

MINUTES
MEETING OF THE HUMAN RIGHTS COMMISSION
8 NOVEMBER 2018
CONFERENCE ROOM
ARTEMIS HOUSE

PRESENT:	James Austin-Smith	Chairman
	Rev. Dr. Yvette Noble Bloomfield	Member
	Joni Kirkconnell	Member
	Dorothy Scott	Member (via telephone until 3:25pm)

COMMISSIONS SECRETARIAT MEMBERS PRESENT:

Deborah Bodden	Manager
Sheila Alvarez	Administrator/Analyst

1. **Meeting called to order**
The meeting was called to order at 2:50pm. The Chairman welcomed all in attendance.
2. **Confirmation of Previous Minutes**
The 27 September 2018 minutes were approved.
3. **Outstanding Business**
 - a. **Migrants**
 - i. **Blanket Detention Policy of Migrants**
The correspondence regarding the Commission's concerns related to the continued blanket detention of migrants was issued to the Acting Chief Immigration Officer (ACIO) on 10 October. The Secretariat will follow-up with the ACIO on a response.
 - ii. **Refugee Protection Appeals Tribunal (RPAT)**
Correspondence to the Chief Officer of the Ministry of Human Resources & Immigration detailing the Commission's recommendations to establish the RPAT as a matter of priority will be issued in due course.
 - b. **Early Childhood Assistance Programme (ECAP)**
As a point of interest during the last meeting, the Commission asked the Secretariat to query the percentage of children/parents who currently access ECAP services. The Secretariat made the necessary enquiries with the Ministry of Education ("the Ministry"). Subsequently on 22 October, an officer in the Ministry confirmed that 180 children have been receiving a grant from ECAP to assist with early childhood centre fees, since 1 September 2018. Members had no further concerns.

c. Community Presentation and Press Releases

Members were updated on various educational events which the Commission has been invited to or has recognised:

- i. “Stood Up” Interscholastic Anti-bullying Fair: On 6 October the Secretariat staff manned the Commission’s booth and provided informational pamphlets on the Bill of Rights, copies of the Commission’s Bullying Prevention Guide and handed out its #youthrightsarehumanrights wristbands.

The Secretariat expressed its dismay with the media group that promoted the event, as well as the public authority that spearheaded it, for failing to mention the Commission’s booth in the official press release given the Commission’s sponsorship of the cause through both a donation to the event and obtaining recognition shirts.

- ii. “Silent Witness March”: As an alternative to giving a talk at the Taya Lounge, the Chairman was asked to participate, on 18 October, in the Silent Witness March and also to give remarks to attendees on domestic abuse and bullying. The march is an annual event that is organised by the Business Professional Women’s Club (“the BPW”) to bring awareness to domestic abuse.

d. Chairman’s Interview with University College of the Cayman Islands (UCCI)

The Chairman’s interview with students at UCCI was conducted on 7 November and focused on questions generally related to s.11 – freedom of expression, as a cornerstone of human rights. The request by the students resulted from media and public attention of a local court case in which human rights and freedom of speech were highlighted. The Chairman will receive a copy of the interview before it is aired.

e. Prison’s Steering Group

The Manager updated the Commission on the Prison’s Steering Group’s trip to Scotland on (12 – 19 October), which she has been appointed to serve on. The Group toured various prisons, some of which were human rights compliant, for different groups i.e. women, men, adolescents, etc. A complete set of notes on the Manager’s observations were submitted to the Director of Prisons to assist in compiling a comprehensive report. The Group will have about two years to produce the Strategic Outline Business Case to build a new prison.

4. Human Rights Complaints & Enquiries

a. Update on Human Rights Complaint 026/2018

Members were updated that the draft correspondence to the relevant public authority involved in this matter is being finalised by the Chairman and will be issued in due course.

b. Update on Human Rights Complaint 027/2018

The Commission was updated that the public authority involved confirmed that the matter was resolved on 18 October. On 25 October, the Secretariat wrote to the complainant to advise that as an effective remedy has been reached and the matter concluded, the file is now closed.

c. Human Rights Complaint 030/2018

The Commission was informed that the complaint was received on 4 October. To progress the matter, the Secretariat made initial enquiries with the public authority involved. On 1 November, the public authority confirmed that the matter was resolved and the Commission agreed in doing so an effective remedy has been reached. The Secretariat will prepare draft correspondence to the complainant to advise that as such the file is now closed.

d. Human Rights Complaint 031/2018

The Commission discussed this complaint and agreed to request a response to the complainant's allegations from the relevant public authority.

e. Human Rights Complaint 032/2018

The Commission discussed this complaint and agreed to request a response to the complainant's allegations from the relevant public authority.

f. Human Rights Complaint 033/2018

The Commission discussed this complaint and agreed to request a response to the complainant's allegations from the relevant public authority.

g. Human Rights Complaint 034/2018

The Commission discussed this complaint and agreed to request a response to the complainant's allegations from the relevant public authority.

h. Human Rights Complaint 035/2018

The Commission discussed this complaint and agreed to request a response to the complainant's allegations from the relevant public authority.

i. Human Rights Complaint 036/2018

The Commission discussed this complaint and agreed to request a response to the complainant's allegations from the relevant public authority.

j. Human Rights Complaint 037/2018

The Commission discussed this complaint and agreed to request a response to the complainant's allegations from the relevant public authority.

k. Human Rights Complaint 038/2018

The Commission discussed this complaint and agreed to request a response to the complainant's allegations from the relevant public authority.

1. Human Rights Complaint 039/2018

The Commission discussed this complaint and the additional information obtained in advance of the meeting, from the public authority, due to the serious nature of the allegations. The Commission agreed that there was no evidence to either substantiate a breach of the complainant's rights or a failure of the public authority to act in accordance with its legal and moral obligations. The Secretariat will prepare correspondence to the complainant to inform them as such. The file will then be closed.

5. Any Other Business

No other matters were discussed.

6. Action Items

The Chairman is to:

- a. Finalise the draft letter to the CO of MHR&I regarding the status of the RPAT as detailed in 3. a. ii. above; and
- b. Finalise the draft letter to the relevant public authority in human rights complaint 026/2018 as detailed above.

The Secretariat was asked to:

- a. Follow-up with the ACIO on a response to the Commission's concerns on the Blanket Detention Policy of Migrants as detailed in 3. a. i. above;
- b. Continue to prepare draft press releases in support of days of recognition and arrange community presentations as needed; and
- c. Draft correspondence or conduct research in all human rights complaints and enquiries as detailed above.

7. Items to be Discussed at the Next Meeting

- a. Blanket Detention Policy of Migrants
- b. Refugee Protection Appeals Tribunal (RPAT)
- c. Community Presentations and Press Releases
- d. Updates/New Human Rights Complaints

8. Next Meeting

The next meeting of the HRC has been scheduled for 11 December 2018 at 2:00pm at the offices of the Commissions Secretariat.

9. Adjournment

The meeting was adjourned at 3:50pm.



James Austin-Smith
CHAIRMAN
HUMAN RIGHTS COMMISSION