MINUTES 8th MEETING OF 2017 THE ANTI-CORRUPTION COMMISSION 4 JULY 2017

CONFERENCE ROOM, COMMISSIONS SECRETARIAT

COMMISSION MEMBERS PRESENT:

Richard Coles

Chairman

Sophia Harris

Member

Kadi Pentney

Member

Timothy Ridley

Member

APOLOGIES: W. Norman Bodden

Member

SECRETARIAT MEMBERS PRESENT:

Richard Oliver

Senior Investigator

1. Meeting called to Order

The meeting was called to order at 9:40am.

2. Conflicts of Interest

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

3. Confirmation of Minutes

The minutes of 23 May 2017 were confirmed.

4. Operational Update

a. New Corruption Reports

The Commission received a summary along with all supporting documents, in accordance with the current Report/Complaint Procedure, of five new matters which have been received by the Manager and which have been recorded as a report/complaint that is being considered. Members will review the matters, which are not considered urgent, for discussion at the next meeting.

b. Existing Corruption Reports

The Commission received a verbal update from the Senior Investigator on the 7 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 142 reports registered by the Commission, of which:

- a. 5 have been received and are being considered for evidence as to whether any of them disclose a potential offence under the Law and/or a related offence;
- b. 8 are 'pending' awaiting further or sufficient information which may make it appropriate to make further investigations;
- c. 112 have been concluded;
- d. 10 have been transferred to other investigative units for action; and
- e. 7 are under current active investigation.

5. Outstanding Business

a. Meeting with The Independent Commission against Corruption, Hong Kong (ICAC)

The Chairman, whilst in Hong Kong, met with representatives of the ICAC for an introductory meeting. The representatives compared resources and responses locally as well as an overview of the role of the Commissions including independence and oversight.

b. Meeting with CPA BIMR Election Observation Mission to Cayman Islands

The Chairman met with members of the Mission team after the last Commission meeting. The CPA BIMR sought to gain an understanding of any corruption related concerns as they relate to general elections held in the Cayman Islands.

6. New Business

a. Whistleblower Protection Law

This matter was deferred until the next meeting.

b. Anti-Fraud Reporting Line

The Commission noted the recently published details of the Government's Anti-Fraud Policy (the "Policy") and in particular a whistle-blower's tip line located overseas and run by KPMG. The Chairman corresponded with the Deputy Governor indicating that the Commission was surprised the Policy did not mention the Law, the Commission or the Commission's own confidential reporting line or email. The Chairman asked that the Deputy Governor ensure that all reports of corruption by public officers be channeled through the Commission as provided for in the Law. In turn, all subsequent investigations should be undertaken by the Commission's investigating officers. No response has been received and the Secretariat will follow up on this.

7. Any Other Business

a. Cayman Islands Mutual Evaluation Pre-Assessment Training

Member Tim Ridley gave a briefing on the content of the training indicating that the emphasis was very much on money laundering and the need to trace and restrain proceeds of crime.

b. Media Policy

Members discussed the need for the Commission to draft a Media Policy to ensure all persons understood in what circumstances the Commission would release information regarding persons who had been arrested and/or charged. The Chairman reiterated the agreement that he is the single point of reference for press releases and that the single point of contact for members of the media is the Manager who will in turn, liaise with him.

c. Protective Gear

The Chairman indicated that this matter had been raised with the Governor and her office was taking this forward.

d. Need for Forensic Services

The Manager is currently working on ascertaining what forensic services are available locally in order that Investigators may have access to such services to assist with investigations.

e. Resourcing

The Commission is acutely aware that currently two complex and protracted investigations are being undertaken by the Investigators. It was agreed by Members that these investigations are utilising all of the current resources available.

8. Action Items

- a. The Secretariat will follow-up on the correspondence to the Deputy Governor regarding the Anti-Fraud Reporting Line; and
- b. The Secretariat will assist with the drafting of a Media Plan.

9. Items to be Discussed at the Next Meeting

- a. Operational Update
- b. Response from Deputy Governor
- c. Media Plan
- d. Whistleblower Protection Law
- e. Protective Gear

10. Next Meeting

The date of the next meeting is to be determined.

11. Adjournment

The meeting was adjourned at 1:45pm

Richard Coles

CHAIRMAN

ANTI-CORRUPTION COMMISSION