

**8th MEETING OF 2011
HUMAN RIGHTS COMMISSION
MINUTES
5 OCTOBER, 2011
CONFERENCE ROOM
COMMISSIONS SECRETARIAT**

PRESENT: Richard Coles Chairman
Rev. Nicholas Sykes Member
Alistair Walters Member
Cathy Frazier Member

APOLOGIES: Sara Collins Member

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 3:30 p.m.

2. Confirmation of previous minutes

The minutes of 29 August, 2011 were confirmed.

3. Presentation by the Department of Environment

Due to time constraints, a presentation by the Department of Environment regarding the Darwin Initiative was postponed to a date in the future yet to be confirmed.

4. Matters Arising from the Previous Minutes

a. Freedom of Expression versus Parliamentary Privilege

Members will seek to finalise a response by the next meeting. This process will include providing the Caymanian Compass and the Speaker of the House with the opportunity to review the response to correct any factual errors in the information presented by the Commission. The response will be published on the Commission's website following finalisation.

b. CEDAW (including CBA's request for release)

Members have a copy of the research conducted by the Secretariat and that which was conducted separately, at the request of the HRC, by the Student Branch of the Caymanian Bar Association. The Commission is keen to agree on a position and formulate an official statement as it relates to the Cayman Islands becoming a signatory to the Convention. Additionally, the HRC is preparing to present findings to the Government relating to CEDAW, which will include the aforementioned research.

The Commission has learned that following a meeting between the CBA and Mr. Peter Ashman, the Commonwealth Foundation is interested in obtaining a copy of the research

conducted on CEDAW. The HRC will publish its research, upon completion, for public access. Prior to the finalisation and publication the HRC is not prepared to release research that forms part of a pending comprehensive review.

c. ICTA – Message Interception Regulations

The Commission requested the assistance of the ICTA Managing Director, David Archbold, in reviewing the process of legislative debate relating to the formulation of the ICTA Law and Regulations for Telecommunication Message Interception. The Commission is grateful to Mr. Archbold and his team for providing a timely and detailed response on the subject matter. Members are continuing to review a collection of information, including the ICTA Law and Regulations as it relates to oversight with regards to warrants for message interception. The Commission will advise the Secretariat in the instance that further support is required.

d. Presentation to UCCI

Sara Collins conducted a presentation at UCCI. The presenter, Sara Collins, conveyed to members that the presentation was attended by a number of faculty members and students of the university. Ms. Collins received a thank you email, which she replied to stating that the HRC would be delighted to arrange similar presentations in the future. The Secretariat is expected to obtain a copy of the PowerPoint presentation as well as Ms. Collin's paper, which will be uploaded to the HRC website for public reference.

5. New Business

a. Response from Governor on Prison Issues

The HRC notes the response from the Governor.

b. Commonwealth Foundation's Request for Information

The Commonwealth Foundation has requested information from the HRC, as part of a region wide initiative – a Future Work in the OTs, to understand the needs of various human rights bodies and the challenges faced. Members are expected to finalise input in response to the request by Monday, 12 October 2011.

c. Cayman Islands Youth Assembly's Request for Presenter

The Cayman Islands Youth Assembly has requested the HRC to conduct a presentation / information session to its members. The Commission has accepted this request, which will be fulfilled by Mr. Coles; the date is to be confirmed.

d. Public Education – Talk Today Segments

The Commission has agreed to engage in a public education campaign aimed at promoting awareness of the Bill of Rights, which will be conducted through appearances by members on Radio Cayman's Talk Today programme. HRC members will appear on the show to discuss the Bill of Rights in general, as well as specific sections to assist the public in further understanding Part 1 of the Constitution prior to implementation date – 6 November 2012. Each member has agreed to make at least two appearances on the show over the course of the one year.

e. Facebook Postings

The Commission discussed the content of material posted on its Facebook Page and agreed that due to the lack of a fulltime HRC staff, the Commissions Secretariat will continue to

engage the public on behalf of the Commission at least once per month. The Secretariat will ensure that the Commission's Facebook is utilized as a means in which to keep the public alert to events and workings of the HRC.

f. Process for Allocating Work and Producing Research/Responses

A member requested the Commission to discuss the process for allocating work and producing research/responses. An in-depth discussion was deferred until all members were available; however, those present agreed that processes and procedures should result in the combination of effectiveness and efficiency with respect to research as well as responses to formal complaints and public enquiries.

g. Suspended "Rollover Policy"

A member mentioned that the HRC might consider monitoring the current situation regarding suspension of the "rollover policy" as it may carry human rights implications.

h. Response to Gordon Barlow

The Commission notes a letter received by Mr. Gordon Barlow. A response to Mr. Barlow will be prepared and delivered to him.

i. Response to FCO re: Civil Partnerships

The Commission has prepared a response to Mr. Tom Hines' (Staff Officer to the Governor) enquiry regarding civil partnerships in the Cayman Islands.

j. International Human Rights Day – 10 December 2011

The Commission has again partnered with OneWorld Entertainment and Camana Bay to present a free, public event on Saturday, 10 December 2011 to celebrate International Human Rights Day. The event will focus primarily on activities and games for children, as well as showcase the musical talents of local youth, and display artwork of various local artists. Coordination efforts are progressing with our partners, and we are grateful to all of them for their support in promoting awareness and observance of human rights in the Cayman Islands.

k. Implementation Day – 6 November 2012

The Commission is exploring various strategies in which to promote awareness of implementation day, as well as ways in which to commemorate the date. Discussions are in the beginning stages and include international human rights day 2011, public engagements through various media outlets, and the development of creative literature. The HRC intends to seek funding opportunities where available, and partnerships with the public and private sectors to assist in promoting the Bill of Rights.

6. Human Rights Complaints

a. Update on Human Rights Complaint 002/2010

The Commission received an update on this case. No further action is required at this time.

b. Update on Human Rights Complaint 015/2010

The Commission received an update on this case. No further action is required at this time.

c. Discussion on Case 005/2011

The Commission further discussed this case. The Commission expects to finalise research regarding this case, and prepare a written response, prior to the next meeting.

d. Human Rights Complaint 010/2011

The Commission reviewed this case. Correspondence will be sent to the complainant accordingly.

7. Update – Strategic Implementation Group (SIG)

The Secretariat Manager informed members that over five hundred (500) members of the Civil Service have attended the Human Rights Sensitization Course thus far. The SIG is tasked with conducting the course for all Civil Servants, which will also include an arrangement for a specialist to address uniformed services, such as Police, Customs, Immigration, and Prison officers, at a more in-depth level.

The Human Rights Commission makes special mention to the progress of the Strategic Implementation Group as well as the positive response received by the various departments and respective civil servants. The HRC recognizes the value of the sensitization course and fully endorses the efforts of those conducting the course and those attending.

8. Any Other Business

Members are scheduled to attend a basic mediation course conducted by the London School of Mediation on Tuesday, 8 November 2011.

9. Next Meeting

The next meeting will be held on Wednesday, 2 November, 2011 @ 3:30pm in the Commissions Secretariat Boardroom.

10. Adjournment

The meeting was adjourned at 5:05 pm.



Mr. Richard Coles
CHAIRMAN
HUMAN RIGHTS COMMISSION