

**HUMAN RIGHTS COMMISSION
5th MEETING OF 2023
MINUTES
20 JUNE 2023
CONFERENCE ROOM
COMMISSION SECRETARIAT OFFICES**

PRESENT:

Deborah Barker Roye	Interim Chairperson (via Zoom)
Nicholas Quin	Member (via Zoom)
Cathy Gomez	Member
Ben Tonner	Member
Jennifer Hunter	Member

SECRETARIAT MEMBERS PRESENT:

Marilyn Conolly	Manager
Lise Hurlstone	Research Analyst

1. Meeting called to order

The meeting commenced at 3:26 pm.

2. Previous Minutes

The minutes of the meeting held on 18 May 2023 were approved by the members with minor changes.

3. Outstanding Business**a. Awareness and Events Calendar**

The Commission was updated on the HRC Facebook take-over day by students from the Cayman International School (CIS) Justice, Equality, Diversity and Inclusion (JEDI) Committee. The take-over took place on Monday, 29 May 2023 in recognition of Child Month (May) and International Day of Families (15 May). The Chairperson and Manager also updated members on positive feedback they had received from the Governor and Deputy Governor in anticipation of the event. Members once again congratulated the students and other JEDI Committee members on their efforts. Members also reviewed the analytics from the Facebook posts, which received higher levels of engagement relative to the other HRC Facebook posts this year, and the Secretariat advised that they were working on scheduling a de-briefing session with the JEDI Committee members they had been in contact with. The Chair requested that the future PR & Education Coordinator look at how engagement in such endeavours may be able to be improved even further in the future.

Members also noted that unrelated “comments” had been posted in response to some of

the take-over day Facebook posts, seemingly by a member of the Community reaching out for help from the Commission. It was agreed that the Secretariat would follow up with these enquiries via direct message and delete the comments from the posts as they were not related.

Members reviewed draft versions of some of the prospective Facebook posts prepared by the Public Communications Specialist which had been discussed at the last meeting. Members were pleased with the content as presented and looked forward to receiving the final versions of all posts for their review and approval in due course.

b. Migrants

i. Migrants Policy

It was noted that there were no updates on this matter at this time.

ii. Legislative Amendment

It was noted that there were no updates on this matter at this time.

c. Query re WORC Internal Process

It was noted that there were no updates on this matter at this time.

d. Bill of Rights (BoR) Training

It was noted that there were no updates on this matter at this time.

e. Prison Tours

The Secretariat shared the response received from the Cayman Islands Independent Monitoring Board (CIIMB) stating that they had not carried out an inspection of the Bodden Town (BT) Civic Centre as a site where some migrants had been housed at since around April 2023. The Commission was advised by CIIMB that, as the BT Civic Centre was not a “place of detention” (i.e. migrants were able to come and go as they pleased), it did not fall under the CIIMB’s remit. Members therefore agreed to arrange a visit to the BT Civic Centre in early August, once some members had returned from travel. The Secretariat was asked to make arrangements with the relevant public authorities accordingly.

f. HRC Annual Report

It was noted that there were no updates on this matter at this time.

g. Prospect Primary Request for Human Rights Presentation

It was noted that there were no updates on this matter at this time.

h. Recent News Articles

It was noted that there were no updates on this matter at this time.

4. Human Rights Complaints and Enquiries

OLD:

a. Update on Human Rights Complaint 020/2022

The Commission was updated that the Complainant had visited the Secretariat and advised that she had not received their letter to dated 5 May 2023. A hard copy of the letter was therefore provided to the Complainant and the Secretariat was updated that one avenue for internal complaint with the public authority involved had already been attempted. The Secretariat advised the Complainant to attempt another form of internal complaint, to which the Complainant agreed. The Complainant later provided an update that no response had been received from the public authority involved by the time of this meeting. The Secretariat was asked to determine whether the public authority's complaint procedure referenced the Office of the Ombudsman or whether the Complainant had reached out to the Ombudsman at any point.

b. Update on Human Rights Complaint 022/2022

It was noted that there were no updates on this matter at this time.

c. Update on Human Rights Complaint 024/2022

It was noted that there were no updates on this matter at this time.

d. Update on Human Rights Complaint 025/2022

It was noted that there were no updates on this matter at this time.

e. Update on Human Rights Complaint 001/2023

The Commission was updated that while there had still been no response from the public authority in question to their letter of 5 May 2023, the Complainant had stopped by the Secretariat with an update. A summary of the Complainant's visit was provided, however, as the Complainant continued to be legally represented the Commission determined that there was no further action related to the update for them to take at this time. The Secretariat was asked to continue to follow up with the public authority in question for a response to their correspondence.

