

**MINUTES
MEETING OF THE HUMAN RIGHTS COMMISSION
1 JUNE 2017
CONFERENCE ROOM
ARTEMIS HOUSE**

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

COMMISSIONS SECRETARIAT MEMBERS PRESENT:

Sheila Alvarez	Administrator/Analyst
Lise Hurlstone	Administrator/Analyst

1. **Meeting called to order**
The meeting was called to order at 2:31pm.
2. **Confirmation of Previous Minutes**
The 9 March 2017 minutes were approved with minor changes.
3. **Human Rights Complaints & Enquiries**
 - a. **Update on Human Rights Complaint 014/2013**
The Commission was updated on the status of this complaint and the Chairman agreed to review the draft correspondence to the public authorities involved for release.
 - b. **Update on Human Rights Complaint 002/2015**
The Commission was updated on the status of this complaint and agreed for the Chairman to consider the latest information received from the complainant in order to recommend a course of action.
 - c. **Update on Human Rights Complaints 020-022/2015**
The Commission was updated on the status of the complaint, which was closed by the Secretariat after substantive responses were received from two of the public authorities involved. The Commission continues to await the response of the third public authority involved and agreed for follow-up correspondence be drafted reminding the public authority of its obligation to respond to recommendations of the Commission under section 116(7) of the Cayman Islands Constitution Order, 2009.
 - d. **Update on Human Rights Complaint 001/2016**
The Secretariat requested an update from the complainant in this matter given the timeframe since the filing of the complaint. The complainant indicated that he is preparing a response but reiterated one area of concern he has. It is noted that member Ben Tonner continues to recuse himself from this complaint and as such the consideration of the matter was deferred to the next meeting, given quorum was not established.

- e. Update on Human Rights Complaint 029/2016**
The Commission was updated on the status of this complaint after receiving clarification from the complainant's legal advisor. As it appeared that an effective remedy had been reached, the complainant's file was closed and the complainant was notified as such.
- f. Update on Human Rights Complaint 037/2016**
The Commission was updated on the status of this complaint and agreed that the information received from the public authority indicated that there was no evidence of a breach of the complainant's human rights. The complainant will be notified and the file closed.
- g. Update on Human Rights Complaint 044/2016**
The Commission was updated on the actions taken by the Secretariat as directed by the Commission at the last meeting, which included closing the file.
- h. Update on Human Rights Complaint 046/2016**
The Commission was updated on the actions taken by the Secretariat as directed by the Commission at the last meeting, which included closing the file.
- i. Update on Human Rights Complaint 047/2016**
The Commission was updated on the actions taken by the Secretariat as directed by the Commission at the last meeting, which included closing the file.
- j. Update on Human Rights Complaint 001/2017**
The Commission was updated on the actions taken by the Secretariat as directed by the Commission at the last meeting. It was agreed that the response received from the public authority indicated that there were no human rights concerns at this time and the previous direction to close the file stands.
- k. Update on Human Rights Complaint 003/2017**
The Commission was updated on the actions taken by the Secretariat as directed by the Commission at the last meeting, which included closing the file.
- l. Update on Human Rights Complaint 004/2017**
The Commission was updated on the status of this complaint, which it agreed to close at the 9 March 2017 meeting. Whilst the complainant responded to the file's closure with a query, it is noted that member Ben Tonner continues to recuse himself from this complaint and as such the consideration of the query was deferred to the next meeting, given quorum was not established.
- m. Update on Human Rights Complaint 005/2017**
The Commission was updated on the status of this complaint, which was closed after the public authority involved indicated that the situation was resolved once they were made aware of the complainant's concerns. The Commission agreed that follow-up correspondence to the public authority to determine how the matter came to be an issue in the first place would be drafted for approval by the Chairman.

n. Update on Human Rights Complaint 007/2017

The Commission was updated on the status of this complaint, which it agreed to close at the 9 March 2017 meeting. The complainant responded to the file's closure with a query, and the Commission agreed that further involvement was outside of its remit. A letter to the complainant informing her as such would be drafted, and the file remains closed.

o. Human Rights Complaint 006/2017

The Commission reviewed this complaint, which was closed by the Secretariat as no evidence of a breach of human rights was provided. Whilst the complainant responded to the file's closure with a query which was responded to by the Secretariat, it is noted that Chairman James Austin-Smith recuses himself from this complaint and as such any further consideration of this matter is deferred to the next meeting.

p. Human Rights Complaint 008/2017

The Secretariat reviewed this complaint and found no evidence of a breach of human rights as alleged. The complainant failed to provide any such evidence when the Secretariat followed-up. The complainant was notified and the file closed. In accordance with the policies and procedures, the matter was considered by the Commission however no concerns were noted and the file remains closed.

q. Human Rights Complaint 009/2017

The Secretariat reviewed this complaint and found there was no basis for the allegations. The complainant was notified and the file closed. In accordance with the policies and procedures, the matter was considered by the Commission however no concerns were noted and the file remains closed.

r. Human Rights Complaint 010/2017

The Secretariat reviewed this complaint and found no evidence of a breach of human rights as alleged. The complainant was notified and the file closed. In accordance with the policies and procedures, the matter was considered by the Commission however no concerns were noted and the file remains closed.

s. Human Rights Complaint 011/2017

The Secretariat reviewed this complaint and upon seeking clarification, the complainant withdrew the complaint on the basis that it was prematurely filed. The file was closed. In accordance with the policies and procedures, the matter was considered by the Commission however no concerns were noted and the file remains closed.

t. Human Rights Complaint 012/2017

The Secretariat reviewed this complaint and confirmed with the Chairman that the matter should be referred to another Commission. The complainant was notified and the file closed. The complainant responded to the file's closure with a query and in accordance with the policies and procedures, the matter was considered by the Commission. It was agreed that the matter must first be considered by another agency. If the complainant's concerns remain after being concluded by the other agency he may make another complaint to the Commission. A letter to the complainant informing him as such would be drafted, and the file remains closed.

u. Human Rights Complaint 013/2017

The Secretariat reviewed this complaint and made initial enquiries regarding the allegations. The public authority has responded to the enquiries and the matter has been resolved. There appears to be no evidence of a breach of human rights as alleged. The complainant was notified and the file closed. In accordance with the policies and procedures, the matter was considered by the Commission however no concerns were noted and the file remains closed.

4. Any Other Business

At the beginning of the meeting the Chairman noted for the other Commission Members the revised system of the Secretariat 'triaging' new complaints, which began after the 9 March 2017 Commission meeting. The Commission commented on the usefulness of this revised process as well as the revised process in which Members are provided case summaries and status updates of each case. Members thanked the Secretariat for their efforts in this regard.

5. Action Items

The Commission was asked to:

- a. Review and approve the draft correspondence as indicated above.

The Secretariat was asked to:

- a. Draft correspondence or conduct research in all outstanding and new human rights complaints and enquiries.

6. Items to be Discussed at the Next Meeting

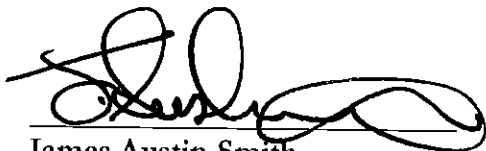
- a. New and outstanding human rights complaints.

7. Next Meeting

The date of the next meeting of the HRC will be agreed via e-mail round robin.

8. Adjournment

The meeting was adjourned at 3:27pm.



James Austin-Smith
CHAIRMAN
HUMAN RIGHTS COMMISSION