

**HUMAN RIGHTS COMMISSION
6th MEETING OF 2022
MINUTES
4 NOVEMBER 2022
CONFERENCE ROOM
COMMISSION SECRETARIAT OFFICES**

PRESENT:

Deborah Barker Roye	Interim Chairman
Nick Quin	Member
Cathy Gomez	Member (Until 11:41 am)
Jennifer Hunter	Member
Ben Tonner	Member

SECRETARIAT MEMBERS PRESENT:

Enola Reid	Deputy Manager (Acting)
Jackelin Connolly	Administrative Officer

1. Meeting called to order

- a. The meeting commenced at 10:09am. The Chair welcomed new Members, Mrs Jennifer Hunter and Mr Ben Tonner KC. Formal introductions were made.

2. Previous Minutes (Approved)

Members noted that the minutes of the meeting held on 18 May 2022 were approved and published on the HRC website.

3. Outstanding Business**a. Migrants****i. Migrants Policy**

Members noted the follow ups made to the Director of Customs and Border Control (“CBC”), regarding the correspondence sent on 13 May 2022. It was resolved that the Secretariat will follow up with the Director of CBC for a substantive response and a suggestion that it might be helpful for a member/s of the HRC to meet with the Director of CBC or his delegate to facilitate discussions.

ii. Legislative Amendment

Members noted the response received from the Chief Officer of the Ministry of Border Control and Labour (the “MoBC&L”), regarding proposed amendment to the immigration legislation. It was resolved that the Secretariat will follow up with the MoBC&L Chief Officer for an update on this matter.

b. Law Reform: Re Discrimination

Members discussed the response from the Law Reform Commission and agreed that while the HRC would be happy to continue to contribute to any Law Reform initiatives relating to amendments to legislation to deal with hate crime and hate speech, given the limited resources and remit of the HRC it would be more appropriate for the for LRC to take the lead. It was resolved that The Secretariat will draft a response to the Law Reform Commission advising of the same.

c. Legal Advice (HRC-COMP-026-2021)

Members were updated on this matter and noted the closure letter sent to COMP-026-2021 on 4 August 2022. Members agreed to retain privileged advice it has commissioned in this regard internally to inform and assist the Commission with any future relevant matters. No further action is needed and this item is now closed.

d. Query re WORC Internal Process

Members discussed the recent correspondence sent to the Interim Director (Acting) of WORC seeking clarity on the WORC internal process procedures which the HRC had decided it would find helpful in order to assist the Commission in understanding and considering complaints and inquiries made to the HRC relating to areas which fall under the remit of WORC. It was resolved that the Secretariat will follow up with the Interim Director (Acting) for a substantive response and suggest a meeting, should this be helpful to facilitate discussions.

4. Human Rights Complaints and Enquiries

OLD:

a. Update on Human Rights Complaint 001/2022

Members noted this complaint was closed on 4 August 2022, and there was no further action required on the part of the Commission or The Secretariat.

b. Update on Human Rights Complaint 002/2022

Members noted this complaint was closed on 16 September 2022 and there was no further action required on the part of the Commission or the Secretariat.

c. Update on Human Rights Complaint 006/2022

Members noted this item and agreed to table this complaint at the upcoming HRC Extraordinary Meeting scheduled for 25 November 2022. It is noted that Member Cathy Gomez was recused from this complaint.

d. Update on Human Rights Complaint 008/2022

Members noted this complaint which was closed on 16 September 2022 as there was no further action required on the part of the Commission or the Secretariat.

