Operation Tempura records released

Bridger/Polaine complaint, legal evaluation made public with some redactions

By Brent Fuller · March 31, 2016

More than four years after the initial open records request was filed for the documents, Cayman Islands Governor Helen Kilpatrick’s office has released two controversial reports, sought by a retired U.K. journalist, related to the ill-fated Operation Tempura corruption investigation.

The records, in several parts, detail an initial complaint made by Tempura’s legal advisor Martin Polaine which was later carried forward by former Tempura chief investigator Martin Bridger.

Also included in the records release is a 185-page evaluation of the Bridger/Polaine complaint done at former Governor Duncan Taylor’s request by U.K. attorney Benjamin Aina, Q.C.

The records, in particular Mr. Aina’s evaluation of the Bridger complaint, are expected to reveal heretofore unknown details of the corruption probe, which took more than two years and more than $10 million to resolve.

Operation Tempura ended with the arrest, charging and criminal trial of two prominent Caymanians – former MLA Lyndon Martin and former Deputy Police Commissioner Rudi Dixon – neither of whom were convicted of any crimes.

The Tempura fiasco also led to the dismantling of the RCIPS command structure in early 2008 which involved the suspension of Mr. Dixon, Police Commissioner Stuart Kernohan and Chief Superintendent John Jones during the investigation. Mr. Kernohan was later fired, but was never charged with any crimes. Mr. Jones won his job back at the police service.

Mr. Dixon, following his trial, won a substantial settlement from the government.

Also arrested as part of Tempura was retired Grand Court Judge Alexander Henderson. Mr. Henderson was never charged with any crimes and won a $1.275 million settlement from government following his arrest.

Mr. Bridger’s complaint, which he has steadfastly refused to make public, involves certain allegations against members of the Cayman Islands judiciary and its attorney general’s office related to how the Operation Tempura investigation was conducted. Mr. Taylor characterized these accusations as false and defamatory.

U.K. journalist John Evans requested a copy of the complaint and Mr. Aina’s evaluation of it in February 2012. After two previous orders to release the documents made by the Cayman Islands Information Commissioner, the governor’s office went to court to successfully block the release of those records.

On Feb. 15, Acting Information Commissioner Jan Liebaers made a third ruling that the governor’s office should release the large majority of the responsive records to the request.

Governor Helen Kilpatrick agreed to do that on Thursday.

“Whilst the governor continues to believe that it is not in the public interest to publish either a complaint that was found to consist entirely of false allegations or Governor Taylor’s response which discussed and dismissed those defamatory allegations, she accepts the information commissioner’s latest ruling,” a statement released Thursday afternoon noted. “She therefore recognizes that she is under an obligation to release material in accordance with the Freedom of Information Law 2007.”
In addition to Mr. Bridger’s complaint and Mr. Aina’s evaluation of it, two letters penned by Cayman Islands Chief Justice Anthony Smellie that were sent to Mr. Taylor in late 2011 were released by the governor’s office. Mr. Taylor had agreed that those letters would be disclosed if the other documents were to be made public.

Any redactions made to the records, Governor Kilpatrick said, were those suggested by Mr. Liebaers in his ruling.

The governor said her office would release the remainder of the redacted information once an ongoing police investigation into the actions of Mr. Bridger in the aftermath of the Tempura investigation had concluded.

The Cayman Compass is reviewing the documents contained in the release, some of which may not be legally publishable. A full report will be published in Monday’s edition.