

**MINUTES**  
**1<sup>st</sup> MEETING OF 2011**  
**THE ANTI-CORRUPTION COMMISSION**  
**18 FEBRUARY, 2011**  
**CONFERENCE ROOM**  
**COMMISSIONS SECRETARIAT**

**COMMISSION MEMBERS PRESENT:**

Commissioner of Police David Baines	Chairman
Complaints Commissioner Nicola Williams	Member
Auditor General Alastair Swarbrick	Member
Sir Peter Allen	Member
Leonard Ebanks	Member

**ANTI-CORRUPTION UNIT MEMBERS PRESENT:**

Richard Oliver	Detective Inspector
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**SECRETARIAT MEMBERS PRESENT:**

Deborah Bodden	Manager, Commissions Secretariat
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**1. Meeting called to order**

The meeting was called to order at 10:12 am.

**2. Confirmation of previous minutes**

The minutes of the 26 October, 2010 meeting were confirmed with one minor amendment to correct the spelling of Mr. Ebanks' name.

**3. Commissions Secretariat**

The Manager provided the members with an overview of the functions, staffing and resources of the Secretariat and the other Commissions that they currently support.

**4. Outstanding Business**

**a. Assistance from the Legal Department**

D/I Oliver gave the members an update on his work with John Masters of the Legal Department. Mr. Masters has relevant legal experience in the areas most significant to the Commission and he is very interested in providing support to the Commission but due to the staffing levels within the Department at this time, he has not had as much time to work with the Commission as he had hoped.

Mr. Masters is prepared to train the commission on the content of the Anti-Corruption Commission however several areas of the legislation have been identified as confusing and needing to be re-drafted. He also identified the need to create a policies and procedures manual which would detail the processes of the Commission including how to submit a complaint and how those complaints will be handled. D/I Oliver has conducted some initial research into the policies of other similar commissions worldwide and has concluded that those jurisdictions of similar scale do not have manuals to cover these issues and those with larger jurisdictions would have more resources and thus would not work here.

The Commission agreed that there seems to be some overlap with their powers and responsibilities with those of the Complaints Commissioner, the Auditor General, the Standards for Public Life Commission and the Independent Police Commission once it is formed. It was agreed that it is important that we find a common ground and establish memorandums of understanding between these entities/commissions where necessary.

It was agreed that the Chairman will approach the Solicitor General to ascertain if Mr. Masters could be seconded to the Anti-Corruption Commission for a period of three months in order to make some headway with the legal issues affecting the Commission.

It was further agreed that the Chairman will approach the Attorney General to prioritize the organizing of the training for the Commission as previously agreed upon.

#### **b. Annual Report**

The content of the annual report has now been approved by the members and will be forwarded to the Manager to proof read and ensure the requirements as set out in the law have been met.

#### **c. Website**

The Commission had previously agreed to launch a website providing information on the Commission including policies, procedures, and any necessary forms. The website will be the central point of information for the public and will be a useful tool for educational purposes. The original plan was to wait to publicly acknowledge the Commissions existence until after they had received training on the Anti-Corruption Law, however as that is taking longer than anticipated, the Commission now feels it is important to move ahead. The Secretariat has requested the url: [www.anticorruptioncommission.ky](http://www.anticorruptioncommission.ky) and the e-mail [info@anticorruptioncommission.ky](mailto:info@anticorruptioncommission.ky) and will begin working on securing the appropriate content for the website. It was agreed that minutes of the meetings and the annual report would be amongst the documents uploaded to the site once it is up and running.

#### **d. 4<sup>th</sup> International Association of Anti-Corruption Authorities Annual Conference (IAACA)**

Mr. Ebanks gave a presentation on his attendance at the IAACA Conference in China in November, 2010. He indicated that there were over 700 persons in attendance representing various anti-corruption and other such commissions of over 140 countries. He has written a full report on his experiences which has been submitted to the Chairman and will be forwarded to all members.

Mr. Ebanks noted that during his attendance at the conference he focused on the topic of international co-operation. Two highlights that Mr. Ebanks took away from the conference was Jamaica's use of an off-site answering service to receive tips, similar to what the Cayman Islands Crimestoppers currently uses, and a statement from an ethics presentation where the presenter said that to work in the area of anti-corruption you must not only have the educational background but the moral compass to guide you as well. Overall he found from the presentations that were given by other commissions detailing the types of cases they were working on and their experiences, every country has the same issues just at varying degrees. Mr. Ebanks applauded the organizers of the conference especially the resources that were available to participants.

The Conference was paid for in full by the Chinese Authorities and Mr. Ebanks informed that he had been given a pen and a Confucius statue (collectively valued at \$20) at the conference. These items will be added to the members Registry. Attendance at this conference has given rise to invitations to other conferences and due to varying reasons the Commission cannot be represented at each conference. The Secretariat will research which conferences are important for the Commission to attend in 2011 and will also source funding for these conferences.



