

MINUTES
MEETING OF THE HUMAN RIGHTS COMMISSION
5 DECEMBER 2016
CONFERENCE ROOM
ARTEMIS HOUSE

PRESENT:	James Austin-Smith	Chairman
	Ben Tonner	Member
	Lisa-Ann Hurlston-McKenzie	Member
	Danielle Coleman	Member

COMMISSIONS SECRETARIAT MEMBERS PRESENT:

Deborah Bodden	Manager
Sheila Alvarez	Administrator/Analyst
Lise Hurlstone	Administrator/Analyst

APOLOGIES:

Reverend Donovan Myers	Member
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1. Meeting called to order

The meeting was called to order at 2:38pm.

2. Confirmation of Previous Minutes

The 10 November 2016 minutes were approved.

3. Outstanding Business**a. Marriage (Amendment) Bill 2016**

The Commission further reviewed and discussed the draft Bill and noted that, save for the Commission's previous comments on same-sex unions and equality, there were no further comments on the Bill. A response will be drafted with this comment.

b. International Human Rights Day 2016

A press release was drafted for this year's theme, "Stand Up for Someone's Rights Today", and shared with the Commission for final review. Once finalised it will be distributed in advance of this year's International Human Rights Day – 10 December 2016.

4. Human Rights Complaints & Enquiries**a. Update on Human Rights Complaint 029/2016**

The Commission discussed correspondence received from the complainant's legal representative. It was decided that a letter to the public authority in this case would be prepared requesting clarification on a number of points.

b. Update on Human Rights Complaint 031/2016

Upon further review of the research conducted on this case, it was agreed that a letter will be issued to the complainant recommending that they seek legal advice to pursue the

matter as they see fit, as the complainant requires legal representation in order to gain a successful remedy. The file will then be closed. It is noted that Member Danielle Coleman recused herself from this complaint.

c. Update on Human Rights Complaint 032/2016

The Commission discussed the additional information on this case received from the public authority. It was agreed that a letter will be drafted to the complainant advising him of the response received, which resolves his complaint. A second letter will be drafted to the public authority making note of the broader issues related to this case. The file will then be closed.

d. Update on Human Rights Complaint 038/2016

Upon further review of the research conducted on this case, it was agreed that a letter will be issued to the complainant recommending that they seek legal advice to pursue the matter as they see fit, as the complainant requires legal representation in order to gain a successful remedy. The file will then be closed. It is noted that Member Danielle Coleman recused herself from this complaint.

e. Update on Human Rights Complaint 040/2016

The Commission further discussed this complaint and determined that the matter has already been adjudicated. As the Commission has no power to overturn decisions of the Court it was agreed that a letter will be written informing the complainant as such and a remedy can only be gained through the appeals process. The file will then be closed. It is noted that Member Ben Tonner recused himself from this complaint.

f. Human Rights Complaint 035-2016

The Commission reviewed this complaint and determined that since it was submitted the circumstances have changed and the matter is now before the Courts. As the Commission is unable to become involved in matters before the Court it was agreed that a letter will be written informing the complainant as such. The file will then be closed. It is noted that Members Ben Tonner and Danielle Coleman recused themselves from this complaint. Due to a lack of quorum the suggested actions in this matter will be ratified with Member Reverend Myers before proceeding.

g. Human Rights Complaint 042-2016

The Commission reviewed this complaint and it was agreed that the Commission will await the response of the public authority as requested by the Secretariat.

h. Human Rights Complaint 043-2016

The Commission reviewed this complaint and determined, after some preliminary enquiries were made by the Secretariat, that the complaint has been resolved between the parties involved. It was agreed that a letter would be drafted to the complainant stating the same. The file will then be closed.

i. Human Rights Complaint 044-2016

The Commission reviewed this complaint and it was agreed that a letter would be drafted to the public authority requesting an update on the circumstances of the case.

j. Human Rights Complaint 045-2016

The Commission reviewed this complaint and determined, after some preliminary enquiries were made by the Secretariat, that the public authority had made efforts to resolve the issue and now the onus is on the complainant to follow up with them, therefore there is no basis for the complaint. It was agreed that a letter would be drafted to the complainant stating the same and copied to the public authority thanking them for their help. The file will then be closed.

k. Update on Human Rights Complaint 027-2016

The Commission discussed the latest response received from the public authority on this matter. It was agreed that a letter would be drafted to the public authority thanking them for their cooperation and recommending actions to be taken on additional broader but related issues. A letter will also be drafted to the complainant providing them with the information received from the public authority. The file will then be closed.

5. Any Other Business

The Secretariat was updated that an inmate at the prison had expressed concern over phone calls to certain numbers, such as the Commissions Secretariat and the Complaints Commissioner, being blocked. The Commission was updated that the matter had already been addressed with the Director of Prisons by the Secretariat, who had agreed to ensure that inmates' phone access to these agencies would be unblocked.

6. Action Items

The Secretariat was asked to:

- a. Draft a response on the Marriage (Amendment) Bill 2016;
- b. Distribute the International Human Rights Day 2016 press release once finalised; and
- c. Draft correspondence or conduct research in all outstanding and new human rights complaints and enquiries.

7. Items to be Discussed at the Next Meeting

- a. New and outstanding human rights complaints
- b. Annual Report 2016

8. Next Meeting

The next meeting of the HRC has been scheduled for 12 January 2017 at 2:30pm at the offices of the Commissions Secretariat.

9. Adjournment

The meeting was adjourned at 3:35pm.



James Austin-Smith
CHAIRMAN
HUMAN RIGHTS COMMISSION