

MINUTES
8th MEETING OF 2019
ANTI-CORRUPTION COMMISSION
29 OCTOBER 2019
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 11 September 2019 were confirmed as presented.

4. Operational Update

a. New Corruption Reports/Complaints

The Manager received two new reports/complaints which were presented to Members at the meeting. After review and discussion, Members agreed that neither the two new reports/complaints, nor the two reports/complaints considered after the last meeting, 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). Enquiries continue to be made in the final matter that was received prior to the last meeting in order to provide a fuller summary of the matter so it may be considered.

b. Existing Corruption Reports/Complaints

The Commission was informed that since inception (1st Jan. 2010) there have been 173 reports 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. 146 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. 13 are now under current active investigation; and
- v. 1 is being considered by the Commission.

5. Existing Business

a. Desired Amendments to the ACL

The Honourable Attorney General has reviewed the final draft of the desired amendments to the ACL and requested the background information on the desired amendments so they may be considered by Cabinet with a view of instructing Legal Drafting.

b. 2018/19 Annual Report

The 2018/19 Annual Report has been published on the Commission's website following submission to the Deputy Governor and Attorney General (copied to His Excellency the Governor) in accordance with the Law.

c. Media and Public Relations Policy

The draft policy detailing the ACC's stance on dealing with media and public relations was deferred until the next meeting.

d. Presentation to Customs and Border Control Recruits

The Chairman made a presentation, along with the Chairman of the Commission for Standards in Public Life, to approximately twenty new recruits of the Customs and Border Control on the remit, powers, work, etc. of the Commission. This recruitment class has now been trained in both Immigration and Customs functions.

6. New Business

a. MMOU on the Exchange of Information for Co-operation, Consultation and Enforcement

The Commission agreed the revised MMOU though queried why the Financial Reporting Authority was not a signatory.

7. Any Other Business

a. CCAICACB Conference

Member Sophia Harris again raised the issue of public education following the importance expressed on the subject during the CCAICACB Conference held earlier this year. The Chairman indicated that opportunities had already been taken (i.e. inclusion of additional statistics in the 18/19 Annual Report and the content of the subsequent press release issued about its publication) and would continue to be utilised when the opportunities present. A balance can be found between the often conflicting concerns of ensuring confidentiality whilst actively reporting facts in order to ensure public trust is maintained.

b. Website

Member Tim Ridley indicated that he felt the ACC website needed improvements to make it more “user friendly”. As such all Members were asked to review the site and provide the Manager with any constructive feedback at the next meeting.

c. Technical Assistance Project (C-FATF)

The Manager indicated that in preparation for the upcoming C-FATF Observation Period (beginning 21 February 2020) the Cayman Islands Government has hired Financial Transparency Advisors (“FTA”), which are a Vienna based consulting firm providing specialised advisory services on AML/CFT to national government and public authorities. The FTA will be on island from 10 – 14 February 2020 conducting a review of Cayman’s written progress report and conducting mock interviews with persons who will be questioned by the CFATF Observers. Members noted the dates for their diaries.

d. Data Protection Policy

Member Tim Ridley queried whether the ACC had its own Data Protection Policy in accordance with the Data Protection Law, which has now commenced. The Commissions Secretariat is operating in line with the CIG Policies on this matter.

8. Action Items

- a. Background information will be provided as per 5a;
- b. The Manager will indicate the ACC’s approval of the revised MMOU as set out in 6a;
- c. Members will review the Draft Media and Public Relations Policy; and
- d. Members will review the ACC Website.

9. Items to be Discussed at the Next Meeting

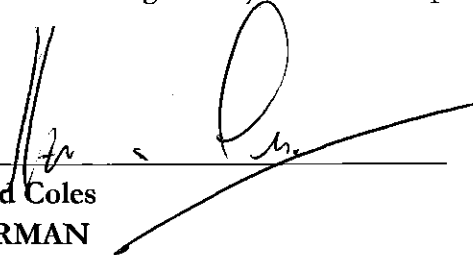
- a. Operational Update
- b. Media and Public Relations Policy
- c. ACC Website

10. Next Meeting

The date of the next meeting was proposed for 3 December 2019 at 9:30am.

11. Adjournment

The meeting was adjourned at 1:09pm.



Richard Coles
CHAIRMAN
ANTI-CORRUPTION COMMISSION