

MINUTES
4th MEETING OF 2024
ANTI-CORRUPTION COMMISSION
15 May 2024
COMMISSIONS SECRETARIAT

COMMISSION MEMBERS PRESENT:

Adrian (Gus) Pope	Chairman
Laurence Aiolfi (in part)	Member
Kendra Foster	Member
Romeo Frederick	Member

APLOGIES:

Simon Whicker	Member
Charles Jennings	Member

SECRETARIAT MEMBERS PRESENT:

Melanie McField (in part)	Manager
Francis Kearns	Deputy Manager
Antony Hill	Investigator
Evette Burnell	Administrator/Analyst

1. Meeting called to Order

The meeting was called to order at 10:00am and it was confirmed that a quorum was present. Member Aiolfi joined the meeting prior to the consideration of item 7 below. The Manager joined the meeting prior to the consideration of item 8 below.

2. Conflicts of Interest

It was noted that there were no conflicts of interest 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.

3. Confirmation of Minutes

It was noted that the minutes of the meeting held on 27 March 2024 were previously 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 regarding the ongoing recruitment for two Administrator/Analyst roles and that interviews are due to be held in May. In addition, the Deputy Manager informed Members that the new Investigator Level II is due to start in June. It was confirmed that there remains one Investigator Level I and one Investigator Level II vacancies.

On Monday 13 May, the Chairman attended a meeting hosted by the Commissions Secretariat, attended by the Chairs from all the Commissions supported by the Secretariat. The Chairman advised that his impression was that the Commissions are much happier with the administrative support now being received. Separately, to the extent that several Commissions, not just the ACC, may have strategic concerns (e.g. considering changes to legislation or the structure of the Commissions) the Chairman noted that these meetings were a potentially useful forum for discussion.

b. Secure Data/Information Transfer Update

The Chairman informed Members that he and Member Frederick have completed the initial testing of the devices provided by the Secretariat. The Chairman stated that testing went well and all Members will now be issued a device. Procurement for these devices is underway. In addition, the Secretariat is in discussions with CSD to install a secure platform on the devices so Members can use them to view documents in advance of meetings. The existing arrangements regarding sensitive documents will continue.

Once devices are purchased and distributed, a mechanism will be established to alert Members when they are required to check their devices.

c. MOU with CSPL and HM Prisons

Members were provided with an update on the two (2) Memoranda of Understanding (MOUs) drafted, which were sent to the Prison Service and the Commission for Standards in Public Life (CSPL). This is similar in nature to the MOU currently in place with the Royal Cayman Islands Police Service (RCIPS). The final signed MOU between ACC and CSPL has been received from CSPL. However, the Secretariat is still following up on the MOU with the Prison Service. A further follow-up email will be sent if the signed MOU is not received before June.

d. Educational Outreach

The Chairman informed Members that he and the Senior Investigative Officer (SIO) are due to meet with a local reporter who would like to interview the Chairman prior to him leaving the Commission. This should take place by the end of May.

An update was also given on the plans that are underway to roll out a presentation for private sector compliance officers and Government employees. The content of the presentation is being refined and a “dress rehearsal” is due to take place within the Secretariat prior to presenting this to the ACC. The aim of the presentation is to provide awareness of the ACC, its functions and relevant laws.

e. Jakarta Principles / Independence

There have been no major developments in this area since the last meeting and no responses to the letter sent on this subject, to date.

Following the discussion of legal support for the ACC, the Chairman had requested data from the Director of Public Prosecutions (DPP) in regards to hours spent on ACC related matters. This information would potentially support an application to the Asset Recovery Fund which could enable the ACC to employ legal support. The data requested is yet to be received and will be followed up by the Chairman.

f. CCAICACB Annual Conference

The Secretariat is currently investigating the merits of attending this conference. Members agreed they would defer to the SIO's judgement on this matter. Additionally, Members stated that there are benefits to maintaining membership with CCAICACB, including taking a leadership role in supporting efforts to stamp out corruption across the region.

5. New Business

No new business was discussed.

6. C-FATF Related Updates

The Chairman continues to be an ex-officio Member of the Anti-Money Laundering Steering Group and its next meeting is scheduled for 16 May. A one-day retreat is also taking place this month. The Chairman will attend.

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

Investigator Hill discussed the update on this complaint with Members. Following discussion, it was agreed that the investigators should send out a letter pursuant to Section 4(2)(c) of the Anti-Corruption Act requesting more information.

b. SIO Report

Investigator Hill updated Members regarding ongoing investigations.

c. Existing Corruption Reports/Complaints Statistics

The ACC was informed that since inception (1st Jan. 2010) there have been 159 investigations registered by the ACC, of which:

i. Zero investigations are pending;

ii. 139 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

a. The Chairman's succession was discussed. The Secretariat Manager has met with the Governor's Office to help finalise this.

9. Action Items

- a. Secretariat to purchase 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. Follow-up on request for stats on hours spent per year by ODPP on ACC issues in regards the possibility of applying for funding for an in-house lawyer as detailed in item 4.e. above (Chairman);
- d. Prepare and send a Section 4(2)(c) letter for ACC/COMP/2023/04, requesting more information to help decide if the case merits ACC investigation as detailed in item 7.b.ii above (Investigators).
- e. Secretariat to continue recruiting process for new ACC Members in light of Chairman Pope's departure in June, as detailed in item 8.a. above (Manager);

10. Items to be Discussed at the Next Meeting

- a. Secretariat HR Update
- b. Secure Data/Information Transfer Update
- c. MOUs Update
- d. Educational Outreach
- e. C-FATF Related Updates
- f. Jakarta Principles / Independence
- g. ACC/COMP/2023/05
- h. ACC/COMP/2024/01
- i. ACC/COMP/2024/04

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 11:15am.



Adrian (Gus) Pope
CHAIRMAN
ANTI-CORRUPTION COMMISSION