

MINUTES
1st MEETING OF 2020
ANTI-CORRUPTION COMMISSION
14 JANUARY 2020
CONFERENCE ROOM, COMMISSIONS SECRETARIAT

COMMISSION MEMBERS PRESENT:

Richard Coles	Chairman
Kenrick Hall	Member
Sophia Harris	Member
Kadi Pentney	Member
Timothy Ridley	Member

APOLOGIES: N/A

SECRETARIAT MEMBERS PRESENT:

Deborah Bodden	Manager
Richard Oliver	Senior Investigator

1. Meeting called to Order

The meeting was called to order at 9:45am.

2. Conflicts of Interest

No conflicts of interest were declared at this meeting by any Member. In the event that any Member is conflicted, he/she recuses themselves during the discussion of the respective matter.

3. Confirmation of Minutes

The minutes of 3 December 2019 were confirmed as presented.

4. Operational Update

a. New Corruption Reports/Complaints

There were no new reports/complaints for presentation to the Commission. Members agreed that a previously deferred report/complaint (ACC/COMP/2019/005) did not give rise to a criminal offence or an attempt to commit an offence or a conspiracy to commit an offence under the Anti-Corruption Law ("ACL") has been committed (see Sec 4(1)(c) of the ACL). The complainant will be duly notified. In addition after considering the report/complaint (ACC/COMP/2019/009), Members agreed the Commission required

additional information in order to properly assess whether the matter falls under its remit. The Manager will seek to ascertain such information.

b. Existing Corruption Reports/Complaints

The Commission was informed that since inception (1st Jan. 2010) there have been 174 reports registered by the Commission, of which:

- i. 4 are 'pending' awaiting further or sufficient information which may make it appropriate to make further investigations;
- ii. 147 have been concluded (or have not met the threshold or fallen under the remit of the Commission);
- iii. 10 have been transferred to other investigative units for action; and
- iv. 13 are now under current active investigation.

5. Existing Business

a. Draft Media and Public Relations Policy

The issues raised in the draft document were noted by Members however it was not felt that a new and separate policy needed to be formalised, or any existing policies updated/changed in any way. The Commission has already begun its efforts to ensure that it balances the often conflicting concerns between ensuring confidentiality whilst increasing its reporting on work in order to ensure public trust is maintained.

b. Desired Amendments to the ACL

The desired amendments to the ACL, along with the rationales, were submitted to the Attorney General on 6 January 2020. The Commission will now await direction as to how to progress these desired amendments.

6. New Business

a. DRAFT MOU - Inter-agency Intelligence Sharing (Financial Crime)

The Commission agreed to become a party to this MOU (along with the Royal Cayman Islands Police Service, Financial Reporting Authority, and the Cayman Islands Customs and Border Control Service) in order to ensure compliance with international standards established by the Financial Action Task Force and the Caribbean Financial Action Task Force. The MOU serves to ensure the need for the appropriate, effective sharing of information of entities in carrying out their investigations, intelligence development, evaluations and assessments under the relevant laws, regulations and rules applicable to their organizations. The MOU has been designed to enhance the existing relationship between the participating agencies and the Code of Practice will guide the information sharing process. The Senior Investigator will nominate one of the Investigators to sit on the sub-group to develop an appropriate Code of Practice for all entities in accordance with the provisions of the MOU.

b. International Anti-Corruption Coordination Centre (“IACCC”) Membership

Members were provided with the MOU for Associate Membership in the IACCC for consideration. The IACCC was established during the 2016 Anti-Corruption Summit by the UK and is hosted by the National Crime Agency. The IACCC seeks to bring together specialist law enforcement officers from multiple agencies around the world to tackle allegations of grand corruption. Members will consider the MOU and revert with thoughts.

c. Grenada Judgment

Members discussed a recent judgment relating to the Grenada Integrity Commission and its commencement of investigations. It was agreed that consideration should be given as to how this judgment affects the provisions included in the Anti-Corruption Law, if it does at all. Member Tim Ridley agreed to conduct the review.

7. Any Other Business

There was no other business to discuss.

8. Action Items

- a. Members will consider the MOU for Associate Membership with the IACCC as outlined in 6.b. above;
- b. Tim Ridley will consider the Grenada judgment as it relates to the relevant provisions in the ACL; and
- c. The Manager will follow-up with the Attorney General re: the desired amendments to the ACL prior to the next meeting.

9. Items to be Discussed at the Next Meeting

- a. Operational Update
- b. Desired Amendments to the ACL
- c. Grenada Judgment

10. Next Meeting

The date of the next meeting was proposed for 19 February 2020 at 9:30am.

11. Adjournment

The meeting was adjourned at 12:30pm.



Richard Coles
CHAIRMAN
ANTI-CORRUPTION COMMISSION