

the processing times appeared excessive and possibly unreasonable, and agreed that the above mentioned follow up with the CO of the MHR&I to inquire about the status of the RPAT would be the appropriate venue to address this matter, stressing the need to expedite processing of these matters.

b. Prisons Inspection Board (PIB)

The Commission was updated that the Chairman and Secretariat Manager were invited, on behalf of the Acting Governor, to a meeting on 29 August that will inform the development of prisons inspections and monitoring obligations by the Government.

c. Family Law Reform Legislation

Further to an inquiry with the Law Reform Commission on the status of this draft legislation, the Commission was informed that there were numerous objections from the community and the bills are expected to undergo substantial re-writing. Therefore, no further action is required at this time.

d. Early Childhood Assistance Programme (ECAP)

This item was deferred to the next meeting to allow members more time to formulate their comments.

4. New Business

a. Community Presentation and Press Releases

Members were updated on various educational events which the Commission has been invited to or has recognised, and were asked to consider whether they were available to attend events as appropriate:

- i. TAYA Lounge: the Commission has been invited to an open house at TAYA Lounge on 12 September from 5pm-7pm. Additionally, the previously postponed talk by the Chairman to TAYA Lounge teens has been rescheduled to 18 October at 5pm.
- ii. Anti-bullying fair: a donation was made on behalf of the Commission to the annual anti-bullying fair 'Stood Up'. Subsequently members are invited to staff an informational booth at the fair on Saturday, 6 October between 8:30am and 1pm.
- iii. International Youth Day: it was noted that a press release was issued to recognise this date on 9 August.
- iv. International Literacy Day: an invitation was received from Her Majesty's Prison – Northward to attend International Literacy Day activities taking place on-site on 4 October.

b. Revised School Uniform Policy

Members were updated on the recently publicised revised Dress Code Policy for government schools (the "revised Policy"). Earlier in the year the Commission had submitted feedback on the draft version of the revised Policy at the request of the Ministry

of Education (the “Ministry”). In light of the publishing of the final version of the revised Policy, a review of the changes was undertaken. The Commission has had reports of the implementation of the policy being unreasonable as it relates to the definition of “short” hair for boys. The Manager spoke to the Chairman of the Education Council who clarified the policy and sought to provide direction to the school principals. The Commission will submit its outstanding concerns to the Councillor of the Ministry on the revised Policy.

c. Draft Penal Code (Amendment) Bill 2018

An initial review of this draft legislation yielded several areas of concern. It was agreed to reach out to the Cayman Islands Criminal Defence Bar Association to request sight of any feedback they may have on the Bill. Additionally, member Dorothy Scott agreed to see if she could source any further legal assistance to provide feedback.

d. Report to FCO

The Commission noted the open call by the Foreign and Commonwealth Office (FCO) for feedback from all Overseas Territories (OTs) on the evolving relationship between the UK and the OTs, with human rights being a particular area of concern. The Chairman noted his intention to submit a report and suggested some potential topics to include. Members discussed and agreed to provide feedback via email if they wished for any other topics to be included.

5. Human Rights Complaints & Enquiries

a. Update on Human Rights Complaint 002/2015

The Chairman updated members on this case, none of whom were on the Commission when this case was originally filed and considered. The Chairman is in the final stages of preparing draft correspondence to the public authority involved to close the file. Members agreed to review the final draft via round-robin email prior to the correspondence being issued.

b. Update on Human Rights Complaints 019/2017 & 005/2018

The Commission was updated that a response was received from the public authority involved, which included a timeline on the anticipated consideration of the matter. The Commission agreed to follow up with the public authority next month.

c. Update on Human Rights Complaint 009/2018

The complainant’s response to the Commission’s questions was reviewed. Members agreed that their original recommendations were not changed, but that they would additionally refer the complainant to the Ombudsman’s office which was considered a more appropriate venue for the matter. The file will then be closed.

