

MINUTES
3rd MEETING OF THE HUMAN RIGHTS COMMISSION
8 MARCH 2022
VIA ZOOM

PRESENT: Dale Crowley Chairman
 Joni Kirkconnell Member
 Deborah Barker-Roye Member
 Cathy Gomez Member

APOLOGIES: Nick Quin Member

COMMISSIONS SECRETARIAT MEMBERS PRESENT:

Marilyn Conolly	Manager
Lise Hurlstone	Research Analyst
Jackelin Connolly	Administrative Officer
Megan Ramnarine	Administrative Officer
Shari Welcome	PR & Education Coordinator

1. Meeting called to order

The meeting was called to order at 10:40 am.

2. Confirmation of Previous Minutes

Minutes from the meeting held on 19 January 2022 and the minutes from the Extraordinary Meeting held on 16 February 2022 will be circulated via email round robin for approval.

3. Outstanding Business

a. 2021 General Elections Reports

Members were advised that correspondence was sent to the relevant public authorities for their consideration and acknowledgements were received.

b. Migrants

i. Migrants Policy (the Policy)

Member Deborah Barker-Roye provided preliminary comments. Members were asked to finalise their review and provide additional comments on this matter. The Secretariat was asked to draft a response to the relevant public authority for review and feedback.

ii. Legislative Amendment

Members were updated on the latest correspondence from Customs & Border Control (CBC). Members expressed their concern that further discussions on the matter had not materialised. The Secretariat was asked to follow up with the relevant public authority.

c. Legal Advice

Members noted that the selected legal advisor would benefit from additional context to the instructions. The Secretariat was asked to coordinate a call between the HRC Chairman, Member Deborah Barker-Roye, and the legal advisor.

d. HRC Annual Report

The PR & Education Coordinator provided an update on the report. A draft will be sent to the Chairman for review and subsequently circulated to all Members.

4. New Business**a. Homophobic Attack Research**

The Secretariat provided Members with research regarding hate speech and discrimination legislation. Members thanked the Secretariat and discussed the next steps in sharing the research content with the relevant public authority for their consideration. The Chairman agreed to make contact and instruct the Secretariat on further actions.

b. Luncheon with the Governor

Member Nick Quin on behalf of the HRC, attended the Ministerial Luncheon in honour of a visiting minister from the UK. The Secretariat was asked to liaise with Member Nick Quin for his brief of the luncheon via email.

5. Human Rights Complaints & Enquiries**a. Update on Human Rights Complaint 021/2021**

Members were updated on this complaint. The Chairman requested that this item be kept on the agenda and for the Secretariat to continue to follow up on the matter and to circulate the complaint timeline once finalised for Members' reference.

b. Update on Human Rights Complaint 026/2021

Members were updated that additional information continues to be sought. The Secretariat was asked to submit an FOI request on behalf of the HRC to the relevant public authority, to have the information serve as a baseline for future matters.

c. Update on Human Rights Complaint 030/2021

Members were updated on this complaint. The Secretariat was asked to contact the relevant public authority to seek clarity on additional concerns. Members suggested changes to the HRC complaints form. The Secretariat was asked to contact the relevant public office to inquire about the inclusion of HRC informational packets, and to develop guidance notes and information on the Commission.

d. Update on Human Rights Complaint 001/2022

Members were updated on this complaint. The Secretariat was asked to obtain additional information from the relevant public authority.

e. Update on Human Rights Complaint 002/2022

Members were updated on this complaint. The Secretariat was asked to obtain additional information from the relevant public authority.

f. Human Rights Complaint 003/2022

Members acknowledged this complaint which was received on 27 January 2022 and withdrawn by the complainant on 21 February 2022.

g. Human Rights Complaint 004/2022

Members acknowledged this complaint which was received on 21 January 2022. A letter was sent to the complainant requesting additional information and advising that the file will be closed if a response is not received.

h. Human Rights Complaint 005/2022

Members acknowledged this complaint which was received on 25 January 2022. It was agreed that other avenues for recourse exist based on the submission. The file will be closed and the complainant will be advised accordingly.

i. Human Rights Complaint 006/2022

Members noted this complaint which was received on 26 January 2022. Member Cathy Gomez offered to review and provide assistance with processing the complaint. An additional matter was raised over concerns of communication challenges. The Secretariat was asked to prepare correspondence on behalf of the Chairman to the relevant public authorities to attend the institution and assist persons in need.

j. Human Rights Complaint 007/2022

Members considered this complaint which was received on 7 February 2022. It was agreed that another appropriate avenue for recourse exists based on the submission. The file will be closed and the complainant will be advised accordingly.

k. Human Rights Complaint 008/2022

Members considered this complaint which was received on 25 February 2022. The Secretariat was asked to obtain additional information from the complainant.

l. Update on Human Rights Enquiry 003/2021

The Secretariat advised Members that it awaits further advice on the matter.

6. Any Other Business

a. Penal Code Reform

The Secretariat is to complete the draft correspondence to the Law Reform Commission (LRC) regarding the Penal Code Reform Discussion Paper and circulate to Members for their approval.

b. Compass Articles

Members reviewed and discussed the contents of two articles: "One year on, no decision from Privy Council in Cayman same-sex marriage case" (23 February 2022) and "Cayman's COVID rules challenged by mum and son in historic test case" (24 February 2022). Members agreed that there are no actions to take at this time.

c. Secretariat Office Move

The Manager briefed the Commission on a potential office move for the Secretariat in the near future.

7. Action Items

Members were asked to:

- a. Finalise their review of Member Deborah Barker-Roye's comments on the powers of the relevant legislation and consider providing any other feedback or comments regarding the Migrants Policy as detailed in item 3.b.i above;
- b. Chairman and Member Deborah Barker Roye agreed to have a call with the legal advisor to provide additional context regarding the legal advice being sought as detailed in item 3.c above;
- c. Chairman to discuss research with relevant public authority and provide direction to Secretariat following the discussion as detailed in item 4.a. above; and
- d. Member Cathy Gomez to provide assistance with processing the complaint as detailed in item 5.i. above.

The Secretariat was asked to:

- a. Draft correspondence to the relevant public authority about feedback as detailed in item 3.b.i. above;
- b. Contact the relevant public authority to inquire if the Legislative Amendment is on the agenda as detailed in item 3.b.ii;
- c. Coordinate a call between the Chairman and Member Deborah Barker-Roye regarding the legal advice matter as detailed in item 3.c. above;
- d. Finalise and send draft annual report to the Chairman for review and feedback as detailed in item 3.d. above;
- e. Liaise with Member Nick Quin to provide a brief of the luncheon per item 4.b; and
- f. Draft correspondence or conduct research on all human rights complaints and enquiries as detailed above.

8. Items to be Discussed at the Next Meeting

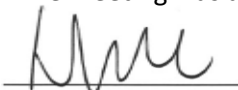
- a. Migrants
- b. HRC Annual Report
- c. Homophobic Attack Research
- d. HRC Complaints and Enquiries

9. Next Meeting

The next regular meeting date will be held on 5 May 2022 at 10:30 am.

10. Adjournment

The meeting was adjourned at 12:15 pm.



Dale Crowley
CHAIRMAN
HUMAN RIGHTS COMMISSION