

MINUTES
9th MEETING OF THE HUMAN RIGHTS COMMISSION
7 September, 2010
CONFERENCE ROOM
COMMISSIONS SECRETARIAT

PRESENT:	Richard Coles	Chairman
	Alistair Walters	Member
	Cathy Frazier	Member
	Sara Collins	Member [Via Conference Call]
	Rev. Nicholas Sykes	Member [Via Conference Call]

SECRETARIAT MEMBERS PRESENT:

Deborah Bodden	Manager, Commissions Secretariat
Michael Ebanks	Analyst, Commissions Secretariat

1. Meeting called to order

The meeting was called to order at 3:40 p.m.

2. Confirmation of previous minutes

The minutes of the 7 August, 2010 meeting were approved by the Commission.

3. Outstanding Business

a. Legal Department's Response - FOI

The Commissions Secretariat received a written (email) response from the Legal Department regarding the applicability of the Freedom of Information Law to the Human Rights Commission and the Commissions Secretariat in general.

The legal opinion only reinforced what the Secretariat had set out in the initial request and confirms that the provisions of the FOI Law have no application to the Commissions ~~in the absence of an Order by the Governor however the Commissions Secretariat~~ remains a Public Authority and thus all records would be susceptible to disclosure under the FOI Law.

The Human Rights Commission remains committed to promoting operational transparency and as such, the HRC will continue its process of utilizing its website to allow for public access to, inter alia, appropriate documents, reports, forms, correspondence, and general human rights information.

b. Training: Australian HRC

The Commission members discussed an opportunity to receive training in the areas of mediation / conciliation and investigation pertaining to cases of human rights violations or breaches. The Commission will examine the Australian HRC opportunity from a cost-benefit perspective, and seek to compare the opportunity to possible local options.

4. New Business

a. Human Rights Conference: 20 – 24 September 2010

The upcoming HR conference is sponsored by the Commonwealth Challenge Fund. The aim of the conference is to provide participants with training sessions on various topics such as foundation/building blocks regarding human rights. The HRC has not been involved in the planning of this conference. The members will be informed when a final schedule and invitation is received.

b. Convention on the Elimination of all forms of Discrimination against Women

A CEDAW Conference is scheduled to take place in Anguilla, 27 – 29 October 2010. The FCO will be paying for four representatives from the Cayman Islands to attend the conference including two from Government, one from the HRC, and one from the YBPW.

5. Human Rights Complaints

a. Update on Human Rights Complaint 001/2010

The Commission received additional documentation regarding the matter. An investigation into the complaint is currently still on-going.

b. Human Rights Complaint 017/2010

The Commission reviewed this case and correspondence will be sent from the HRC to the respective complainants in accordance with HRC procedures.

c. Human Rights Complaint 018/2010

The Commission reviewed this case and correspondence will be sent from the HRC to the respective complainants in accordance with HRC procedures.

d. Lack of Responses from Agencies

The Human Rights Commission has identified instances wherein Government departments and/or Public Authorities have failed to respond in a timely manner to requests made of the respective department or authority in relation to initial investigations launched by the HRC.

In accordance with the Constitution Order 2009, the HRC, when necessary, will exercise its power to investigate alleged human rights violations or breaches by Government Departments/Agencies or Public Authorities. In turn, the HRC deems it pertinent for the respondent to fully cooperate with the requests of the HRC in these sensitive matters to expedite the identification of a human rights violation, or lack thereof. In the instances wherein a human rights violation has genuinely occurred, cooperation by the respondent is essential to resolving the matter and instituting the necessary changes/recommendations to bring about compliance to avoid further breaches in the entity's processes or practices.

6. Any Other Business

There was no other business to discuss.

7. Items to be Discussed at the Next Meeting


- a. Representative for the CEDAW Conference
- b. HRC Legislation

8. Next Meeting

The next meeting will be held on Tuesday 14 October, 2010 @ 3:30pm in the Commissions Secretariat Boardroom.

10. Adjournment

The meeting was adjourned at 4:45pm.



Mr. Richard Coles
CHAIRMAN
HUMAN RIGHTS COMMISSION