d. Update on Human Rights Complaint 011/2018

The timeline provided by the public authority was reviewed to determine the reasons behind delays and members agreed that some areas presented concerns whilst others maintained a reasonable justification. A letter would be drafted to the public authority identifying these areas, making recommendations for future actions, and cc'd to the complainant. The file will then be closed.

e. Human Rights Complaint 013/2018

The Commission discussed this complaint. It was agreed, as the complainant is now legally represented and the allegations were being addressed by other correspondence/actions agreed upon by the Commission, no further action is required. The case will be closed and the complainant informed as such.

f. Human Rights Complaint 014/2018

The Commission discussed this complaint. It was agreed, as the complainant is now legally represented and the allegations were being addressed by other correspondence/actions agreed upon by the Commission, no further action is required. The case will be closed and the complainant informed as such.

g. Human Rights Complaint 015/2018

The Commission discussed this complaint. It was agreed, as the complainant is now legally represented and the allegations were being addressed by other correspondence/actions agreed upon by the Commission, no further action is required. The case will be closed and the complainant informed as such.

h. Human Rights Complaint 016/2018

The Commission discussed this complaint. It was agreed, as the complainant is now legally represented and the allegations were being addressed by other correspondence/actions agreed upon by the Commission, no further action is required. The case will be closed and the complainant informed as such.

i. Human Rights Complaint 017/2018

The Commission discussed this complaint. It was agreed, as the complainant is now legally represented and the allegations were being addressed by other correspondence/actions agreed upon by the Commission, no further action is required. The case will be closed and the complainant informed as such.

j. Human Rights Complaint 018/2018

The Commission discussed this complaint. It was agreed, as the complainant is now legally represented and the allegations were being addressed by other correspondence/actions agreed upon by the Commission, no further action is required. The case will be closed and the complainant informed as such.

k. Human Rights Complaint 019/2018

The Commission discussed this complaint. It was agreed, as the complainant is now legally represented and the allegations were being addressed by other correspondence/actions agreed upon by the Commission, no further action is required. The case will be closed and the complainant informed as such.

l. Human Rights Complaint 020/2018

The Commission discussed this complaint. It was agreed, as the complainant is now legally represented and the allegations were being addressed by other correspondence/actions agreed upon by the Commission, no further action is required. The case will be closed and the complainant informed as such.

m. Human Rights Complaint 022/2018

The Commission discussed this complaint. It was agreed, as the complainant is now legally represented and the allegations were being addressed by other correspondence/actions agreed upon by the Commission, no further action is required. The case will be closed and the complainant informed as such.

6. Action Items

Members were asked to:

- a. Review the policies on the ECAP funding;
- b. Consider availability to attend educational events as above;
- c. Source assistance for providing additional legal feedback on draft Penal Code (Amendment) Bill 2018 (member Dorothy Scott);
- d. Provide feedback on additional topics to include in Report to FCO via email as appropriate; and
- e. Review the final draft of correspondence in HRC Comp 002/2015 via round-robin email.

The Secretariat was asked to:

- a. Draft correspondence to the ACIO, Director of Prisons, CO of the MHR&I, and Chairman of the IAT regarding migrants as detailed above;
- b. Liaise with external agencies on upcoming educational events as necessary;
- c. Draft correspondence to the Ministry of Education on the final revised Policy as detailed above;
- d. Compile feedback on the draft Penal Code (Amendment) Bill 2018 as detailed above;
- e. Draft the Report to the FCO for the Chairman's review; and
- f. 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. Migrants
- b. Prisons Inspection Board (PIB)
- c. Early Childhood Assistance Programme (ECAP) Funding Policies
- d. Community Presentations and Press Releases
- e. Revised School Uniform Policy
- f. Draft Penal Code (Amendment) Bill 2018
- g. Report to FCO

8. **Next Meeting**

The next meeting of the HRC has been scheduled for 27 September 2018 at 2:30pm at the offices of the Commissions Secretariat.

9. **Adjournment**

The meeting was adjourned at 5:30pm.



James Austin-Smith
CHAIRMAN
HUMAN RIGHTS COMMISSION