

MINUTES
MEETING OF THE HUMAN RIGHTS COMMISSION
10 SEPTEMBER 2020
CONFERENCE ROOM
ARTEMIS HOUSE

PRESENT (via Zoom):

Dale Crowley	Chairman
Rev. Dr. Yvette Noble Bloomfield	Member (for part)
Joni Kirkconnell	Member
Dorothy Scott	Member
Nick Quin	Member

COMMISSIONS SECRETARIAT MEMBERS PRESENT (via Zoom):

Deborah Bodden	Manager
Shari Welcome	Public Relations and Education Coordinator (for part)
Sheila Watler	Administrator/Analyst
Lise Hurlstone	Administrator/Analyst (for part)

1. Meeting called to order

The meeting was called to order at 12:06pm.

2. Confirmation of Previous Minutes

The minutes of 13 May 2020 were approved.

3. Outstanding Business**a. Continued Detention Policy (“the Policy”)**

Members noted that follow-up correspondence with the public authority responsible for the Policy ceased during the COVID-19 lockdown and asked the Secretariat to resume its monthly follow-ups until a satisfactory response is received.

b. RPAT

Members noted that follow-up correspondence with the public authority responsible for the Policy ceased during the COVID-19 lockdown and asked the Secretariat to resume its monthly follow-ups until a satisfactory response is received.

c. Prohibited Immigrants

Members noted that follow-up correspondence with the public authority responsible for the Policy ceased during the COVID-19 lockdown and asked the Secretariat to resume its quarterly follow-ups until a satisfactory response is received.

d. Civil Partnership Law, 2020 (“the Law”)

Members discussed the Law and agreed that there is no further action is to be taken at this time.

e. 2020-21 Agenda

Members discussed the draft 2020-21 Agenda, presented by the Public Relations and Education Coordinator in the last meeting. It was agreed that this item will be deferred until the November meeting. In the interim, the Public Relations and Education Coordinator will re-circulate the draft proposal for the Commission’s consideration.

f. Communications Strategy

Members discussed the draft communications strategy proposal, presented by the Public Relations and Education Coordinator in the last meeting. It was agreed that this item will be deferred until the November meeting. In the interim, the Public Relations and Education Coordinator will re-circulate the draft proposal for the Commission’s consideration.

g. Codes of Conduct Research Across Commonwealth

Members discussed the research compiled by the Secretariat on this subject. The Commission agreed to draft a letter to Members of the Legislative Assembly (“MLAs”) summarising the background to the matter and attaching the research. Subsequently, the correspondence will be posted to the Commission’s website seven days after the letter to the MLAs is sent and a press release issued.

4. New Business

a. RCIPS Draft Social Media Usage Policy and Guidance 2020

A request was received from the Royal Cayman Islands Police Service (“RCIPS”) on 14 July 2020 for the Commission to review the RCIPS’ Draft Social Media Usage Policy and Guidance 2020. Members agreed to submit any final comments on the review of the draft Policy by 16 September 2020.

b. Cayman LGBTQ Foundation

After receiving a request (on 26 July 2020) from the Cayman LGBTQ Foundation (“the Foundation”), the Public Relations and Education Coordinator met with the Chairman and PR Officer of the Foundation (via StreamYard) on 13 August 2020. Foundation representatives shared the Foundation’s objectives, requested for possible support from the Commission, highlighted the upcoming fundraiser event to be held on 26 September 2020. The Commission agreed to review the details of the request in line with the Commission’s mandate and consider what options were available for supporting the Foundation, if any.

c. HRC Short Proposal

The Public Relations and Education Coordinator presented Members with a short proposal on a new brand identity/image, and potential survey for the Commission. Members agreed

to review the proposal for discussion at the November meeting. The Public Relations and Education Coordinator will circulate the document to Members via email.

5. Human Rights Complaints & Enquiries

a. Update on Human Rights Complaints 026/2018 & 001/2019

The Commission followed-up with the public authority again on 4 September 2020 to again obtain answers to the queries of the Commission. Members agreed to issue a letter to the public authority to express its dissatisfaction with the response (received on 7 September 2020) and to make recommendations regarding the need to make changes to its existing policy. The complainants will be informed, the recommendation posted to the Commission's website, and the files closed.

b. Update on Human Rights Complaint 018/2019

The Commission followed-up with the public authority on 14 May 2020 to again obtain answers to the queries of the Commission. Members agreed to issue a letter to the public authority to express its dissatisfaction with the response (received on 7 September 2020) and to make recommendations for future handling of related matters. The complainant will be informed, the recommendation posted to the Commission's website, and the file closed.

c. Update on Human Rights Complaints 021/2019, 022/2019 & 023/2019

The Commission followed-up with the public authority on 4 September 2020 to again enquire of the public authority as to whether they have provided the complainants with reasons for its decisions. The Commission agreed that the response (received on 7 September 2020) was satisfactory and addressed the remaining concerns of the Commission. The complainant will be informed and the files closed.

