

MINUTES
15th MEETING OF 2017
THE ANTI-CORRUPTION COMMISSION
20 NOVEMBER 2017
CONFERENCE ROOM, COMMISSIONS SECRETARIAT

COMMISSION MEMBERS PRESENT:

Richard Coles	Chairman
Sophia Harris (in-part)	Member
Kadi Pentney	Member
Timothy Ridley	Member

APOLOGIES: N/A

SECRETARIAT MEMBERS PRESENT:

Deborah Bodden	Manager
Richard Oliver	Senior Investigator

1. Meet and Greet with Ombudsman

The newly appointed Ombudsman Sandy Hermiston attended before the start of the formal meeting pursuant to an invitation from the Commission in order to facilitate introductions, a discussion of the remits, and preliminary agreements for the parties to collaborate when needed. In addition, the Commission will consider the appropriateness and ability for the parties to enter into an MOU including seeking confirmation from the Attorney General that the Commission can enter into an MOU with the Ombudsman. Further discussions will take place when needed.

2. Meeting called to Order

The meeting was called to order at 9:56am.

3. Conflicts of Interest

No conflicts of interest were declared at this meeting by any Member.

4. Confirmation of Minutes

The minutes of 16 October 2017 were confirmed as presented.

5. Operational Update

a. New Corruption Reports/Complaints

There were no new matters received by the Manager to be considered by the Commission. In addition, it is noted that one new matter was accepted by the Commission prior to this meeting. The Commission discussed two outstanding reports/complaints which were previously deferred. Of these two matters, one was not accepted as it did not give rise to a reasonable suspicion on the part of the Commission that a criminal offence or an attempt to commit an offence or a conspiracy to commit an offence under the Anti-Corruption Law ("ACL") had been committed (see Sec 4 (1)(c) of the ACL). The second matter was again deferred pending further information which was due to be received the following day.

b. Existing Corruption Reports/Complaints

The Commission received a written and a verbal update from the Senior Investigator on the 8 active investigations. For reasons of security, specific details such as names, locations, dates, etc. are included in a separate confidential schedule.

The Commission was informed that since inception (1st Jan. 2010) there have been 147 reports registered by the Commission, of which:

- a. 10 are 'pending' awaiting further or sufficient information which may make it appropriate to make further investigations;
- b. 119 have been concluded;
- c. 10 have been transferred to other investigative units for action; and
- d. 8 are under current active investigation.

6. Outstanding Business

a. Report/Complaint Procedure

Members provided their final feedback on the draft of this procedure (including a revised Report/Complaint Form). The finalised procedure will be reviewed a final time by Members and then uploaded to the Commission's website and presented to the DPP.

b. Fact Sheet

The finalised Fact Sheet was uploaded to the Commission's website and also forwarded to a number of local entities with the request that it is uploaded to their websites and/or distributed to their membership. Such entities include the Cayman Islands Government, Cayman Finance, the Chamber of Commerce, the Caymanian Bar Association, etc.

c. Meeting with Deputy Governor

The Chairman updated the Commission on the meeting which took place with the Deputy Governor to discuss wider issues which affect both the civil service broadly and the work of the Commission directly. It was agreed that the Manager and Senior

Investigator would meet with the Deputy Governor and his Senior Management Team to further these discussions.

7. New Business

a. Non-Profit Organisation (“NPO’s”) Risk Assessment Exercise

The Commission has been requested by the Registrar General to provide information related to a risk assessment exercise it is undertaking. The Commission agreed to provide the requested information, in as far as it does not prejudice ongoing/active investigations.

b. ACL Amendment

Members were informed that their feedback on the proposed amendments to the ACL was provided to Legal Drafting. However, no further updates have been provided.

8. Any Other Business

a. Record Management System

The Commission reviewed its procedures as it relates to the security of data.

b. Official Vehicle

The Commissions Secretariat request for capital (to purchase two vehicles) was not approved during the budget cycle. The Manager has spoken with the Chief Officer regarding the need to purchase new vehicles for the Investigators. The CO has agreed that the funds will be sourced to cover the cost of one new vehicle as a capital expense. The current vehicle is to be disposed of in accordance following an assessment by the Department of Vehicle and Equipment Services.

c. CFATF

The Chairman and Manager met with the Attorney General and the Anti-Money Laundering Team regarding the upcoming CFATF assessment as it relates to the Commission. The Chairman, Manager, and Senior Investigator will meet with the CFATF Assessment Team on 5 December at 2pm.

d. MOU

The Commission agreed that the Senior Investigator should explore, with the Director of Prisons, the signing of an MOU to cover any issues related to the need of Investigators to interview or charge persons whilst in custody of the HMCIPS.

9. Action Items

Members will:-

- a.** review the final draft of the Report/Complaints Procedure (including the revised Report/Complaint Form).

The Secretariat will:-

- a. explore the signing of an MOU with the Ombudsman;
- b. draft a response to the concluded report/complaint for the Chairman's approval;
- c. make the final changes to the Report/Complaints Procedure (including the revised Report/Complaint Form);
- d. arrange a meeting with the Deputy Governor and his Senior Management Team;
- e. draft a response to the Registrar General regarding the requested NPO information;
- f. confirm attendance for the CFATF Assessment Team; and
- g. explore the signing of an MOU with the Director of the HMCIPS.

10. Items to be Discussed at the Next Meeting

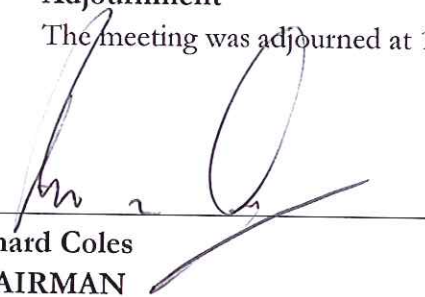
- a. Operational Update
- b. CFATF assessment

11. Next Meeting

The date of the next meeting is 11 December 2017.

12. Adjournment

The meeting was adjourned at 1:15pm.



Richard Coles
CHAIRMAN

ANTI-CORRUPTION COMMISSION