

**MINUTES**  
**MEETING OF THE HUMAN RIGHTS COMMISSION**  
**3 MARCH 2010**  
**CONFERENCE ROOM**  
**COMMISSIONS SECRETARIAT**

<b>PRESENT:</b>	Richard Coles	Chairman
	Catherine Frazier	Member
	Alistair Walters	Member
	Sara Collins (via phone)	Member
	Rev. Nicholas Sykes (via phone)	Member
	Deborah Bodden	Manager, Commissions Secretariat
	Laura Jackson	Analyst, Commission Secretariat
	Jason Webster	Analyst, Commissions Secretariat

**APOLOGIES:** N/A

**1. Meeting called to order**

The meeting was called to order at 3:33 pm.

**2. Confirmation of previous minutes**

The minutes of 18 February 2010 meeting were approved by the Commission.

**3. Business brought forward from previous meeting**

a. View of the Commission in relation to the next three (3) years pending the implementation of the Bill of Rights, specifically complaints about breaches and infringements of rights.

- i. The members indicated that they would like to seek a legal opinion on this matter and it was agreed that the Secretariat would contact Professor Jeffrey Jowell to ascertain whether he would be willing to provide this legal opinion, on a pro bono basis. It was thought that Professor Jowell would be the most appropriate person from whom to obtain this opinion due to his intimate knowledge of the Cayman Islands Constitution Order 2009 and his expertise in human rights legislation in other jurisdictions.
- ii. The members of the Commission have undertaken the responsibility of drafting the queries that will be included in the instructions to Professor Jowell.

b. Primary Constitutional responsibility and the plan for achieving it

- i. The Commission suggested that due to budget restrictions, the production of leaflets and the maintenance of a website would be their primary methods of educating the public about human rights.
- ii. The Commission agreed that in order to maximize their efficiency they would distribute the performance of certain tasks among the members, however it was agreed that the work would then be brought back to the Commission as a whole to make any decisions or give any approval.
- iii. The Commission members whom are lawyers would be tasked with the primary responsibility of reviewing new legislation and offering legal points for discussion during meetings. However there would be no delayed sight of bills and all members would be expected to review and provide commentary as necessary.
- iv. The Commission members, whom are not lawyers by trade, would be responsible for spearheading all public education initiatives with the aid of the Secretariat. Commentary and general consensus on final decisions for public education efforts would be required of the Commission as a whole.

c. Creation of the Commission's procedural manual

- i. The Chairman has agreed to review the examples of procedural manuals that were supplied by the Secretariat and will determine which ones are appropriate and then circulate those to the other members of the Commission for their comments.

d. The treaties that are currently extended to the Cayman Islands

- ii. The Secretariat noted that it is still awaiting a response from the Attorney General's Chambers on its request of a definitive list of treaties.

e. Outstanding complaints submitted to the Human Rights Committee

- iii. The Secretariat explained to the Commission that it had made numerous attempts to contact the former member from the Human Rights Committee in an attempt to retrieve the complaints and the document library with no success.
- iv. Mrs. Sara Collins, who is also a former member of the Committee, volunteered to contact the member and retrieve the documents on behalf of the Commission.

**4. New Business**

f. Liaison with the Office of the Complaints Commissioner

- i. The Secretariat was given the responsibility to schedule a meeting between the Chairman and the Complaints Commissioner on 31 March, 2010.
- ii. The Chairman has requested that the Manager of the Secretariat attend the meeting.

**5. Any Other Business**

a. Interview on "Talk Today" with Radio Cayman

- i. The Chairman received, and accepted, an invitation to attend Radio Cayman's 'Talk Today' show on Monday 1 March 2010 to discuss the recently passed Criminal Evidence (Witness Anonymity) Bill, 2010.
- ii. The Chairman noted that the Criminal Evidence (Witness Anonymity) Bill, 2010 does have human rights implications and was concerned that the Bill was passed without having any input from the Commission. He suggested that the Commission issue an official statement on their views of the contents of the Bill.
- iii. The Commission agreed to that they would correspond via round robin to discuss the Bill and form the statement so that it may be approved at the next meeting.

b. Proposed bills with human rights implications

- i. The Commission has charged the Secretariat with writing to the Deputy Governor to request advanced copies of any future bills with human rights implications.
- ii. The Commission intends to offer comments about the content of bills with human rights implications which will assist the Government and Legislature in avoiding any issues of compliance with Part I of the Constitution.

c. Cayman 27 Television Interview

- i. Cayman 27 is preparing a segment on term of life imprisonment in the Cayman Islands and has requested that the Commission prepare a statement on the possible impact of the Bill of Rights on the current interpretation.
- ii. The Commission will consider preparing a statement on the issue and will provide an answer to Cayman 27 in the near future.

d. Bill of Rights lecture series

- i. The Legal Department in association with the Governor's Office will be hosting a Lecture Series on "Managing the Incorporation of Human Rights: Issues of Constitutional Change" the 4<sup>th</sup> and 5<sup>th</sup> March, 2010 and has invited the Chairman deliver a short address on the role and objective of the Human Rights Commission.
- ii. The Chairman has accepted the invitation and will deliver the address on the 4 March, 2010.
- iii. The Commission was informed that members of the Secretariat will be attending the series of lectures and are happy to report back to the Commission any pertinent information.

f. Terms of appointment

- i. The Governor has requested that the members of the Commission come to a decision on the length of their tenure, but must ensure that the length of tenure varies among the members to preserve continuity.
- ii. Since it is not an urgent matter the Chairman has requested that the members contemplate whether they would like to serve for either two (2), three (3) or four (4) years and report their decision at a later meeting.

g. Commissioner's stipend

- i. The Manager of the Secretariat informed the Members that their stipend will be paid out on a quarterly basis and that checks will be mailed out to them.
- ii. Any requests to have these arrangements altered should be communicated via email to the Manager.

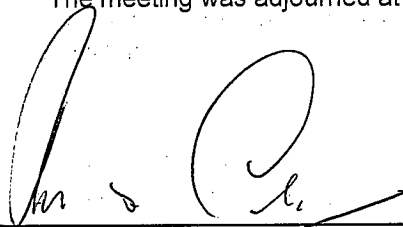
**6. Items to be discussed at the next meeting**  
N/A

**7. Next meeting**

The next meeting will be held on Wednesday, 7 April, 2010 @ 3:30pm in the Commissions Secretariat Boardroom.

**8. Adjournment**

The meeting was adjourned at 4:40 pm.



---

**Mr. Richard Coles**  
**CHAIRMAN**  
**HUMAN RIGHTS COMMISSION**