New

e. Human Rights Complaint 009/2022

Members noted this item and agreed to table this complaint at the upcoming HRC Extraordinary Meeting scheduled for 25 November 2022. It is noted that Member Cathy Gomez was recused from this complaint.

f. Human Rights Complaint 014/2022

Members acknowledged this complaint which was received on 30 May 2022. Members resolved that an update is required since some time has passed since the complaint was submitted. The Secretariat will request an update from the complainant.

g. Human Rights Complaint 015/2022

Members acknowledged this complaint which was received on 13 June 2022. The Secretariat will request an update from the complainant.

h. Human Rights Complaint 016/2022

Members acknowledged this complaint which was received on 23 June 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 017/2022

Members noted this item and agreed to table this complaint at the upcoming HRC Extraordinary Meeting scheduled for 25 November 2022. It is noted that Member Cathy Gomez was recused from this complaint.

j. Human Rights Complaint 018/2022

Members noted this item and agreed to table this complaint at the upcoming HRC Extraordinary Meeting scheduled for 25 November 2022. It is noted that Member Cathy Gomez was recused from this complaint.

k. Human Rights Complaint 019/2022

Members noted this item and agreed to table this complaint at the upcoming HRC Extraordinary Meeting scheduled for 25 November 2022. It is noted that Member Cathy Gomez was recused from this complaint.

l. Human Rights Complaint 020/2022

Members acknowledged this complaint which was received on 2 August 2022. Members resolved that an update is required since some time has passed since the complaint was submitted. The Secretariat will request an update from the complainant.

m. Human Rights Complaint 021/2022

Members noted this item and agreed to table this complaint at the upcoming HRC Extraordinary Meeting scheduled for 25 November 2022. It is noted that Member Cathy Gomez was recused from this complaint.

n. Human Rights Complaint 022/2022

Members noted this item and agreed to table this complaint at the upcoming HRC Extraordinary Meeting scheduled for 25 November 2022. It is noted that Member Cathy Gomez was recused from this complaint.

o. Human Rights Complaint 023/2022

Members acknowledged this complaint which was received on 25 October 2022. Members resolved that an update is required considering that the complainant was awaiting on a decision letter. The Secretariat will request an update from the complainant and try to ascertain if there is a Planning Appeals Tribunal (PAT) Cause list or minutes which would give the HRC direction on how to proceed with this complaint.

5. New Business

a. Bill of Rights (BoR) Training

Members discussed the opportunity to collaborate in the Bill of Rights Training offered to Civil Servants and agreed to assist by reviewing the material provided with the aim of collaborating on this project in Q1 of 2023. Member Nick Quin agreed to look into the existing training materials and provide feedback. The Research Analyst will look into how other Human Rights Commissions provide trainings on related topics in other Jurisdictions.

6. Any other Business

- a.** The Chair noted the limitations in resources with the Secretariat and updated members on the Governor's assistance with uncovering the needs for each commission the Secretariat supports. The Chair also noted the need for a PR & Education Coordinator and more administrative staff. The Secretariat was asked to ascertain the previous year's Awareness and Events calendar with an aim to roll out educational content for the upcoming year.

7. Action Items

Members of the HRC resolved that:

- a.** Member Nick Quin will review BoR Training materials as detailed in item 5.a. above.

It was resolved The Secretariat would:

- a.** Follow up with the Director of Customs and Border Control as detailed in item 3.a.i. above;
b. Follow up with the Chief Officer of the Ministry of Border Control and Labour as detailed in item 3.a.ii above;

- c. Draft a response to the Law Reform Commission as stated in item 3.b. above;
- d. Follow up with the WORC Interim Director (Acting) as stated in item 3.d. above;
- e. Research Analyst to engage in research as explained in item 5.a. and 4.o. above;
- f. Circulate plans for HRC in 2023 as detailed in item 6.a. above; and
- g. Draft correspondence for all complaint matters as detailed in items 4.f., 4.g., 4.i., 4.o. above.

8. Items to be Discussed at the Next Meeting

- a. Migrants
- b. Query re WORC Internal Process
- c. HRC Complaints and Enquiries (including updates and
- d. Awareness and Events Calendar

9. Next Meeting

The next extraordinary meeting will be held on 25 November 2022 at 10:00 am. This meeting is only scheduled to address complaints **006/2022, 009/2022, 017/2022, 018/2022, 019/2022, 021/2022, 022/2022.**

10. Adjournment

The meeting was adjourned at 11:54 am.



**Deborah Barker Roye
INTERIM CHAIRPERSON
HUMAN RIGHTS COMMISSION**