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**Elections Office**

**ELECTIONS OFFICE**  
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**CAYMAN ISLANDS**

January 17, 2013

Mr. Richard Coles  
Chairman  
Cayman Islands Human Rights Commission  
P.O. Box 391  
Grand Cayman KY1-1106  
Cayman Islands

Dear Mr. Coles:

**Re: Remand Prisoners**

Reference is made to your letter of 17 January 2013 in respect of the above.

It was the opinion of the Elections Office that the advice which was being sought was in respect of remand prisoners not all categories of prisoners. The registering officers are well aware of the qualifications and disqualifications as prescribed in the Constitution. There are individuals who were removed from the registers of electors after having been sentenced to imprisonment for periods exceeding a year. Once they served their sentences they do have the right to re-register. They do not automatically go back on the register. No elector is removed from a register of electors if he or she has not been sentenced to a period exceeding a year or is on remand. The Magistrate, who is the Revising Officer, is quite aware of that.

Prior to the advent of mobile voting there was never a request from any prisoner for a postal ballot. The onus would have been on the individual to apply for a postal ballot when the Elections Office made the announcement, if he or she was on a register of electors. The registering officers did not have the authority to not provide the applicant with a postal ballot unless it was determined that he or she did not qualify.

Regarding the other issue raised about the Police, Health Services and Children and Family Services making arrangements to give qualified electors the opportunity to vote please rest assured that the Elections Office has never and will never disenfranchise any elector. During mobile voting those qualified electors, including the hundreds of elections officers, police, candidates and agents have an opportunity to apply to vote by mobile poll. The Elections Law also makes it an offence for any employer to refuse to allow his or her employees time to vote. What the Elections Office cannot do is to force anyone to vote. There is neither compulsory registration nor compulsory voting.

The Elections Office, as you will note from my letter, recognized that fact that the remand prisoner had a right to vote and offered an option in order to accommodate that individual. It was the opinion of the Elections Office that if prisoners can be escorted to the hospital and dental clinic they could in this instance be transported to the mobile station. Deputy Supervisor Orrett Connor and myself will be visiting the prison on Friday 18 January and will discuss the matter further with the Acting Director.

Regards,



Kearney S. Gomez  
Supervisor of Elections

cc: H.E. the Governor  
Deputy Governor  
Chief Officer  
Acting Director Prisons  
Deputy Supervisors  
Registering Officers