d. Update on Human Rights Complaint 001/2020

The Commission discussed this complaint received on 9 March 2020 and initially placed on the 11 March 2020 agenda. The Secretariat was requested to make initial enquiries with the public authority in order to properly consider the matter.

e. Update on Human Rights Complaint 002/2020

The Commission was updated on this matter. It was agreed that there was no evidence of any breaches of human rights however given the circumstances the Secretariat had made referrals to relevant public authorities to ensure the safety of parties involved. The complainant will be notified of this decision and provided with information related to further resources should they be needed. The file will then be closed.

f. Human Rights Complaint 004/2020

This complaint was received on 13 July 2020 however as the matter was not one in which the Commission had constitutional powers to consider, the complainant was advised and the file closed on 4 August 2020.

g. Human Rights Complaint 005/2020

This complaint was received on 13 July 2020 however as the matter was not one in which the Commission had constitutional powers to consider, the complainant was advised and the file closed.

h. Human Rights Complaint 008/2020

This complaint was received on 12 August 2020 at which time initial enquiries were made of the public authority which resulted in a satisfactory response as to how the matter had been handled. The complainant was advised and the file closed on 20 August 2020.

i. Update on HRC/ENQ/001/2019

The Commission was informed that the draft correspondence to the relevant public authority, regarding this matter, is with the Chairman for approval. The Secretariat will issue the said correspondence once approved.

j. HRC/ENQ/002/2019

The Commission discussed this enquiry originally received on 7 November 2019. Following discussions with the Complainant the Chairman reviewed the matter however it was agreed that the issues raised have potential human rights violations that require further more in-depth research. The Secretariat was asked to conduct the research and prepare a draft letter to the relevant public authority to address the Commission's concerns and to make any necessary recommendations.

k. HRC/ENQ/001/2020

The Commission was updated on this matter (originally received on 12 January 2020). Initial enquiries were made on 24 February 2020 to a public authority following which the Commission was referred on to another public authority. The Commission agreed that follow-up correspondence should again be sent to the public authority and the Deputy Governor copied in due to the lack of response over an extended period of time.

l. HRC/ENQ/002/2020

The Commission again discussed this matter (originally received on 2 May 2020) and agreed, following a review of the submission, that there is no apparent evidence of any breaches or infringements of human rights. The complainant will be advised and the file closed.

6. Any Other Business

a. HMCIPS Outline Business Case ("the OBC") for Estate Development

Member Nick Quin noted his, and the Manager's meeting with the consultants (Martyn Bould of Bould Consulting Ltd and Ronnie Dunne of FINCOR) responsible for preparing the OBC for Estate Development for HMCIPS on 11 June 2020 via Zoom. The purpose of the meeting was to discuss the improvement of HMCIPS prison facilities and human rights implications for persons in incarceration. The consultants posed a hypothetical question querying "if the government was given one million dollars to make improvements at

HMCIPS, in the Commission’s opinion, what should the money be used for?” All agreed the money should be used to build new prison facilities/buildings. The Manager was asked to check in with the Consultants as to the progress on the OBC and to provide the Member’s feedback.

- b. The Manager advised that today’s meeting is the final meeting of the Commission for Member Rev. Dr. Yvette Noble Bloomfield whose tenure expires on 14 September 2020. The Commission thanked Rev. Dr. Noble Bloomfield for her contribution and engagement during her tenure on the Commission.

7. Action Items

Members were asked to:

- a. Submit their comments on the RCIPS Draft Social Media Usage Policy and Guidance 2020 as detailed in 4. a. above; and
- b. Consider the request from the Foundation as detailed in 4. b. above.

The Secretariat was asked to:

- a. Conduct the follow-ups as detailed in 3. a., 3. b., and 3. c. above (Administrator/Analyst);
- b. Re-circulate the documents detailed in 3. e., 3. f., and 4. c. above (Public Relations and Education Coordinator);
- c. Draft the correspondence and press release as detailed in 3. g. above;
- d. Provide a response to options for support once agreed as it relates to 4. b. above (Public Relations and Education Coordinator);
- e. Follow-up with the Consultants as detailed in 6.a. above (Manager); and
- f. Follow-up on the outstanding requests, draft correspondence and conduct research as it relates to human rights complaints and enquiries as detailed above.

8. Items to be Discussed at the Next Meeting

- a. Continued Detention Policy
- b. RPAT
- c. Prohibited Immigrants
- d. HMCIPS Outline Business Case (“the OBC”) for Estate Development

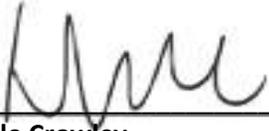
It was agreed that the 2020-2021 Agenda, Communications Strategy, and HRC Short Proposal would be discussed at the November 2020 meeting.

9. Next Meeting

The next meeting of the HRC has been scheduled for 8 October at 12:00pm.

10. Adjournment

The meeting was adjourned at 1:40pm.

A handwritten signature in black ink, appearing to read 'Dale Crowley', written over a horizontal line.

Dale Crowley
CHAIRMAN
HUMAN RIGHTS COMMISSION