

**HUMAN RIGHTS COMMISSION (“HRC”)
8th MEETING OF 2024
MINUTES
12 December 2024
CONFERENCE ROOM
HRC SECRETARIAT OFFICES**

PRESENT:

Benjamin Tonner KC	Chairperson
Alecia Johns	Member
Jennifer Hunter	Member
Nicholas Quin	Member
Nicholas Dixey	Member

APOLOGIES:

None

SECRETARIAT MEMBERS PRESENT:

Melanie McField	Manager
Francis Kearns	Deputy Manager
Evette Burnell	Administrator/Analyst
Jessica Ebanks	PR & Education Coordinator (in part)

1. Meeting called to order

The meeting commenced at 3:30 pm.

2. Previous Minutes

The minutes of the meeting held on 16 October 2024 were approved.

3. Matters Arising from Previous Meeting

a. Education Initiatives

i. Social Media Campaign

The PR & Education Coordinator updated Members on the boosted posts for Human Rights Day. There will be a new campaign starting in the new year.

ii. Bill of Rights Training

There has been an increase in the completion rates of the interim BOR course set up on the new online learning system established by the Civil Service College. The new Bill of Rights (BOR) Training being developed will be hosted on this platform too. The new course has 4 modules which have been written and feedback has been exchanged with the provider to fine tune the product.

iii. International Human Rights Day

International Human Rights Day was on 10 December and a circular was sent to all schools raising awareness about the HRC, what they do and contact details. The planned dress down day at John Gray High School did not go ahead due to lack of capacity at this time of year, however there is the possibility of HRC giving a presentation at the school in the new year.

b. Migrants

Members discussed the most recent meeting with Customs and Border Control (CBC) on 28 November and the action points from the meeting. They also went over the Asylum Interview Questions provided by CBC.

Members requested a breakdown of the migrant figures provided by CBC be obtained to compare the current trends to those from before the changes to the CBC Acts. Members would also like to find out more about how the UK processes irregular migrants (particularly when it comes to providing legal advice and translators). The Secretariat will contact the Governor's Office for assistance with this.

Another meeting will be arranged with CBC and the Ministry in the new year to obtain updates on action points.

c. Query re Workforce Opportunities & Residency Cayman (WORC) Internal Process

Members went through the additional response provided by WORC following their feedback on the revised procedure document. WORC advised that all subjects are notified of the appeal process in every revocation letter, regardless of the type of status being revoked. The Members were satisfied with the response and this enquiry was closed.

d. Prison Updates

There were no updates to provide at this time.

e. HRC Annual Report

The Chairman will review the Chairman's statement and revert back with any final comments.

f. Child Safeguarding

The Ministry advised that the Department of Children and Family Services (DCFS) are currently undertaking changes to their policies and they will revert back once this has been completed. This was followed up by the Secretariat and the Ministry advised that the review should be fully underway by Q1 2025. The Members requested that the Secretariat reach out to obtain confirmation that minors should not be interviewed without an independent responsible adult, in the interim.

g. Mental Health

Members discussed the opening of the new mental health facility, Poinciana. Unfortunately, members were unable to attend the grand opening, due to short notice. The Secretariat will reach out to the Director to schedule a visit for Q1 2025.

h. Legislative Amends

There were no updates to provide at this time.

4. Human Rights Complaints and Enquiries

OLD:

a. Update on Human Rights Enquiry 002/2019

Members were updated on this enquiry and the enquirer's concerns that the new Adoption Bill may not rectify the issue of adopted persons having to declare their adopted status. The enquirer's queries on Articles 7&8 of the UNHCR were also discussed. This enquiry will continue to be monitored.

- b. Update on Human Rights Complaint 001/2023**
Members reviewed section 81 (3) of the Police Act and determined that the guidance relevant to this complaint should be gazetted. A senior officer advised he would look into this and revert back. The Manager is to follow up on this.
- c. Human Rights Complaint 002/2024**
An appeal related to this complaint is underway. The Secretariat will follow up on the outcome of the appeal.
- d. Human Rights Complaint 008/2024**
The Secretariat tried to contact the Complainant about the progress on updating their paperwork with the relevant Department, but there was no response. Members requested that the Secretariat contact the Department to discuss a possible gap in service.
- e. Human Rights Complaint 010/2024**
Members discussed the complaint and decided that the complaint was outside of the remit of the HRC and would likely be a civil suit. However, prior to closing the complaint the Secretariat will verify there is no outstanding court order against the Complainant in the Cayman Islands.
- f. Human Rights Complaint 011/2024**
A 30-day notice letter was sent, to which there was no response. The complaint will now be closed.
- g. Human Rights Complaint 013/2024**
A 30-day notice letter was sent, to which there was no response. The complaint will now be closed.
- h. Human Rights Complaint 015/2024**
Members discussed the complaint and decided that a thorough review of the advice provided will be needed prior to a decision being made.
- i. Human Rights Complaint 018/2024**
Members discussed the complaint and agreed it should be closed.
- NEW:
- j. Human Rights Complaint 027/2024**
Members requested that the Secretariat contact the Complainant to determine if they have applied for asylum.
- k. Human Rights Complaint 028/2024**
Members discussed the complaint and agreed it should be closed.
- l. Human Rights Complaint 029/2024**
Members discussed the complaint and agreed it should be closed.
- m. Human Rights Complaint 030/2024**
Members discussed the complaint and agreed it should be closed.

5. New Business

None

6. AOB

None

7. Action Items

It was resolved the Secretariat would:

- a. Follow up on organizing HRC to give a presentation at John Gray High School in the new year, as outlined above in 3.a.iii (PR and Education Coordinator).
- b. Engage with CBC and the Governor's office in regards to follow-up queries following the 28 November meeting and HRC requests, as outlined in 3.b. above (Administrator/Analyst).
- c. Secretariat to confirm with the relevant Department that minors will not be interviewed without an independent responsible adult, as outlined in 3.f. above (Administrator/Analyst).
- d. The Secretariat will contact the Director of the facility to schedule a visit for Q1 2025, as outlined in 3.g. above (Administrator/Analyst).
- e. Draft correspondence for all complaints and enquiries as detailed above (Administrator/Analyst).

It was resolved the Chairman would:

- a. Review and make any final updates to the Chairman's Statement for the HRC Annual Report, as outlined in 3.e. above (Chairman).

8. Items to be Discussed at the Next Meeting

- a. PR & Education Initiatives
 - i. Social Media Campaign
 - ii. Bill of Rights Training
- b. Migrants
- c. Prisons Updates
- d. HRC Annual Report
- e. Child Safeguarding
- f. Mental Health

9. Next Meeting

The next meeting will be scheduled for 22 January 2025.

10. Adjournment

The meeting was adjourned at 5.28pm.



**Benjamin Tonner KC
CHAIRMAN
HUMAN RIGHTS COMMISSION**