

MINUTES
5th MEETING OF 2024
ANTI-CORRUPTION COMMISSION
17 July 2024
COMMISSIONS SECRETARIAT

COMMISSION MEMBERS PRESENT:

Charles Jennings	Chairman
Laurence Aiolfi	Member
Kendra Foster	Member

APOLOGIES:

Simon Whicker	Member
Romeo Frederick	Member
Elisabeth Lees	Member

SECRETARIAT MEMBERS PRESENT:

Melanie McField	Manager
Francis Kearns	Deputy Manager
Richard Oliver	Senior Investigator "SIO"
Evette Burnell	Administrator/Analyst

1. Meeting called to Order

The meeting was called to order at 10:02am and it was confirmed that a quorum was present.

A vote of thanks was proposed by the Chairman for the work of the former Chairman Adrian (Gus) Pope, and passed unanimously.

2. Conflicts of Interest

It was noted that there were no conflicts of interest for Members to date (save as previously disclosed). Members were reminded of their obligation to disclose and recuse themselves should any conflict of interest arise in relation to any new matters during the course of the meeting. Later in the meeting the Manager declared a potential conflict and recused herself from one particular new case.

3. Confirmation of Minutes

It was noted that the minutes of the meeting held on 15 May 2024 had previously been approved and posted on the Anti-Corruption Commission (ACC) website.

4. Matters Arising from Previous Meetings

a. Secretariat HR Update

The Deputy Manager updated Members that one Administrator/Analyst role had been filled and Ms. Burnell now has a fixed-term contract for this role, following a successful application and interview. There is still one Administrator/Analyst role to be filled and the post will be re-

advertised at the end of the year. In addition, one Investigator level II role has been filled, leaving one Investigator level I and one Investigator level II post still to be filled.

b. Secure Data/Information Transfer Update

Following the successful trial of devices for accessing ACC emails, all Members will now be issued a device. Procurement for these devices is under way. The existing arrangements regarding sensitive documents will continue.

c. MOU with CSPL and HM Prisons

Members were provided with an update on the Memorandum of Understanding (MOU), with the Prison Service. The Director of Prisons indicated that he had now signed the MOU and will arrange for this to be returned to the Secretariat. The Secretariat will send a follow-up email during week commencing 22 August 2024 if the document has not been received.

d. Educational Outreach

The SIO informed Members that the former Chairman, Mr. Pope, had recently contributed to a seminar attended by representatives of the Cayman Islands Institute of Professional Accountants (CIIPA), following which the ACC were invited to take part in a forthcoming CIIPA training event. Preliminary discussions have taken place with the aim of assisting CIIPA members identify common trends and typologies at an early stage, thereby improving the reporting of suspected corruption offences. In addition, training is also being prepared for Civil Servants, to help make them aware of their responsibilities in regards to reporting.

The Chairman informed Members that it is hoped that former Chairman Pope will meet with a local journalist to conduct an exit interview with him, including discussion of the ACC's role.

e. Jakarta Principles / Independence

The Chairman advised that he had recently briefly discussed the Jakarta Principles and the 2023 ACC Annual Report with the Governor on the telephone. This subject may also be discussed in Parliament in the near future.

In 2023, the ACC commissioned a formal review of the ACC against the Jakarta Principles, in which it was highlighted that the ACC was not in alignment with a number of the Principles. The Chairman suggested it would be helpful for an ACC Member to take ownership of this project, to help develop a plan to tackle the areas out of alignment. The Chairman commented that he had discussed the matter with Member Whicker and that he had agreed to take this forward.

5. New Business

None

6. C-FATF Related Updates

The Chairman recently attended a meeting of the Anti-Money Laundering Steering Group in his capacity as ex-officio member. There was discussion of the conditions that the Cayman Islands will need to meet in order to remain off the 'grey list'.

7. Operational Update

a. Outstanding Matters

i. ACC/COMP/2023/05

There is no further update. This matter is with RCIPS and awaits further developments before a decision can be made.

ii. ACC/COMP/2024/01

The Auditor General is still investigating this case. Therefore, this matter is deferred pending further information.

iii. ACC/COMP/2024/04

A letter was sent pursuant to Section 4(2)(c) of the Anti-Corruption Act requesting more information.

b. New Complaints

i. ACC/COMP/2024/05

This complaint is with the Ombudsman. The ACC awaits to know the decision of the Ombudsman.

ii. ACC/COMP/2024/06

Further information is needed from the Authority in question before a decision can be made.

c. SIO Report

Mr. Oliver updated Members regarding ongoing investigations.

d. Existing Corruption Reports/Complaints Statistics

The ACC was informed that since inception (1st Jan. 2010) there have been 160 investigations registered by the ACC, of which:

i. Zero investigations are pending;

ii. 140 have been concluded;

iii. 10 have been transferred to other investigative units for action; and

iv. 10 are now under current active investigation.

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

8. Any Other Business

The Chairman advised on the planned timeframes for the progress of the next Annual Report, which needs to be submitted to the Governor by 30 September. The Secretariat will assist with the statistics section and anything else required by the Members.

9. Action Items

a. Secretariat to deliver devices for remaining Members for confidential email/data exchange as detailed in item 4.b. above (Manager);

b. Follow-up on the MOU proposed to HMCIPS as detailed in item 4.c. above (Administrator/Analyst);

c. Simon Whicker (with assistance) is to review the overall position on alignment with the Jakarta Principles and suggest some ways forward, as detailed in item 4.e. above (Simon Whicker/Secretariat);

d. Chairman to produce first draft of Annual Report and Secretariat to gather statistics for report, as outlined in item 8 above (Chairman and Administrator/Analyst).

10. Items to be Discussed at the Next Meeting


- a. Commission's Annual Report Approval
- b. Secretariat HR Update
- c. Secure Data/Information Transfer Update
- d. MOUs Update
- e. Educational Outreach
- f. C-FATF Related Updates
- g. Jakarta Principles / Independence
- h. ACC/COMP/2023/05
- i. ACC/COMP/2024/01
- j. ACC/COMP/2024/04
- k. ACC/COMP/2024/05
- l. ACC/COMP/2024/06

11. Date of the Next Meeting

The date of the next meeting will be arranged by round robin.

12. Adjournment

The meeting was adjourned at 12:10pm.



CHARLES JENNINGS
CHAIRMAN
ANTI-CORRUPTION COMMISSION