## **5. New Business**

### **a. Policies and Procedures**

It has become apparent that the Commission needs to develop a policies and procedures manual which will cover the processes that the Commission will follow in their work such as complaints, foi, etc. The Secretariat will begin the drafting of this document and work with D/I Oliver and John Masters to approve the content.

### **b. Enquiry by member of the public**

An enquiry was received by the Chairman as to the activity of the Commission. It was noted that this individual is a resource for the Commission and should be invited to provide his research and ideas which in turn will assist the Commission in developing policies and procedures.

## **6. Operational Update**

The Commission received a brief update from D/I Oliver on some ongoing investigations being conducted by the ACC Unit. The purpose of these updates is to provide the members with insight into the types of cases being handled by the ACC Unit and as a result the levels of workload they are experiencing and the resources necessary to handle such workloads. Specific details such as names, locations, dates, etc. are not discussed and not every case that is being investigated is mentioned.

It was also noted during this update that the cases being investigated are largely as a result of the information that was received in Operation CEALT and have now been turned over to the ACC Unit. There are legal decisions which need to be made in regards to these due to timeframes and the appropriate legislation which must be followed in each case. Approval was given by the Chairman for D/I Oliver to approach the Legal Department with general information about these cases in order to make informed legal decisions regarding these cases.

## **7. Any Other Business**

### **a. Rooster Morning Talk Show**

There was quite an in depth discussion about the Anti-Corruption Commission and its associated law during the Rooster morning talk show on 15 February, 2011. The overall theme of the discussion was whether the persons who have been appointed to the Commission are the appropriate people. The discussion was not focused on the members personally but the fact that they have full time positions and questioned whether the members have the time to dedicate to the work of the Commission. The discussion is expected to continue next week when it focuses on the law. In a separate segment to be held on Monday 21 February, 2011 at 8:30am the Chairman will be accompanied by the Governor to discuss crime in the Cayman Islands.

### **b. Cayman News Service Article**

In an article written by CNS on 17 February, 2011 the work of the Anti-Corruption Commission was compared to that of the Standards in Public Life Commission stating that the Commission had only met three times in 2010 and had not released a report nor had it conducted the public education campaign as they had previously indicated. The article further stated that it is still not clear what spheres of public life the Commission will examine and that the public are unaware of how they can make a complaint and how those complaints will be handled.

### **c. FOI**

The Commission was made aware that now that they are being supported by the Secretariat, the Manager is now the Information Manager for the Commission. The Commission agreed to ensure as many documents as possible are compliant with FOI so that they may be released to the public via the website once it is launched.

#### **d. Security**

Concerns have arisen as to the security of the information that is being held electronically by the ACC Unit. These concerns also arise in the attempt to provide assurances of confidentiality to those persons who provide information to the Unit via e-mail. The Secretariat will contact the Computer Services Department to ascertain what options are available to the Commission including the use of a separate server possibly owned by the RCIPS or the Secretariat.

#### **e. Procurement Process**

Member Alastair Swarbrick gave an update from his position as the Auditor General that his office is still conducting the investigation requested by the Governor on the review of the public tendering processes. He indicated that his office receives phone calls from members of the public expressing concerns regarding the awarding of most contracts by Government. His offices receive a fair amount of information which is difficult to investigate based on the amount of information provided, the rumours that often ensue that information and the lack of resources his offices are afforded. Political interference is often given as a reason for the awarding of these contracts.

#### **f. Regional Conference for Anti-Corruption**

The Chairman and D/I Oliver will be attending this conference in Jamaica from the 22-24 March, 2011. While the conference is an anti-corruption commission, it is largely police related.

#### **g. Remuneration of Members**

The Chairman enquired as to whether the members had now received their remuneration, which they have. Members will be remunerated on a quarterly basis for their attendance at meetings.

#### **h. Quarterly Chairpersons Meeting**

Now that the Commission is being supported by the Secretariat, the Chairman will be invited to attend the Chairpersons meetings which take place quarterly. The purpose of these meetings is to update the Governor and Deputy Governor on the status of each Commission and for the Chairpersons to network and collaborate as needed.

### **8. Items to be Discussed at the Next Meeting**

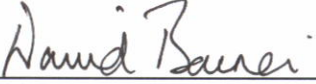
- a. Final Submission of the 2010 Annual Report
- b. Legal Assistance of John Masters
- c. 2011 Schedule of Conferences
- d. Electronic Security Update
- e. Policies and Procedures Manual
- f. Website

### **9. Next Meeting**

The date of the next meeting is to be confirmed.

### **10. Adjournment**

The meeting was adjourned at 11:55am.

  
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**David Baines**  
**CHAIRMAN**  
**ANTI-CORRUPTION COMMISSION**