

<p>MINUTES MEETING OF THE HUMAN RIGHTS COMMISSION 31 JANUARY 2018 CONFERENCE ROOM ARTEMIS HOUSE</p>
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PRESENT: James Austin-Smith Chairman
 Lisa-Ann Hurlston McKenzie Member
 Rev. Dr. Yvette Noble Bloomfield Member
 Joni Kirkconnell Member

APOLOGIES:

Ben Tonner Member

COMMISSIONS SECRETARIAT MEMBERS PRESENT:

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

1. Meeting called to order

The meeting was called to order at 3:10pm.

2. Confirmation of Previous Minutes

The 4 December 2017 minutes were approved.

3. Outstanding Business**a. Prisons Booklet**

The Commission was informed that a human rights briefing on those rights which prison officers often have to manage when handling detained persons has been scheduled for 8 March at 1:30pm at Her Majesty's Cayman Islands Prison Northward. The Chairman will facilitate the briefing, requested by the Prison Training Officer, and copies of the Commission's educational booklet - *Human Rights Essentials: A Guide for Places of Detention in the Cayman Islands* - will be supplied to the participants. Following the briefing a copy of the booklet will be uploaded to the Commission's website as both a pdf and an e-book.

4. New Business**a. Draft Annual Report**

The Chairman advised that he is in the process of finalising the draft Annual Report and, once complete, will circulate it to members for review and/or comments prior to publication. The report will then be submitted for tabling in the Legislative Assembly.

b. Needs Assessment Unit ("NAU") Policy

The Commission discussed the NAU's Policy on 'Eligibility Criteria for Poor Relief Assistance' (the "Policy") following a request for the same based on a human rights complaints previously considered by the Commission. Members opined that some areas of

the Policy are concerning as it appears certain eligibility provisions may not be in compliance with the Bill of Rights (“BoR”). As a result it was recommended that the NAU should seek legal advice to ensure compliance with the BoR.

c. 2018 Initiatives

Members discussed the educational initiatives for 2018 that they would like to concentrate on. It was agreed that the Commission would focus its attention on one main theme this year – ‘children’. The Commission envisages that the theme will be tied in to various topics in order to educate children on human rights and will consider specific events at the next meeting.

d. Migrants

Members reviewed and considered email inquiries concerning the asylum process for migrants. The Commission will follow up on its previous recommendations and also reach out to other entities involved in the process to ascertain whether they have any concerns related to this issue.

5. Human Rights Complaints & Enquiries

a. Update on Human Rights Complaint 005/2017

The Commission discussed a response received to its enquiries from the second public authority which enclosed an amended response from the first public authority. It appears that the breach occurred following the miscommunication between public authorities. The Commission considers the results of this miscommunication to be a serious infringement of rights and will communicate this finding to both the public authorities and the complainant. Following which, the file will be closed.

b. Update on Human Rights Complaint 019/2017

Whilst this file had been closed, the complainant communicated her concerns to the Secretariat that a remedy was in fact not available. In an effort to assist the complainant to access the remedy the Secretariat requested additional information. The complainant indicated this would be forthcoming prior to the meeting but it has not yet been received. Once placed in a position to do so, the Secretariat will attempt to further assist the complainant.

c. Update on Human Rights Complaint 021/2017

The Commission noted correspondence received on 11 December 2017 wherein the public authority involved confirmed that the immediate issue was resolved. The complainant was informed of this and the file was closed on 15 December 2017.

d. Human Rights Complaint 002/2018

The Commission reviewed this complaint and the actions taken by the Secretariat to secure the information necessary for the Commission to consider the complaint. The Commission will await the supplementary information in order to properly consider the matter.

6. Any Other Business

a. World Day of Social Justice

Members discussed the United Nations' upcoming 'World Day of Social Justice' which is annually observed on 20 February. The Commission agreed to issue a press release on the day and to tie it in with its 2018 educational theme - 'children'.

b. Commission Members

Due to unforeseen circumstances, Mr. Tonner was unable to attend today's meeting which is the final meeting of the Commission during his tenure. Despite his absence the Commission wished to record its thanks to Mr. Tonner for his hard work and dedication during his tenure on the Commission.

c. Farewell Lunch for the Governor

The Chairman, along with other Commission Chairpersons, will be attending a farewell lunch for HE Governor Kilpatrick on Thursday, 1 February 2018.

7. Action Items

The Secretariat was asked to:

- a.** Consider specific events related to Commission's 2018 initiatives;
- b.** Prepare a press release on World Day of Social Justice for the Commission's approval; and
- c.** Draft correspondence or conduct research in all matters and human rights complaints and enquiries as detailed above.

8. Items to be Discussed at the Next Meeting

- a.** 2017 Annual Report
- b.** 2018 Initiatives
- c.** Migrants
- d.** New and outstanding human rights complaints

9. Next Meeting

The next meeting of the HRC has been scheduled for 2 March 2018 at 3:00pm at the offices of the Commissions Secretariat.

10. Adjournment

The meeting was adjourned at 4:45pm.



James Austin-Smith
CHAIRMAN
HUMAN RIGHTS COMMISSION