

COMMISSION FOR STANDARDS IN PUBLIC LIFE
7th MEETING OF 2012
MINUTES
15th OCTOBER, 2012
CONFERENCE ROOM, COMMISSIONS SECRETARIAT

PRESENT: Karin M. Thompson Chairman
Nyda Mae Flatley Member
Roy McTaggart Member
Hedley Robinson Member

APOLOGIES: Pastor Winston Rose Member

SECRETARIAT MEMBERS PRESENT:
Deborah Bodden Manager, Commissions Secretariat

1. Meeting called to order

The meeting was called to order at 2:40pm and a prayer was offered.

2. Outstanding Business

a. Meeting with the Honourable Speaker of the House

The Chairman met with the Honourable Speaker of the House regarding the laying on the reports in the House. It was agreed with the Honourable Speaker that while there is limited precedence for this, the Honourable Deputy Speaker could lay the reports on behalf of the Commission. The Honourable Speaker emphasised her desire to have all reports of the Commission laid in a timely manner so that the public could gain access to the documents and the work of the Commission could continue.

b. Submission of the Fourth Report of the Commission

The Fourth Report of the Commission, dated 17 February, 2012, was laid in the House on 31 August, 2012. The report has been placed on the Commission's website.

c. Tabling of the Fifth Report of the Commission

The Fifth Report of the Commission, dated and submitted on 17 August, 2012, is due to be laid in the House on 5 November, 2012. The Chairman has asked that the Secretariat follow up with the Attorney General on written advice on how and by whom reports of the Commission should be tabled.

d. Status of the draft SPL Bill

The Chairman has agreed the final draft version of the SPL Bill and it is now in the final stages for preparation to be forwarded to the Honourable Ministers and Members of Cabinet within the next month. Once this occurs the Commission will agree the way forward in terms of public consultations. The Chairman wishes to thank the Honourable Attorney General and the Legal Draftsman for their work on completing the draft Bill. The Commission looks forward to further discussions with the Honourable Ministers and Members of Cabinet.

e. Protocols for monitoring ethical conduct

The Chairman received a legal opinion on this matter within the last few days. The Commission had agreed, based on complaints received from the public of the behaviour of various public

officials in their private lives to obtain such advice. The Commission members were provided with a copy of the advice which will be reviewed and further discussed. The Commission is grateful to Sir Jeffrey Jowell for his advice on this matter.

3. New Business

a. Information Commissioner's Office

The Chairman indicated that over the summer she received a telephone call from the Information Commissioner who indicated that she had been reading in the media of the delays the Commission was having in the tabling of its reports. The Information Commissioner referenced her decision in the case of the release of the Pension Report; she further indicated that she could assist the Commission by making an FOI request for the document as it had been unreasonably delayed in being released. The Commissioner also broached the subject of the Commission and its subjectivity under the Freedom of Information Law. The Information Commissioner has followed up and is now offering to make a presentation on the Law to the Commission. The members indicated they will consider and further discuss the offer.

b. Conflicts of Interest with Public Officials

The Commission was approached by a public official who indicated that they had been informally accused that their involvement with a private company was a conflict of interest with his position as a public official. The Chairman and the Manager met with the individual and after gathering further information the Chairman indicated that she was content that the public official had not engaged in a conflict of interest and therefore no action was necessary by the Commission as a whole. The Chairman thanked the individual for stepping forward and bringing the matter to its attention.

4. Update on the Working Group on Procurement

Members were advised that the Sub-Committee has now completed a rough draft with recommendations regarding the procurement system in the Cayman Islands. The entire Working Group has agreed to accept and endorse the recommendations of the Draft Report subject to any changes made by the Jersey Procurement Team once they had a chance to review and discuss the report and their findings. It was agreed the Draft Report would then be finalised and forwarded to the Deputy Governor for his presentation to Cabinet. The Jersey Procurement Team will be on island meeting with Government officials next week. Members will receive a full report on the work of the Committee, Sub-Committee and members of the Jersey Procurement Team at the next meeting of the CSPL. The Chairman re-emphasises the need for the CSPL to remain independent from the Working Group and the Government as a whole. The Secretariat has made this clear to the Jersey Procurement Team during their conversations. It was felt that discussing the report in its preliminary draft stage and as such the recommendations contained within would be premature. It is expected that once the report is forwarded to the Honourable Deputy Governor, a complimentary copy will be forwarded to the attention of the CSPL members.

5. Action List

- a. Continue to ensure the tabling of the Fifth Report of the Commission (Secretariat);
- b. Follow up with receiving the written opinion of the tabling of reports (Secretariat);
- c. Continue to ensure the SPL Bill is ready to be presented to Cabinet within the next month (Secretariat);
- d. Review the legal opinion on monitoring the ethical behaviour of public officials (Members);
and
- e. Follow up with Information Commissioner's Office (Secretariat).

6. Items to be discussed at the next meeting

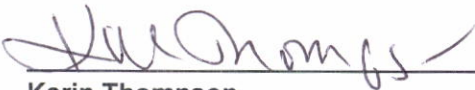
- a. Status of tabling of the Fifth Report of the Commission dated 17th August 2012;
- b. Legal opinion on the tabling of reports;
- c. Status of the SPL Bill;
- d. Legal opinion on the Commission's mandate for monitoring ethical behaviour of public officials; and
- e. Update on the Working Group and its Sub-Committee on Procurement.

7. Next meeting

The next meeting will be held on 26 November, 2012 at 2:30pm.

8. Adjournment

The meeting was adjourned at 4:50pm.



Karin Thompson

CHAIRMAN

COMMISSION FOR STANDARDS IN PUBLIC LIFE