MINUTES MEETING OF THE HUMAN RIGHTS COMMISSION 9 JULY 2015 COMMISSION'S SECRETARIAT CONFERENCE ROOM ARTEMIS HOUSE

PRESENT: Ben Tonner Acting Chairman

Chelsea Frazier-Rivers Member Lisa-Ann Hurlston-McKenzie Member

APOLOGIES: James Austin-Smith Chairman

Reverend Donovan Myers Member

COMMISSIONS SECRETARIAT MEMBERS PRESENT:

Deborah Bodden Manager

1. Meeting called to order

The meeting was called to order at 2:00pm.

2. Confirmation of Previous Minutes

The 11 June 2015 minutes were approved.

3. Matters Arising from Previous Minutes

a. Matters arising from the meeting with HM Prisons Inspectorate Team

The Commission has received responses in relation to the possible signing on to OPCAT and the occupancy of the new police cells, however the matters have still not been conclusively addressed. The Commission will follow-up requesting a time line of when decisions will be made by the public authorities in these matters.

b. Non-Profit Organisation Bill (2015)

The Commission remains in the review stage of this matter.

c. Meeting with Representative of the UNHCR

The Commission has received a response to the request for information regarding the processing of migrants to ensure the CIG deters and prevents human trafficking however this matter has still not been conclusively addressed. The Commission will follow-up requesting a time line of when decisions will be made by the public authorities in these matters.

d. Report Re: Sexual Abuse

The Commission approved a statement on its concerns related to the Report conducted by the Pan American Health Organisation and released by the Ministry of Health.

e. Report on Mental Health Inadequacies

The Commission approved a statement on its concerns related to the WHO-AIMS Report on the Mental Health System in the Cayman Islands. The Commission also agreed the correspondence sent to the Chief Officer of the Ministry of Health regarding

the Mental Health Commission's desire to collaborate with the Commission for the purposes of training.

f. Issues at Lighthouse School

The Commission reached out to the parent whose name was referred to in the newspaper to determine whether he, or other parents, would wish to speak to the Commission about the concerns at the Lighthouse School which had been raised. The Commission will follow-up in this matter.

g. Blue Spot Handicapped Spots

The Commission approved correspondence to the Acting Commissioner of Police enquiring what is being done to educate Officers about not parking in handicapped spaces.

h. Education Bill 2015

The Commission remains in the review stage of this matter.

i. Conditional Release Law

The Commission approved correspondence to the Director of the Department of Community Rehabilitation requesting an update on the regulations and a breakdown of the costs associated with implementing the legislation so that it can properly consider this matter.

4. Human Rights Complaints

a. Update on Human Rights Complaint 014/2013

Members were updated on this complaint. No further action by the Commission is necessary at this time as the public authority is working with the complainant to resolve the matter.

b. Update on Human Rights Complaint 019/2013

Members were updated on this complaint. No further action by the Commission is necessary at this time as the public authority is working with the complainant to resolve the matter.

c. Update on Human Rights Complaint 006/2014

Members were updated on this complaint. The Commission has recently followed up with the relevant public authority requested an update on this matter.

d. Update on Human Rights Complaint 014/2014

Members were updated on this complaint. The Commission has recently followed up with the relevant public authority requested an update on this matter.

e. Update on Human Rights Complaint 002/2015

Whilst the Commission has received a response from the public authority the response fails to answer the questions posed by the Commission and as such the Commission will again attempt to request answers/information prior to making a final decision on the complaint.

f. Update on Human Rights Complaint 003/2015

Members were updated on this complaint. The Commission has recently followed up with the relevant public authority requested an update on this matter.

g. Update on Human Rights Complaint 004/2015

The complainant has now submitted the additional documents he indicated he wished to submit however the Commission requires further information from the parties which he names in his complaint. The complainant will be notified and the information requested from the parties.

h. Update on Human Rights Complaint 008/2015

The Commission has received a substantive response from the complainant's legal representative however the Commission requires additional specific information about the accusations in order to consider the complaint fully. Correspondence will be sent accordingly.

i. Update on Human Rights Complaint 009/2015

Members were updated on this complaint. It is necessary for the Commission to conduct further research into this complaint.

j. Update on Human Rights Complaint 010/2015

The Commission received the relevant information from the Office of the Complaints Commissioner (OCC) and will now correspond with the public authority against whom the complaint was made.

k. Update on Human Rights Complaint 011/2015

The Commission approved correspondence to the public authority that the complaint has been made against, as the Commission is unable to piece together the timeline or basis of the complaint.

5. Any Other Business

Members briefly discussed the issue of same-sex marriages and the advances made throughout the world in recent weeks. It was understood that this topic is being discussed on the local talk shows. The Commission will further discuss this topic at the next meeting.

6. Action Items

The members were asked to:

a. Conduct a final review of the Non-Profit Organisation Bill (2015) and the Education Bill 2015.

The Secretariat was asked to:

- a. Follow up requesting a time line of when decisions will be made as they relate to the matters arising from the meeting with HM Prisons Inspectorate Team and the meeting with the representative of the UNHRC;
- b. Release the statements on Sexual Abuse and the Mental Health Reports on the website and Facebook pages;
- c. Reach out to the contact regarding the issues at the Lighthouse School;
- d. Forward the correspondence regarding the Blue Spot handicapped spaces and the Conditional Release Law; and

e. Draft relevant correspondence for all human rights complaints and enquiries.

7. Items to be Discussed at the Next Meeting

- a. Matters arising from the meeting with HM Prisons Inspectorate Team
- b. Non-Profit Organisation Bill (2015)
- c. Meeting with Representative of the UNHCR
- d. Issues at Lighthouse School
- e. Blue Spot Handicapped Spots
- f. Education Bill 2015
- g. Conditional Release Law
- h. Same-sex Marriages
- i. New and Outstanding Human Rights Complaints and Enquiries

Next Meeting

The next meeting of the HRC is scheduled for 3 September 2015 at 2:00pm at the offices of the Commissions Secretariat.

9. Adjournment

The meeting was adjourned at 3:20pm.

Ben Tonner

ACTING CHAIRMAN

HUMAN RIGHTS COMMISSION