

**HUMAN RIGHTS COMMISSION (“HRC”)  
2<sup>nd</sup> MEETING OF 2025  
MINUTES  
26 February 2025  
CONFERENCE ROOM  
HRC SECRETARIAT OFFICES**

**PRESENT:**

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

**APOLOGIES:**

Nicholas Quin	Member
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**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 3:25 pm.

**2. Previous Minutes**

The minutes of the meeting held on 22 January 2025 were approved.

**3. Matters Arising from Previous Meeting****a. Education Initiatives****i. Social Media Campaign**

The PR & Education Coordinator presented last month’s social media statistics. Followers are slowly increasing and the latest advertised posts seem to have been successful. The next batch of social media posts for will be drafted and sent to Members for approval via email.

**ii. Bill of Rights Training**

Since the last meeting there have been 22 new enrolments on the Bill of Rights (BOR) interim course. This is an interim training offer, before the comprehensive course becomes live.

The Secretariat provided an update on the comprehensive training offer in development. Options for a narrator were discussed. The new Chair of the Constitutional Commission is a possibility.

The Secretariat will continue to engage the Department of Communications on this project but, if they do not have sufficient capacity to assist, there is a possibility of using

a private company to undertake this work. The Secretariat is obtaining quotes from online course specialists both locally and internationally.

**iii. School Visits**

Cayman Islands Further Education College (CIFEC) has requested an HRC visit to give a presentation on Human Rights. This will consist of two separate assemblies to ensure all students can attend. CIFEC and Members agreed for these presentations to take place on April 1<sup>st</sup> and 2<sup>nd</sup>. The age group of the students is 16-17 years. The Chairman agreed to circulate a presentation framework to Members for input and further discussion.

**b. Migrants**

The Secretariat received a response from the Director of Legal Aid in regards to the issue of asylum seekers receiving Legal Aid. The Director stated that the Legal Aid Department would be willing to fund legal representation for asylum seekers who are detained and without the means to fund their own representation. However, this provision is currently not extended to tribunal cases in the law and would be at the discretion of the Director. The Director also confirmed that the Legal Aid lawyers that would be called upon to represent asylum seekers would be those involved in criminal cases.

Members discussed that the Cayman Islands Legal Practitioners Association (CILPA) may have a list of lawyers willing to provide legal assistance to asylum seekers on a pro bono basis. The Secretariat will contact CILPA for a copy of this list and to determine the scope of the lawyers' involvement. Once the list is received, Members would like to set up a meeting with representatives to discuss further.

The Secretariat has not yet received a response from the Governor's Office UK contacts to determine if there is a written rationale for providing interpreters and legal representation in the UK.

The HRC had previously requested a breakdown of the migrant figures provided by CBC to compare the current trends to those from before the changes to the CBC Act. In addition, Members had requested an amendment to one of the Asylum Interview Questions noted in the last CBC meeting. The Secretariat followed up on both of these action points but have yet to receive a response. The next Quarterly meeting with CBC will be scheduled and the issues can be addressed in the meeting.

**c. Prison Updates**

There were no updates to provide at this time.

**d. HRC Annual Report**

Members were informed that the finalised 2023 Annual Report had been sent to the Office of the Deputy Governor for review and to be laid before Parliament. The first draft of the 2024 Annual Report was issued to Members also and will be circulated on email for their comment.

**e. Child Safeguarding**

A Detective Inspector in the Multi-Agency Safeguarding Hub (MASH) provided the policy and procedure document Officers should follow when interviewing minors. The Members had been concerned that this policy may not always be followed, as they have become aware of some potential breaches. The Secretariat emailed the Detective Inspector to follow up on some additional queries and are yet to receive a response. The Secretariat will follow up with MASH.

**f. Mental Health**

A visit to the Poinciana mental health facility has been scheduled for March 11<sup>th</sup> and Members will report back on their visit in the next meeting.

**4. Human Rights Complaints and Enquiries**

**OLD:**

**a. Update on Human Rights Enquiry 002/2019**

There was no update at present. 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. Management sent an email to this effect and are awaiting a response. A follow-up email was sent.

**c. Update on Human Rights Complaint 002/2024**

An appeal related to this complaint is underway. The parties are waiting on the judgement of the appeal. The Secretariat will continue to monitor this case.

**d. Update on Human Rights Complaint 010/2024**

The substance of the complaint was deemed to be of a personal nature and outside the remit of the HRC. One issue raised will need further investigation and the Secretariat will request the Complainant send in further evidence in regards to claims of unlawful detention. A letter has been drafted and sent to the Complainant.

**e. Human Rights Complaint 001/2025**

The Director of the Department in question has been in contact in regards this complaint and has agreed to review a new application. The Complainant sent the Application and is awaiting a decision. The Secretariat will follow up with the Complainant before the next meeting.

**NEW:**

**f. Human Rights Complaint 002/2025**

The issue raised in this complaint has since been rectified, however, the HRC will write to Cabinet to find out more about the delay.

**g. Human Rights Complaint 003/2025**

There does not appear to be a current human rights issue with regards to this complaint, however the Secretariat will follow up with the Complainant in due course.

**5. New Business**

None

**6. AOB**

Members were informed of a complaint that was received from a private person in regards to a private property issue, however, this was outside of the HRC remit and was not accepted.

**7. Action Items**

**It was resolved the Secretariat would:**

- a.** The Secretariat is to progress the BOR training and provide an update in the next meeting, as

outlined in 3.a.ii (PR and Education Coordinator and Management).

- b. The Chairman is to circulate an outline for the CIFEC presentations for Members' comment and input, as outlined above in 3.a.iii (PR and Education Coordinator).
- c. The Secretariat will engage with MoBCLC and CBC to schedule the next quarterly meeting to discuss the issues outlined and contact CILPA in regards the pro-bono lawyers list progress, as outlined in 3.b. above (Administrator/Analyst and Management).
- d. The Secretariat will email the draft 2024 Annual Report to Members for review and comment, as outlined in 3.d. above (Administrator/Analyst).
- e. The Secretariat will follow up with the relevant Department in regards to questions from Members regarding the interviewing of minors, as outlined in 3.e. above (Management).
- f. Members will provide a report of the visit to Poinciana in the next meeting, as outlined in 3.f. above (HRC Members).
- g. The Secretariat will draft correspondence for all complaints and enquiries as detailed above (Administrator/Analyst).

#### **8. Items to be Discussed at the Next Meeting**

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

#### **9. Next Meeting**

The next meeting will be scheduled via round robin.

#### **10. Adjournment**

The meeting was adjourned at 4:56pm.



**Benjamin Tonner KC**  
**CHAIRMAN**  
**HUMAN RIGHTS COMMISSION**