f. Update on Human Rights Complaint 003/2023

It was noted that there were no updates on this matter at this time.

g. Update on Human Rights Complaint 007/2023

The Commission was updated on the complaint and an e-mail sent by the Complainant wherein the Complainant made a threat against Secretariat staff. The Manager advised of the steps that had been taken to ensure staff safety and the Commission agreed that this was necessary. The Manager advised that she was awaiting an update from the RCIPS, which had been asked to warn the Complainant based on the threat. Furthermore, the Complainant had been banned from entering the Secretariat offices

due to the comments made in the e-mail. Once an update was received from the RCIPS the Complainant's e-mail would be responded to, including seeking an update on the substantive issue in the complaint.

h. Update on Human Rights Enquiry 001/2023

It was noted that there were no updates on this matter at this time.

NEW:

i. Human Rights Complaint 013/2023

The Commission reviewed this complaint, which was received on 6 June 2023, and agreed that the public authority involved should be contacted for a response to some of the documentation provided by the Complainant. The Secretariat was asked to draft correspondence accordingly.

j. Human Rights Complaint 014/2023

The Commission reviewed this complaint, which was received on 9 June 2023, and agreed that due to the matter being subject to ongoing legal proceedings the Commission was not able to intervene prior to the completion of the same. The file would therefore be closed and the Complainant advised accordingly. The Secretariat was asked to draft correspondence accordingly.

k. Human Rights Enquiry 004/2023

The Commission reviewed this enquiry which was received in person at the Secretariat offices on 30 May 2023, and agreed that the Secretariat should follow up with the public authority involved for a response via email.

5. New Business

6. Any other Business

a. Right to Fair Trial

The Secretariat raised the issue of the handling of inquiries regarding the right to fair trial. The topic is one that has been raised fairly frequently in the last several months and a discussion was had on what, if anything, the Secretariat could do to streamline the assessment of these enquiries and complaints. It was agreed to trial a different approach to handling enquiries and complaints on this topic prior to the next meeting to determine if an alternative process would be useful.

b. Child Safeguarding / NAU Policies

The Secretariat noted that the Commission now had capacity to revisit two items from the 2022 agenda regarding seeking legal advice on certain Child Safeguarding policies with Government agencies that handle sensitive matters related to child abuse, as well as policies related to the Needs Assessment Unit eligibility. The Secretariat was asked to

recirculate the documents related to these two issues and add the items to the next meeting's agenda in order to discuss them fully.

c. Blind-copied E-mails

Member Nicholas Quin advised that he had received some emails that seemed to be related to a human rights issue directly to his work email address. The Secretariat advised that they had also received a copy of the same email. The policy of not replying to mass-e-mails which had been sent to the Commission, unless a direct question or action was asked of the Commission, was reviewed. Members agreed that Mr Quin should not respond to any inquiries directly. Furthermore, Members were content with the email reply policy as is and no further action was required on this matter.

7. Action Items

It was resolved The Secretariat would:

- a. Follow up with the Facebook enquiry received in response to take-over day Facebook posts via direct message and delete the relevant comments from the posts as detailed in item 3.a. above;
- b. Review draft prospective Facebook posts from Public Communications Specialist and circulate to members for approval as detailed in item 3.a. above;
- c. Make arrangements with the relevant public authorities for Commission members to tour the BT Civic Centre in early August as detailed in item 3.e. above;
- d. Prepare complaints relating to right to fair trial as agreed with Commission at meeting of 20 June 2023 for next meeting as detailed in item 6.a. above;
- e. Recirculate documents related to Child Safeguarding policies and NAU eligibility to members for their review, and add to next meeting's agenda as detailed in item 6.b. above;
- f. Continue to act in accordance with mass-email policy as detailed in item 6.c. above;
- g. Continue to action items from meeting of 18 May 2023; and
- h. Draft correspondence for all complaints and enquiries as detailed above.

8. Items to be Discussed at the Next Meeting

- a. Awareness and Events Calendar
- b. Migrants
 - i. Migrants Policy
 - ii. Legislative Amendment
- c. Query re WORC Internal Process
- d. Bill of Rights (BoR) Training
- e. Prison Tours
- f. HRC Annual Report
- g. Prospect Primary Request for Human Rights Presentation
- h. Recent News Articles
- i. Child Safeguarding
- j. NAU Policies

9. Next Meeting

The next meeting will be scheduled for 13 September 2023 at 3:15pm.

10. Adjournment

The meeting was adjourned at 5:00 pm.



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