

**Bermuda's DPP, Vinette Graham-Allen
Set To Become The New DPP of The Bahamas**

*By Elizabeth Roberts
The Royal Gazette*

Bermuda – A damning report recommended replacing the head of the troubled Department of Public Prosecutions with a Bermudian — a year ago.

But according to then-Attorney General and Justice Minister Larry Mussenden, Governor Sir John Vereker failed to act on the recommendation that Jamaican national Vinette Graham-Allen be bought out of her contract.

This, said Mr. Mussenden, meant his best efforts to tackle the issue "were to no avail."

The report was commissioned from the Government Department of Management Services to get to the bottom of problems following complaints to Mr. Mussenden from staff at the DPP.

Based on interviews with all employees and four recently-departed members of staff, it catalogued:

- Management style viewed as firm/paternalistic or autocratic and arbitrary depending on viewpoint.
- Non-Bermudians using language belittling Bermudian capability and process
- Claims of favouritism in assignment of cases and conferences
- Reported incidences of disrespectful behaviour and deceit
- Clear division, with many references to two camps in the department

The report also accuses Mrs. Graham-Allen of choosing to "overtly ignore" cultural sensitivities within the office.

"This image of an insensitivity and lack of preparedness to adapt to a foreign culture seriously weakens her ability to cope with the requisite management responsibilities.

"The end result being that, in the environment of the Bermuda Department of Public Prosecutions, she is unable to act successfully as a leader," said the report, which was sent to Mr. Mussenden, Governor Sir John Vereker and Mrs. Graham-Allen herself.

Arguing that it would take an inappropriate amount of time and resources to rebuild the relationships in the department "and there is limited likelihood of success", it recommended that an alternative Bermudian DPP be found and Mrs. Graham-Allen's contract bought out on a 'no fault' basis.

The report also highlighted deteriorating relationships within the department arising from issues including leaks to the media and direct approaches made by the staff to Mr. Mussenden.

Besides recommending that Mrs. Graham-Allen be replaced, it also recommended a restructuring of posts in the office, the Premier and Cabinet having a discussion about "the boundaries of Ministerial involvement" and staff being given a strong warning about leaking stories to the media. However, in the 12 months since the recommendations were made, news of ongoing problems at the DPP continued to hit the headlines.

In January, 2007, the Premier's Chief of Staff and former DPP lawyer Wayne Caines said he had asked current Attorney General and Minister of Justice Phil Perinchief to look into "serious concerns" about the management there after receiving complaints from several staff members.

The following day, it was revealed that three members of staff approached Ombudsman Arlene Brock about the way the department was being run.

Last month, Principal Crown Counsel Nicholas Harrison, an experienced Australian prosecutor, quit his post after just two days.

It was the second time in little over a year that an Australian appointee left after just two days in post.

Roger Kimbell headed home in January, 2006 citing "personal reasons". Several other prosecutors also left over the course of 2006.

The news about Mr. Harrison caused Bermuda Public Service Union leader Ed Ball to call for a top-level probe into the DPP, saying the office had lost credibility in the eyes of the public.

During the Ministry of Justice budget debate on February 26, Junior Minister of Justice Michael Scott acknowledged the DPP was "severely understaffed" during the last budget year due to a number of resignations.

There are, he said, currently vacancies for three Crown counsels — one of which is due to be filled by a recruit from England in April — and two vacant Junior Crown counsel positions.

The Royal Gazette asked Sen. Perinchief, Governor Sir John Vereker — who has ultimate say over who fills the position of DPP — and head of the civil service Kenneth Dill what action was taken in response to the March 2006 report.

With Mrs. Graham-Allen's contract due to expire on July 1, and her \$162,992 per-year post previously advertised in a bid to find a Bermudian replacement, they were also asked if this had been successful.

All three declined to comment.

Mr. Mussenden, who was replaced as Attorney General in October, 2006 by Sen. Perinchief, said of the report: "As the then Minister for Justice and Attorney General I did my duty to the best of my efforts to encourage the responsible people, which includes the Governor, to perform their duty and carry out the recommendations.

"However, my efforts were to no avail as the recommendations were not carried out. It appears that for whatever reason, the Governor was not prepared to carry out the required actions.

"The matter no longer concerns me.

"However, I have a huge passion for the DPP's office and wish them well for the future of the Department."

The Royal Gazette has also contacted Mrs. Graham-Allen, former Premier Alex Scott and Sen. Caines to invite them to comment, but they declined to do so.

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