of Government Ministers, only Hon. Wilmoth Daniel, Hon. Dr. Edmond Mansoor, and Senator Aziz Hadeed were extended invitations and duly attended on the investigator.

The Government of Antigua and Barbuda wishes to publicly record its thanks to Mr. Don Mitchell for his ready acceptance of the assignment to conduct the investigation and the timely submission of his Report.

On its preliminary review, the Cabinet accepts in principle certain of the recommendations which it considers to be in the interest of the good governance of APUA and of general application to other statutory authorities and their adoption of best business and management practices. The suggestion that workshops and seminars be held from time to time to reinforce proper procedure and good corporate governance is of eminent importance as this Administration seeks to arrest two decades of general decline in the public service and to establish and encourage high standards of performance among public officers.

The Cabinet however, has some difficulty with some of the recommendations in light of the apparently unsupported findings on which these recommendations are based, particularly where both the findings and the

recommendations appear to fall outside the scope of the terms of reference of the investigation. Similarly, the Cabinet has found inconsistencies and conflicting statements in the findings of the investigator which necessitate further examination and assessment and which may be the subject of qualified comment by the Cabinet on completion of its review.

It will be recalled that the Cabinet had at its weekly meeting held on Friday November 4, 2005 resolved to terminate the appointments of the APUA Commissioners having considered the growing controversy which surrounded the operations of APUA and its adverse effect on the continued good governance of APUA and had further resolved that it was in the national interest to mount an investigation into the matters relating to the controversy. The Cabinet, therefore views with dismay and concern the investigator's finding that the decision to terminate the appointment of the Commissioners had given rise to a "widely-voiced suspicion that pressure was brought to bear to have the Commissioners dismissed in order to ensure that the APUA funding investigation did not continue". This viewpoint is absolutely without foundation since the Cabinet had never been advised that a forensic audit or a formal investigation had been launched or was being conducted by the APUA Commissioners. The Cabinet recognises the legal authority of any statutory authority to independently launch an investigation on any aspect of its operations and/or management where the authority considers it desirable, and the Government has no intention of discontinuing any investigation into APUA Funding which pre-dates this Administration.

As it continues with its in-depth review of the Report, the Cabinet has determined to issue this general overview pending its detailed response which will be released to the public along with the Report shortly.

Hon. Justin L. Simon QC
Attorney General and
Minister of Legal Affairs

January 6, 2006