

**MINUTES
6th MEETING OF 2020
ANTI-CORRUPTION COMMISSION
1 APRIL 2020
HELD VIA TELECONFERENCE**

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 10:15am.

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 6, 11, and 19 February 2020 as well as 3 March 2020 were confirmed as presented.

4. Operational Update

a. New Corruption Reports/Complaints

There were two new reports/complaints for presentation to the Commission. Following consideration of the new reports/complaints Members agreed the Commission required additional information in order to properly assess whether ACC/COMP/2020/001 falls under its remit; and agreed that ACC/COMP/2020/002 should be pended until the complainant is able to provide the additional information as they have requested they be allowed to do. Members further agreed, following receipt of additional information, that a

previously deferred report/complaint (ACC/COMP/2019/009) may 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.

b. Existing Corruption Reports/Complaints

The Commission was informed that since inception (1st Jan. 2010) there have been 177 reports/complaints registered by the Commission, of which:

- i. 3 are 'pending' awaiting further or sufficient information which may make it appropriate to make further investigations;
- ii. 148 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;
- iv. 14 are now under current active investigation; and
- v. 2 require additional information prior to being considered for acceptance.

5. Matters Arising from Previous Minutes

a. Desired Amendments to the ACL

The proposed draft amendments remain with the Attorney General for consideration. Following the last meeting it was brought to the attention of the Attorney General that the ACC should be included generally in all laws so as to have the same or similar provisions as other law-enforcement bodies given its own such designation. The letter was dispatched on 28 February 2020 and on 2 March 2020 the Attorney General indicated that he was in agreement with the ACC's proposal and has subsequently referred the matter to the Legislative Drafting Department for the necessary Amendment Bill to be drafted.

b. Grenada Judgment

Member Tim Ridley has not yet finished the review as detailed in the minutes of 14 January 2020. The matter was therefore again deferred.

c. International Anti-Corruption Coordination Centre Membership (IACCC)

The Manager requested the necessary information in order to progress the ACC's signatory as an Associate Member of the IACCCM on 19 February 2020. A response with the relevant information was received on 25 March providing the Commission with the relevant details and an MOU to be signed as part of the application process. In accordance with the ACL, the Attorney General will be asked for his consent to move forward with this application.

d. MoU and Code of Practice

Members agreed the draft MOU and Code of Practice received at the meeting of 19 February 2020 following its agreement 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 Chairman will sign the MOU and the Manager will submit the same.

6. New Business

a. Meeting with RCIPS Consultants

The Chairman, along with the Manager and Senior Investigator, met with two consultants working with the RCIPS to prepare a professional, evidence based strategic crime threat assessment. The ACC was identified by the Commissioner as a stakeholder in the development of this assessment.

b. Staffing/Office Space

The Manager has begun a recruitment exercise to fill a vacant Investigator post and to make arrangements to move offices to ensure additional office space. Both of these exercises will continue insofar as possible given the current climate. An offer was made to fill the Analyst post however the finalization of the agreement has also now been placed on hold given the current climate.

7. CFATF Related Updates

The Chairman informed Members that due to the current public health crisis all site visits have been placed on hold for an indefinite period. Further information will be shared once available.

8. Any Other Business

There was no other business to discuss.

9. Action Items

- a. Member Tim Ridley will continue his review as it relates to 5.b. above;
- b. The Manager will follow-up on the progression of the IACCC membership as set out in 5.c. above;
- c. The Manager will submit a signed copy of the MOU as it relates to 5.d. above;
- d. The Manager will continue the exercises as set out in 6b above; and
- e. The Manager will draft correspondence as it relates to reports/complaints for approval by the Commission.

10. Items to be Discussed at the Next Meeting

- a. Operational Update
- b. Desired Amendments to the ACL
- c. Grenada Judgment
- d. International Anti-Corruption Coordination Centre Membership
- e. Recruitment/Office Space

11. Next Meeting

The date of the next meeting will be held on 12 May at 10:00am.

12. Adjournment

The meeting was adjourned at 1:10pm.

A handwritten signature in black ink, appearing to read 'Richard Coles', is written over a horizontal line.

Richard Coles
CHAIRMAN
ANTI-CORRUPTION COMMISSION