

COMMISSION FOR STANDARDS IN PUBLIC LIFE
2nd MEETING OF 2018
MINUTES
21 MARCH 2018
COMMISSIONS SECRETARIAT

| | | |
|-----------------|-----------------------|----------|
| PRESENT: | Rosie Whittaker-Myles | Chairman |
| | Pastor Shian O'Connor | Member |
| | Sheenah Hislop | Member |

SECRETARIAT MEMBERS PRESENT:

| | |
|----------------|--|
| Deborah Bodden | Manager, Commissions Secretariat |
| Lise Hurlstone | Administrator/Analyst, Commissions Secretariat |

1. Meeting called to order and Prayer

The meeting was called to order at 2:09pm. The Chairman thanked all for attending and the meeting was opened with a prayer.

2. Confirmation of Previous Minutes

The minutes of the meeting of 30 January 2018 were approved.

3. Outstanding Business

a. Procurement Legislation - Commencement Date/Regulations

The publicly advertised date for commencement of the procurement legislation is 1 May but a copy of the Regulations has not yet been made available to the Commission.

Following a brief conversation with the former Commission Chairman Mrs. Karin Thompson, as agreed in the last meeting, the rationale for the recommendation to have a member of the Commission sit on the Public Procurement Committee, (as was first documented in the Report of the Procurement Sub-committee dated 22 January 2013) appears to be to enable the Commission to meet its constitutional mandate "...to review and establish procedures to award public contracts...". Nonetheless, the justification for the Commission's exclusion from the Public Procurement Committee is noted.

Members discussed other ways in which the Commission might be able to exercise its mandate. Members will be provided with documentation detailing the operation of other oversight bodies in the European Union and United Kingdom.

The Secretariat will follow up with the Procurement Office for an update on, and to obtain a copy of the Regulations, any policies and procedures, and confirmation of the commencement date. In addition, the Chairman will contact the Commonwealth Secretariat for any assistance it may offer on this subject matter.

b. Standards in Public Life (SPL) Regulations/Legislation

No further updates have been received regarding the commencement date or regulations for the SPL legislation. Both the Chairman and the Manager continue to follow up with the Office of the Premier on this matter. It is important that the Commission's view, i.e., that at this stage rather than delay the commencement date of the Legislation any further, it is in favour of minor adjustments being made the draft regulations of 2014, containing for the most part, Declaration Forms to allow the Legislation to be brought into effect.

c. Register of Interests - Inspection of Current Register/Proposed Meeting with ROI Committee

The meeting that was previously scheduled is now being proposed by Legislative Assembly administrative staff for 12 April. The Chairman and Member Sheenah Hislop confirmed their availability to attend that meeting and to inspect the current Register simultaneously.

d. Gender Equality Tribunal Findings

The Internal Audit Unit responded to a request for an update indicating that its report will not be ready until April.

4. New Business

a. Fourteenth Report of the Commission

The Fourteenth Report was agreed and signed off on by all Members. The Report will be submitted to His Excellency the Governor upon his arrival next week and will be submitted to the Deputy Governor, via the Chief Officer, for tabling at the next sitting of the Legislative Assembly.

5. Any Other Business

a. Commonwealth Caribbean Association of Integrity Commissions and Anti-Corruption Bodies (CCAICACB)

The Chairman informed the Commission that a CCAICACB Executive Committee Meeting was scheduled for 22 March. Member Shian O'Connor indicated his availability to attend with the Chairman via video link. Additionally, Members were informed that the next CCAICACB conference is scheduled for 4-8 June in Turks & Caicos. The Chairman will be attending, and Member Shian O'Connor indicated his ability to also attend. The Chairman shared previous minutes of the CCAICACB Executive Committee Meeting.

b. Miller Calls for Action Against Chief Officer Ahearn

The Commission noted this matter reported by media outlets recently (<https://cayman27.ky/2018/03/miller-calls-for-action-he-says-co-ahearn-lied-to-pac/>). The Commission will seek, through the Secretariat, information from the Deputy Governor so that it may properly consider the matter.

c. Draft Ministerial Code of Conduct

The Secretariat Manager indicated that no substantive response has been received to its comments submitted in October 2017 to the Cabinet Secretary. The Commission asked that the Secretariat follow up on this matter.

d. Revised Public Ethics Law Still in Limbo

The Commission noted this matter reported by media outlets recently (<https://caymannewsservice.com/2018/03/standards-in-public-life-law-still-limbo/>). The reporting indicated “As McField-Nixon presented the 13th report from the Commission for Standards in Public Life, she said the members were still working on the regulations for the legislation alongside those for the Procurement Law, which is seen as supporting legislation”. As this matter is not in the Commission’s hands, members expressed some concern over the statement and requested clarification through the Secretariat. The Secretariat suggested a review of the CIGTV footage of the session for any insights prior to making further inquiries with the Acting Deputy Governor, which was agreed.

e. Transparency International Corruption Perception Index 2017

The Chairman brought attention to the most recently published version of the Corruption Perception Index by Transparency International and asked members to note its contents.

f. Procurement Training

The Secretariat Manager noted that some Secretariat staff would be attending an internal Government training on the procurement process arranged for 10 April, and that materials from the training would be shared with the Commission for their information.

6. Action Items

The Secretariat was asked to:

- a. Follow up with the Procurement Office as detailed above;
- b. Follow up with the Office of the Premier on the status of the commencement date and status of the regulations for the SPL legislation;
- c. Confirm the meeting date and time for the Commission to inspect the current ROI/meet with the ROI Committee;
- d. Submit the Fourteenth Report of the Commission for tabling;
- e. Follow up with the Deputy Governor on the media report regarding Chief Officer Ahearn;
- f. Follow up with the Cabinet Secretary on the status of the Ministerial CoC; and

- g. Review the CIGTV footage of the Legislative Assembly session with the Acting Deputy Governor's comments on the SPL legislation, and follow up with her if necessary.

7. Items to be discussed at the next meeting

- a. Procurement Legislation
- b. Standards in Public Life (SPL) Regulations/Legislation
- c. Register of Interests – Inspection of Current Register/Proposed Meeting with ROI Committee
- d. Gender Equality Tribunal Findings
- e. Miller Calls for Action Against CO Ahearn
- f. Draft Ministerial Code of Conduct (CoC)
- g. Revised Public Ethics Law Still in Limbo
- h. Procurement Training

8. Next meeting

The next meeting will be held on 1 May 2018 at 2:00 pm.

9. Adjournment

The meeting was adjourned at 3:34pm.



Rosie Whittaker-Myles
CHAIRMAN
COMMISSION FOR STANDARDS IN PUBLIC LIFE