

<p style="text-align: center;">MINUTES 3rd MEETING (EXTRAORDINARY) OF 2023 ANTI-CORRUPTION COMMISSION 27 MARCH 2023 COMMISSIONS SECRETARIAT</p>

COMMISSION MEMBERS PRESENT:

Adrian (Gus) Pope	Chairman
Romeo Frederick	Member
Kendra Foster	Member
Laurence Aiolfi	Member
Charles Jennings	Member

APOLOGIES:

Simon Whicker	Member
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SECRETARIAT MEMBERS PRESENT:

Marilyn Conolly	Manager
Richard Oliver	Senior Investigator (“SIO”)
Sheila Watler	Administrator/Analyst

1. Meeting called to Order

The meeting was called to order at 10:00am.

2. Conflicts of Interest

It was noted that there were no conflicts of interest to date (save as previously disclosed) and each Member was reminded of their obligation to disclose and recuse themselves should any conflict of interest arise in relation to any new matters arising during the course of the meeting.

3. Confirmation of Minutes

The draft minutes of the meeting of 17 February 2023 were approved and will be uploaded to the ACC website.

4. Matters Arising from Previous Minutes

a. Policies and Procedures Update

Members reviewed and approved the Privacy Policy which was updated by the Research Analyst. The Chairman acknowledged the Research Analyst's work on the Privacy Policy and asked the Manager to pass the ACC's appreciation onto her. It was reiterated that the Research Analyst role was vital in supporting the ACC.

Members were further informed that the Chairman was revising the ACC's Complaints Procedure and (fillable) Complaints Form as the existing form is not user-friendly. Certain other related documents/pages on the website were also being amended. The Chairman will continue to liaise with the Secretariat to complete these changes. Once these changes have been completed, the Chairman, assisted by Member Jennings, will continue to develop a more extensive Policies and Procedures Manual for review at a later date.

b. Secretariat HR Update

Members were informed that the ACC recently completed a budgetary needs survey. The Manager noted that the successful candidate for the ACC's Investigator 1 post was an internal promotion. With respect to the ongoing review of the Secretariat, by the Portfolio of the Civil Service ("PoCS"), it was noted that this was still a work in progress and members noted that they had recently been asked to complete an on-line survey. The members reiterated their hope that the end result of the review process would be a step forward rather than a step backwards.

c. ACC Website Update

The Manager advised that this matter (i.e. a revamp of the website) has not progressed. It was agreed that it be placed on hold until the current content was suitably corrected/updated and the Policies and Procedures Manual developed.

d. Secure Data/Information Transfer Update

The Manager advised that, to date, there are no updates from the Computer Services Department (the "CSD") regarding this matter. The Chairman noted that this issue should be raised with the PoCS. The Manager advised that she will continue to follow-up with CSD for an update/response.

5. Operational Update

a. Outstanding Matters

i. ACC/COMP/2020/08

Members reviewed the SIO's summary report and agreed with the proposal that further enquiries be made before determining whether or not to commence a formal investigation.

ii. ACC/COMP/2021/02

Members were updated on this matter which is currently on-hold pending legal advice from the Office of the Director of Public Prosecutions (the "ODPP"). The ACC will continue to await the ODPP's response.

iii. ACC/COMP/2022/10

The SIO provided an update on this matter. Members considered the matter and agreed not to open an investigation at this time. The matter is now closed.

iv. ACC/COMP/2023/01

Members were informed that the SIO wrote to the ODPP on 14 March 2023 to request advice on this matter. Members agreed to await the ODPP's response and then agree on a way forward.

v. ACC/COMP/2023/02

Members were informed that the SIO wrote to the ODPP on 14 March 2023 to request advice on this matter, which is substantively the same matter as ACC/COMP/2023/01. Members agreed to await the ODPP's response and then agree on a way forward.

vi. Press Article

Members discussed this matter, which had been raised at the 17 February 2023 meeting, and agreed there is no further action to be taken.

b. New Corruption Reports/Complaints

i. ACC/COMP/2023/03

The SIO provided an update on this matter. The ACC discussed this matter and agreed to defer a decision on a formal investigation until more information is received.

ii. ACC/COMP/2023/04

The SIO provided an update on this matter. It was noted that several Members were previously acquainted with one of the persons connected

to the matter; however, it did not rise to a level of a conflict of interest. Members discussed the matter and agreed to proceed with an investigation and directed the SIO accordingly.

c. SIO Report

The SIO provided an update on the ongoing cases.

d. Existing Corruption Reports/Complaints Statistics

The ACC was informed that since inception (1st Jan. 2010) there have been 158 investigations registered by the ACC, of which:

- i. 3 are 'pending' awaiting further or sufficient information which may make it appropriate to make further investigations;
- ii. 135 have been concluded;
- iii. 10 have been transferred to other investigative units for action;
- iv. 10 are now under current active investigation; and
- v. 3 is being assessed/considered.

The internal spreadsheet which provides details of the investigations will continue to be updated on a monthly basis.

6. Any Other Business

a. Media Request

Members were informed of a media inquiry, received on 22 March 2023, requesting information as to whether a specific complaint/matter was being investigated by the ACC. Members discussed this matter and referred to the ACC's policy on public comments which is posted on the ACC's website. In accordance with this policy it was agreed to inform the enquirer of the ACC's policy that *"the ACC does not confirm nor deny the investigation of any matters"*. The Secretariat will action accordingly.

b. Letter from His Excellency the Governor

Members considered correspondence with His Excellency the Governor ("the Governor") and agreed to procure legal services to further clarify any issues. The Secretariat will assist in preparing and issuing the letters of procurement.

7. Action Items

- a. Continue to revise certain materials currently on the website as detailed in item 4.a. above (Chairman & Administrator/Analyst);
- b. Prepare a draft Policies and Procedures Manual for review as detailed in item 4.a. above (Chairman & Member Jennings);

- c. Continue to follow-up with CSD for an update/response as detailed in item 4.d. above (Manager);
- d. Inform the media enquirer of the ACC's policy as detailed in item 6.a. above (Administrator/Analyst); and
- e. Prepare and issue letters of procurement as detailed in item 6.b. above (Chairman & Administrator/Analyst).

8. Items to be Discussed at the Next Meeting

- a. Secure Data/Information Transfer Update
- b. ACC/COMP/2020/08
- c. ACC/COMP/2021/02
- d. ACC/COMP/2023/01
- e. ACC/COMP/2023/02
- f. ACC/COMP/2023/03
- g. ACC/COMP/2023/04

9. Date of the Next Meeting

The date of the next meeting was agreed for Friday, 19th May, 2023 at 10:00am.

10. Adjournment

The meeting was adjourned at 12:45pm.



Adrian (Gus) Pope
CHAIRMAN
ANTI-CORRUPTION COMMISSION