

MINUTES
13th MEETING OF 2020
ANTI-CORRUPTION COMMISSION
10 NOVEMBER 2020
CONFERENCE ROOM
COMMISSIONS SECRETARIAT

COMMISSION MEMBERS PRESENT:

Sophia Harris	Chairman
Kenrick Hall	Member
Kadi Pentney	Member
Adrian Pope	Member

APOLOGIES:

Simon Whicker	Member
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SECRETARIAT MEMBERS PRESENT:

Deborah Bodden	Manager
Richard Oliver	Senior Investigator

1. Meeting called to Order

The meeting was called to order at 9:31am.

2. Confirmation of Minutes

The minutes of 13 October 2020 were confirmed as presented.

3. Introductory Meetings

a. Mark Whaley – National Intelligence Coordinator

The National Intelligence Coordinator met the newly appointed ACC Members and gave a brief overview of the National Intelligence Unit and the National Intelligence Committee, of which the Chairman of the ACC is a member.

b. Sue Winspear – Auditor General

The Auditor General met again with the ACC as a follow-up to the last meeting held virtually. As previously agreed, the Auditor General will attend the start of any future ACC meeting as needed when there is information to be shared/discussed.

4. 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.

5. **Operational Update**

a. New Corruption Reports/Complaints

There were no new reports/complaints received. Members agreed that report/complaint ACC/COMP/2020/006 did not meet the threshold in accordance with s.4(1)(c) of the Anti-Corruption Law. The complainant had previously withdrawn the complaint but will be notified of the final decision by the Senior Investigator. Further to discussions the Commission agreed to seek additional advice regarding the remit of the legislation and further guidance to the ACC.

b. Existing Corruption Reports/Complaints

The Commission was informed that since inception (1st Jan. 2010) there have been 181 reports/complaints 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. 155 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. 12 are now under current active investigation.

Members agreed to request advice in relation to further possible steps which could be taken with a now concluded matter.

6. **Matters Arising from Previous Minutes**

a. Legislative Matters

i. Proposed Amendments to the ACL

Members discussed the Draft Anti-Corruption (Amendment) Bill, 2020 as drafted by the Attorney General's Chambers following a request by the ACC. Member Gus Pope will collate the responses of the ACC and any relevant rationales for further consideration by Members before providing the same to the Legal Draftsman.

ii. MOU's

Members were provided with copies of all MOU's signed between the ACC and other law enforcement entities. The agreement of these MOU's serve to enhance the work of the ACC.

iii. Advice

Members were provided with copies of instances in which legal advice was received in relation to the work of the ACC.

iv. UNCAC

Members discussed the CI Government's efforts to have the United Nations Convention Against Corruption extended to the ACC. Efforts have been underway for an extended

period of time and a renewed effort has culminated in additional considerations being given to such an extension by the UK Government.

7. CFATF Related Updates

The Chairman has continued to attend CFATF meetings and the Senior Investigator has continued to attend the various sub-committee group meetings and provided written updates as required. The Mock Assessments have now been confirmed for 18 and 23-25 November 2020 and the Chairman and Senior Investigator will both be in attendance. There are also a number of virtual CFATF meetings and workshops that will take place on 20 and 30 November 2020 as well as on 1, 3, and 4 December 2020. The Post Observation Report for Cayman will take place in February 2021.

8. Any Other Business

There was no other business to discuss.

9. Action Items

- a. Members were asked to review the collated responses (and respective rationales) on the Draft Anti-Corruption (Amendment) Bill, 2020 when available;
- b. The Manager will draft the request for advice as agreed during the discussions surrounding the operational update.
- c. The Senior Investigator will provide Member Gus Pope with any feedback on the Draft Anti-Corruption (Amendment) Bill, 2020 from the perspective of the investigative staff.

10. Items to be Discussed at the Next Meeting

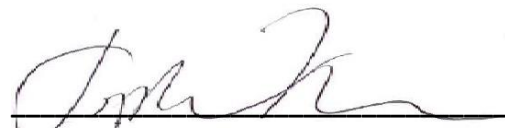
- a. Operational Update

11. Next Meeting

The date of the next meeting was agreed for 7 December 2020 at 9:30am via Zoom.

12. Adjournment

The meeting was adjourned at 2:26pm.



Sophia Harris

CHAIRMAN

ANTI-CORRUPTION COMMISSION