

THE COMMISSION FOR STANDARDS IN PUBLIC LIFE

9th MEETING OF 2011

MINUTES

19 SEPTEMBER, 2011

CONFERENCE ROOM

COMMISSIONS SECRETARIAT

PRESENT: Karin M. Thompson Chair
Nyda Mae Flatley Member
Roy McTaggart Member
Hedley Robinson Member
Pastor Winston Rose Member

APOLOGIES: N/A

SECRETARIAT MEMBERS PRESENT:
Deborah Bodden Manager, Commissions Secretariat

1. Meeting called to order

The meeting was called to order at 2:40pm. Pastor Rose opened the meeting with a prayer and the Chairman then welcomed all members of the Commission.

2. Confirmation of Previous Minutes

The minutes of the previous meeting held on 15 August, 2011 were approved.

3. Outstanding Business

a. Third Report

The Chairman confirmed that the Commission's Third Report was formally submitted on 26 August, 2011 to the Honourable Deputy Governor (and copied to His Excellency the Governor and the Honourable Premier). Members were advised that the report is due to be tabled in the Legislative Assembly on 28 September, 2011. It was agreed that further to the suggestion of the Deputy Governor, the Chairman will take steps to meet with the Financial Secretary to address the preliminary recommendations set out in the appendix to the report.

b. CSPL Bill

Members were advised that the draft SPL Bill was submitted to His Excellency the Governor on 16 September, 2011. It was confirmed that the Governor has indicated that he will be forwarding on the draft Bill to the Honourable Attorney General to gain his input in regards to the final drafting of the document. Members will be updated once the Attorney General's input is received.

c. The Nolan Principles and their Correlation to Appointment of Statutory Boards

A discussion followed with the members regarding their understanding and the applicability of each of the Nolan Principles. The Commissioners addressed various ways and means of moving forward with the application of these seven principles of good governance with a view to assessing how these principles may be readily adopted and upheld by the relevant entities and the public service as a whole.

It was agreed that the Nolan Principles will serve in tandem with the corresponding codes of conduct. The view was also expressed that there is scope for improvement in the process of appointing persons to statutory boards. It was further agreed that the Commission will review and assess the work conducted on this issue by other jurisdictions including the creation of a Declaration of Interests for use by board members. The Secretariat will re-distribute the table created on boards detailing how members are appointed.

d. Obtaining Public Input

The possibility of using the show GIS Spotlight as a way of obtaining public input was discussed. The concept of a short introduction to the Nolan Principles and how persons may contact the Commission were also discussed. The Secretariat was asked to contact GIS to ascertain whether they will be in a position to assist the Commission in its efforts to strengthen its ties with the public.

e. Assistance of an Expert in the Area of Procurement

As part of its ongoing efforts to secure the services of a Consultant to assist the Commission in its ongoing review of the procurement process the Chairman and the Secretariat Manager will be meeting later this week with a gentleman from overseas who is known for his role in the field of procurement. It was confirmed that the Manager has also made enquiries of His Excellency the Governor as to whether he can suggest any other person who may have the skills and experience necessary to assist the Commission in meeting its constitutional mandate to review and establish procedures for awarding contracts.

5. Any Other Business

a. E-mail from Member of the Media

Members acknowledged receipt of an e-mail forwarded by the Chairman, on 24 August, to a response to a member of the media regarding the CSPL's role in the perceived breach of the Register of Interests Law (ROI) (1996) by the Honourable Premier. It was agreed that without the requisite statutory authority the Commission is not empowered to conduct an investigation into a breach of the nature referred to. It was also noted that the Commission has not received a complaint and has no information regarding the alleged relationship between the owner of a private jet and a Government financing deal. Having further noted that the duty and responsibility of maintaining a register of interests under the provisions of the ROI (1996) and the responsibility of whether a member of the Legislative Assembly complies with the requirements of the ROI (1996) is one that falls within the role and responsibility of the Registrar of Interest, i.e. the Clerk of the Legislative Assembly.

b. Meeting with Primary Stakeholders

The Chairman confirmed that she had commenced a series of meetings with various primary stakeholders who play a primary role in the procurement process. The first meeting was of a fact finding nature and proved to be one which provided an independent correlation of the views expressed by the Auditor General in his report. Members shared the view that although on paper the system appears to be a relatively robust and comprehensive one, there is in fact a wide scope for improvement.

6. Items to be discussed at next the meeting

- a. Statutory Boards' use of The Nolan Principles and a Declaration Form;
- b. GIS Spotlight Opportunity;
- c. Assistance of an expert in the area of procurement; and
- d. Meeting with the Financial Secretary and other Primary Stakeholders.

7. Action List