MINUTES MEETING OF THE HUMAN RIGHTS COMMISSION 9 OCTOBER 2014 CONFERENCE ROOM CAYMAN CORPORATE CENTRE

PRESENT: James Austin-Smith

Acting Chairman

Chelsea Frazier-Rivers Lisa-Ann Hurlston-McKenzie Member Member

Reverend Donovan Myers

Member

APOLOGIES: Alistair Walters

Chairman

COMMISSIONS SECRETARIAT MEMBERS PRESENT:

Deborah Bodden

Manager

Josephine Hislop

Analyst

1. Meeting called to order

The meeting was called to order at 3:08pm.

2. Confirmation of Previous Minutes

The 3 July 2014 minutes and 4 September 2014 minutes were approved with minor grammatical changes.

3. Matters Arising from Previous Minutes

a. Outstanding Research Projects

i. Deportation and Prohibited Immigrants

Members of the Commission discussed the current draft report and agreed to submit comments and further direction by 31 October.

b. Caymanian Bar Association (CBA) Student Chapter Research Project

Members acknowledged that the subject of the research project was sensitive however they agreed to place it on the Commission's website with a disclaimer expressing, among other caveats, that the views, expressions and conclusions expressed in the report do not reflect those of the Commission. The Commission commends the CBA Student Chapter for their efforts in completing the project as assigned to them by the CBA and hopes the report will serve as a valuable resource to the public.

4. New Business

a. Displays

The Commission agreed that the remaining displays purchased to house the pamphlets which serve to educate the public on each of the rights within the Bill of Rights should be placed in high traffic public areas. Currently one display is at the Health Services Authority, one at the George Town Public Library and one will soon be on display at the Cayman Brac

Government Administration Building. Permission is being sought to hand one in both the Government Administration Building and in the main Court house. In addition, the Commission agreed to bind the pamphlets and provide copies to HM Prisons Northward, Fairbanks and Eagle House for use in the library and by the Inmate Council.

b. Data Protection Draft Legislation

Members discussed the draft response by the previous HRC on the previous draft bill, the current draft bill, and the research of the Secretariat. Members had significant concerns regarding the content of the Bill. They agreed the HRC should submit these comments prior to the deadline which is unknown at this time.

c. International Human Rights Day

Wednesday 10th of December is International Human Rights Day. The Secretariat discussed past commemorative initiatives of the Commission and informed the members that the day is usually based on a theme set by the United Nations. The Commission agreed that it would release a press statement and consider a media appearance on the day. In doing so it was noted that while acknowledging International Human Rights Day promotes awareness of human rights issues around the world, and highlights the efforts of the United Nations to improve global human rights conditions the Commission would also take the time to highlight local human rights issues.

d. Annual Report

Members discussed and agreed to submit its annual report as of 31 December 2014 even though the new members will not have completed a full year of service. Members agreed to familiarise themselves with previous HRC reports and provide feedback/suggestions as to the preferred format at the next meeting.

5. Human Rights Complaints

a. Update on Human Rights Complaint 014/2013

Members were updated on this complaint and correspondence will be drafted accordingly.

b. Update on Human Rights Complaint 019/2013

Members were updated on this complaint and correspondence will be drafted accordingly.

c. Update on Human Rights Complaint 013/2014

The matter was deferred again pending the receipt of additional information from the complainant.

6. Any Other Business

a. Conditional Release Bill 2014

The Acting Chairman noted that the Conditional Release Bill 2014 was an appropriate one in which the Commission should comment. There was a short discussion on some of the points of concern and it was agreed the Bill should be circulated to all members for review and comment.

b. Human Rights Query

The Commission received a query regarding a closed Human Rights Complaint. Members agreed the complainant should submit a new complaint so it can be addressed accordingly.

7. Action Items

Members were asked to:

- a. Submit comments on the Draft Deportation and Prohibited Immigrant Report;
- b. Submit comments on the Data Protection Bill;
- c. Review past HRC Annual Reports; and
- d. Review and submit comments on the Conditional Release Bill 2014.

The Secretariat was asked to:

- a. Amend the draft Deportation and Prohibited Immigrants according to feedback when received;
- **b.** Draft a disclaimer for the CBA Student Chapter research project for the Acting Chairman to review and subsequently upload it along with the report to the HRC's website;
- c. Draft a letter to be submitted to the Data Protection Working Group incorporating member comments on the Data Protection Bill 2014;
- d. Draft a press release for International Human Rights Day;
- e. Begin preliminary drafting of the 2014 Annual Report; and
- f. Draft appropriate correspondence for HRC complaints/query as appropriate;
- g. Draft a letter to be submitted on the Conditional Release Bill 2014 incorporating member comments.

8. Items to be Discussed at the Next Meeting

- a. Deportation and Prohibited Immigrants
- b. Draft Data Protection Bill 2014
- c. International Human Rights Day
- d. Annual Report
- e. Conditional Release Bill 2014
- f. New and Outstanding Human Rights Complaints

Next Meeting

The next meeting of the HRC is scheduled for 6th November, 2014 at 2:30pm at the offices of the Commissions Secretariat.

10. Adjournment

The meeting was adjourned at 4:47pm.

James Austin-Smith

ACTING CHAIRMAN

HUMAN RIGHTS COMMISSION