

**MINUTES
MEETING OF THE HUMAN RIGHTS COMMISSION
16 APRIL 2015
CONFERENCE ROOM
CAYMAN CORPORATE CENTRE**

PRESENT:	James Austin-Smith	Chairman
	Chelsea Frazier-Rivers	Member
	Lisa-Ann Hurlston-McKenzie	Member
	Ben Tonner	Member

APOLOGIES: Reverend Donovan Myers Member

COMMISSIONS SECRETARIAT MEMBERS PRESENT:
Deborah Bodden Manager

1. Meeting called to order

The meeting was called to order at 2:35pm.

2. Confirmation of Previous Minutes

The 12 March 2015 minutes were approved.

3. Matters Arising from Previous Minutes

a. Outstanding Research Projects

Deportation and Prohibited Immigrants

The Secretariat continues, on behalf of the Commission, to liaise with the relevant authorities in order that this matter may be further progressed.

b. Matters arising from the meeting with HM Prisons Inspectorate Team

The Manager forwarded, on 9 April 2015, the Chairman's correspondence to the relevant senior government officials requesting an update on the situation with the use of the current police cells and the modular ones which arrived on island some time ago. The public authority was asked to provide a response by no later than 20 April 2015.

c. 2014 Annual Report

The 2014 Annual Report was laid in the House on 15 April 2015 and will now be uploaded to the website and Facebook page following today's meeting.

d. HR Seminar

The Commission has been informed that the previously scheduled seminar being facilitated by Mark Summers, QC and others at Matrix Chamber has been postponed.

e. 2015 Strategic Plan

The Commission still did not have the full membership in attendance however it was recognised that the Commission is very busy at the moment dealing with complaints and reviewing legislation. As such, it was agreed that the Commission would defer this matter until the outstanding matters could be dealt with.

f. Legal Aid Bill 2015

The Commission reviewed the Bill and submitted its comments to the Law Reform Commission. Those comments will now be posted on the website and Facebook page.

g. Policies and Procedure Manual

The Commission reviewed and confirmed the changes made to the Policies and Procedures Manual.

4. New Business

a. Non-Profit Organisation Bill 2015

The Commission has agreed it wishes to review the Non-Profit Organisation Bill, 2015 for compliance with the Bill of Rights. The Bill will be forwarded to all members. It is not known the deadline for the submission of comments.

5. Human Rights Complaints

a. Update on Human Rights Complaint 014/2013

Members were updated on this complaint. No further action by the Commission is necessary at this time as the public authority is working with the complainant to resolve the matter.

b. Update on Human Rights Complaint 019/2013

Members were updated on this complaint. The Manager continues to try to work with the relevant public authority to resolve this matter.

c. Update on Human Rights Complaint 006/2014

Members were updated on this complaint. No further action by the Commission is necessary at this time.

d. Update on Human Rights Complaint 014/2014

Members were updated on this complaint. The Manager continues to try to work with the relevant public authority to resolve this matter.

e. Update on Human Rights Complaint 002/2015

The Commission has corresponded with the public authority requesting further information in this matter but has not yet had a response. The public authority was asked to provide a response by no later than 29 April 2015.

f. Update on Human Rights Complaint 003/2015

The Commission has corresponded with the public authority requesting further information in this matter but has not yet had a response. The public authority was asked to provide a response by no later than 29 April 2015.

g. Human Rights Complaint 004/2015

The Commission had considered, at the last meeting, the first part of this complaint as it had been received prior to the meeting and had been considered urgent. The Chairman has also met with the complainant in this matter (separate minutes were taken) and the first part of the complaint has been resolved in a manner satisfactory to both the complainant and the Commission. The complainant has requested that the second part of the complaint be deferred until the next meeting.

h. Human Rights Complaint 005/2015

The Commission considered the complaint form and supporting documents in this matter and agreed to draft a letter to the complainant's legal representative requesting further information.

i. Human Rights Complaint 006/2015

The Commission considered the complaint form and supporting documents in this matter and agreed to draft a letter to the public authority requesting further information.

j. Human Rights Complaint 007/2015

The Commission considered the complaint form and supporting documents in this matter and agreed the complaint had been brought outside of the time limit and that as an appeal the matter should be sent to the Privy Council.

k. Human Rights Complaint 008/2015

The Commission considered the complaint form and supporting documents in this matter and agreed to draft a letter to the complainant's legal representative requesting further information.

6. Human Rights Enquiries

a. Human Rights Enquiry 004/2015

The Commission considered the enquiry and agreed to draft a letter to the public authority requesting further information.

b. Human Rights Enquiry 005/2015

The Commission considered the enquiry and agreed the matter did not fall under the purview of the Commission.

c. Human Rights Enquiry 006/2015

The Commission considered the enquiry and agreed prima facie that the matter appeared to be a reasonable and proportionate measure being taken by the public authority and therefore no breach was apparent. However, the Commission encouraged consideration is given to how the complete policy and process would work and whether the potential benefits alluded to would not be outweighed by other concerns.

7. Any Other Business

Minimum Wage Report

The Commission received an email request from a reporter requesting an interview with the Chairman indicating that regarding the Minimum Wage Report and "allegations of domestic worker exploitation." As the Commission has not yet been able to review the entire report, the reporter will be asked to put his questions in writing so the Commission may respond appropriately.

8. Action Items

The Commission was asked to review the Non-Profit Organisation Bill 2015 for compliance with the Bill of Rights, once received.

The Secretariat was asked to:

- a.** Upload the 2014 Annual Report to the website and Facebook page;

- b. Upload the Commission's comments on the Legal Aid Bill 2015 to the website and Facebook page;
- c. Accept the changes in the Policies & Procedures Manual and make the relevant changes to the HRC website;
- d. Forward, to all members, the Non-Profit Organisation Bill 2015;
- e. Draft relevant correspondence for all human rights complaints and enquiries; and
- f. Correspond with the reporter regarding proposed interview regarding the Minimum Wage Report.

9. Items to be Discussed at the Next Meeting

- a. Deportation and Prohibited Immigrants
- b. Use of Police Cells
- c. Non-Profit Organisation Bill 2015
- d. New and Outstanding Human Rights Complaints and Enquiries

10. Next Meeting

The next meeting of the HRC is scheduled for 14 May 2015 at 2:00pm at the offices of the Commissions Secretariat.

11. Adjournment

The meeting was adjourned at 3:46pm.



James Austin-Smith
CHAIRMAN
HUMAN RIGHTS COMMISSION