

**HUMAN RIGHTS COMMISSION (“HRC”)
 1st MEETING OF 2025
 MINUTES
 22 January 2025
 CONFERENCE ROOM
 HRC SECRETARIAT OFFICES**

PRESENT:

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

APOLOGIES:

Melanie McField	Manager
-----------------	---------

SECRETARIAT MEMBERS PRESENT:

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 12 December 2024 were approved with one amend.

3. Matters Arising from Previous Meeting

a. Education Initiatives

i. Social Media Campaign

The next batch of social media posts were approved by Members. The PR & Education Coordinator informed Members that the number of followers on Instagram had increased in December by 97 and the sponsored posts were increasing engagement. More sponsored posts will be arranged.

ii. Bill of Rights Training

Since October there have been 348 enrolments on the Bill of Rights (BOR) interim course and half of these enrolments have completed the course to date. As this is an interim training offer, before the comprehensive course becomes live, the Secretariat is not actively promoting this course.

Final scripts for the new BOR training course have been received and a call was held with the Department of Communications who will be assisting with graphics and a voice over for the course. The Secretariat will now proceed to identify a voice actor to narrate

the course and will arrange further meetings with the Department to discuss storyboards.

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 30-minute visits and two separate assemblies to ensure all students can attend. A few dates were provided by CIFEC and Members agreed that April 1st and 2nd should work best. The age group of the students is 16-17 years, so the primary school presentation will be adapted by the PR & Education Coordinator for this older age group.

b. Migrants

The Administrator/Analyst updated Members on the recent fire at Bodden Town Civic Centre and that the Deputy Chief Fire Officer was contacted again to find out when the joint agency inspection is due to take place. To date a response has not been received so a follow up will be sent.

The Secretariat has 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 would also like an update on the requested amendment to the Asylum Interview Questions noted in the last CBC meeting. The Secretariat will follow up on these requests as nothing has been received to date.

The Secretariat also contacted the Governor's Office to find out more about how the UK processes irregular migrants (particularly when it comes to providing legal advice and translators). Members would like to determine if there is a written rationale for providing interpreters and legal representation in the UK. The Secretariat will contact UK officials accordingly.

Members are concerned there is no legal aid provided for asylum seekers in the Cayman Islands and debated whether they should be entitled to this, just as they would be in the UK. The Secretariat will draft a letter to the Director of Legal Aid in order to determine if this is the case. Members would also like the Secretariat to follow up with the Refugee Protection Appeals Tribunal in regards to the creation of a list of Pro-bono lawyers who would be willing to assist migrants on arrival and to request if this list is now in circulation.

c. Prison Updates

There were no updates to provide at this time.

d. HRC Annual Report

The Chairman reviewed and approved the Chairman's statement for the 2023 Annual Report, which will be incorporated in the finished draft and sent to Communications to be finalised. In addition, the 2024 Annual Report is being prepared and an initial draft should be ready for review by Members at the next meeting.

e. Child Safeguarding

The Ministry contacted an Officer in MASH who provided the policy and procedure document Officers should follow when interviewing minors. The Members are concerned that this policy may not always be followed, as they have become aware of some potential breaches. The HRC

would like to find out if Officers are trained on this policy and how many child interviews are undertaken per year. The Secretariat will contact MASH to gather the information requested.

f. Mental Health

Unfortunately, Members were unable to attend the grand opening of the new mental health facility, Poinciana, due to short notice. The Secretariat contacted the relevant Director to schedule a visit for Q1 2025 and is awaiting a response.

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.

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.

d. Update on Human Rights Complaint 008/2024

The Secretariat contacted the Department to discuss a possible gap in service. The Director emailed the regulations, which highlighted that there was no gap. This file will be closed.

e. Update on Human Rights Complaint 010/2024

The majority 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.

f. Update on Human Rights Complaint 015/2024

Following review of the independent legal advice, the HRC decided that it was not appropriate to intervene in this case. This file will be closed.

NEW:

g. Human Rights Complaint 001/2025

Members reviewed the complaint in regards a child being refused dependent status on the Complainant's Residency and Employment Rights Certificate. The relevant department will be contacted and more information will be sought on the outcome of the appeal submitted.

5. New Business

None

6. AOB

The Secretariat advised that another complaint was received verbally, however, they are awaiting the submission of the formal complaint form for Members to review.

7. Action Items

It was resolved the Secretariat would:

- a. The Secretariat is to progress the BOR training with the Communications Department and provide an update in the next meeting, as outlined in 3.a.ii (PR and Education Coordinator and Management).
- b. Adapt the Primary school presentation for an older audience, as outlined above in 3.a.iii (PR and Education Coordinator).
- c. Engage with CBC and the Governor's office in regards to Members' follow-up queries following the last CBC meeting and responses so far, and contact RPAT in regards the pro-bono lawyers list progress, as outlined in 3.b. above (Administrator/Analyst).
- d. Send the 2023 Annual Report to Communications with the approved Chairman's statement and prepare a first draft of the 2024 Annual Report for Members to review in the next meeting, as outlined in 3.d. above (Administrator/Analyst).
- e. Follow up with the relevant Department in regards to follow up questions from members regarding the interviewing of minors, as outlined in 3.e. above (Administrator/Analyst).
- f. Follow up with the Director of the facility to schedule a visit for Q1 2025, as outlined in 3.f. above (Administrator/Analyst).
- g. 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 for 26 February 2025.

10. Adjournment

The meeting was adjourned at 5.32pm.



Benjamin Tonner KC
CHAIRMAN
HUMAN RIGHTS COMMISSION