

discussion of the pamphlets was deferred in order to allow the Chairman and members sufficient time to review and provide substantive feedback on the materials.

c. Discussion Paper on Bullying

The Commission Chairman circulated a discussion paper on the subject of bullying in schools compiled by the Cayman Islands Law Reform Commission. It was noted that the paper was very detailed and well-researched. Members discussed the implications of the proposals in the paper extensively. In particular they were concerned with the potential for perpetrators of bullying to be expelled as a result of their behaviour, whether this could breach a child's right to education, and whether or not schools should be adjudicating justice to the same extent of the courts/police when it comes to imposing punishment on perpetrators. Additionally, there was a query as to how the HRC could be involved in hearing cases from private schools. The Commission agreed that providing guidelines for schools on how to deal with the issue was needed, and that these should focus on the victim and bully with parents working in conjunction. All members are to further review and provide written feedback.

5. Human Rights Complaints

a. Update on Human Rights Complaint 014/2013

New information has been received from the complainant's legal representative. This complaint was deferred as the Commission is awaiting an update on final details of the case from the public authority in this matter.

b. Update on Human Rights Complaint 002/2015

This complaint was deferred as the Commission is awaiting the submission of further information from a public authority on this matter.

c. Update on Human Rights Complaint 004/2015

This complaint was deferred due to the absence of the Acting Chairman in this matter. The Secretariat continues to undertake research as requested by the Acting Chairman. It is further noted that Chairman James Austin-Smith continues to recuse himself from this matter.

d. Update on Human Rights Complaint 008/2015

This complaint was deferred as the Commission is awaiting further information from the public complainant's legal representative (who is off island until early February). The Secretariat will seek to make contact early next week.

e. Update on Human Rights Complaint 009/2015

This complaint was deferred as the Commission is awaiting further information from the public authority in this matter.

f. Update on Human Rights Complaint 010/2015

This complaint was deferred as the Commission is awaiting clarification on the correspondence recently received from the public authority in this matter.

g. Update on Human Rights Complaint 011/2015

Having received adequate information from the public authority on this matter the Commission will send its findings to the complainant and its recommendations to the public authority. The file will subsequently be closed.

h. Update on Human Rights Complaint 014/2015

Correspondence was received from a complainant whose file had previously been closed. The Commission considered the correspondence and is unable to further assist the complainant. The file is now closed.

i. Update on Human Rights Complaint 024/2015

Shortly before the meeting correspondence was received from the public authority in this case. The Commission felt that the response did not adequately answer their inquiry and so will send further correspondence to the public authority outlining exactly what information they require.

j. Human Rights Complaint 001/2016

The Commission considered this complaint and agreed this was a matter which needed further exploring and will seek to obtain that information from the relevant public authority.

k. Human Rights Complaint 002/2016

The Commission considered this complaint and agreed this was a matter which needed exploring further and will seek to obtain that information from the relevant public authority.

l. Human Rights Complaint 003/2016

The Commission considered this complaint and agreed this was a matter which needed exploring further and will seek to obtain that information from the relevant public authority.

m. Human Rights Complaint 004/2016

The Commission considered this complaint and agreed this was a matter which needed further exploring and will seek to obtain that information from the relevant public authority.

6. Any Other Business

a. Annual Report

The Annual Report was disseminated and Commission members were asked to provide written feedback before next month's meeting.

7. Action Items

The members were asked to:

- a.** Review mental health pamphlets once disseminated;
- b.** Submit final comments on the Law Reform Commission's paper on bullying by the next meeting;
- c.** Review and submit the final draft of the report on Human Rights Complaint 002/2015 by 1 March 2016; and

- d. Submit final comments on the Annual Report by next month's meeting.

The Secretariat was asked to:

- a. Follow-up in two weeks with the Acting Commissioner of Police regarding the opening of the custody suites;
- b. Disseminate the mental health pamphlets;
- c. Draft a response to the Cabinet Office staff who made a presentation to the Commission on the proposed Disability Bill;
- d. Disseminate the Annual Report;
- e. Amend and disseminate the final draft of the report on Human Rights Complaint 002/2015; and
- f. Disseminate the responses in outstanding human rights complaints when agreed by the Chairman.

8. Items to be Discussed at the Next Meeting

- a. Opening of Police Custody Suites
- b. Mental health pamphlets
- c. Annual Report
- d. New and Outstanding Human Rights Complaints and Enquiries

9. Presentation by the Disabilities Committee

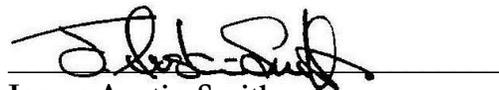
The Commission had the benefit of a presentation from the Disabilities Committee on the proposed Disabilities Bill which is to be distributed for public consultation in the near future. The Commission wish to thank those in attendance: Mr Robert Lewis, Director – Policy Coordination Unit for the Cabinet Office; Ms Aubrey Bodden, Policy Analyst for the Cabinet Office; Ms Shari Smith, Senior Policy Advisor & Manager, Inclusion for the Ministry of Education; and Ms Debbie Webb-Siblies, Deputy Director – Strategic & Programming for the Department of Children and Family Services.

10. Next Meeting

The next meeting of the HRC is scheduled for 3 March 2016 at 2:00pm at the offices of the Commissions Secretariat.

11. Adjournment

The meeting was adjourned at 5:02pm.



James Austin-Smith
CHAIRMAN
HUMAN RIGHTS COMMISSION