



1ST APRIL 2017 – 30TH SEPTEMBER 2017

Equality & Human Rights Commission Interim Report



Overview

In the first half of this year the Commission has continued to be very busy with enquiries and with assisting our clients with cases ranging from homelessness and domestic violence to access to justice and same sex marriage.

The Commission has now published its first Annual Report. This is available to the public through the Library and on our website at www.humanrightstshelena.org

We now have our full complement of Commissioners, chaired by Cathy Harris Cranfield, Danielle Anthony is deputy chair and they are assisted by Janine Egan and Barry Francis. We are also delighted to announce that our CEO, Catherine Turner, has been awarded a Master's degree in Human Rights Law. All the Commissioners and staff are currently engaged in completing the

MOOC diploma in Human Rights via distance learning.

Following from the General election there have been three major pieces of legislation with potential human rights implications.

The first of these is deals with the working age of children, the next plugs a gap in our legislation which currently does not adequately protect the survivors of abuse and the third involves a dilution of the 2016 Marriage Bill to allow for Civil Union rather than Civil Marriage. The EHRC's full feedback to the Social and Community Development Committee is available on our website.

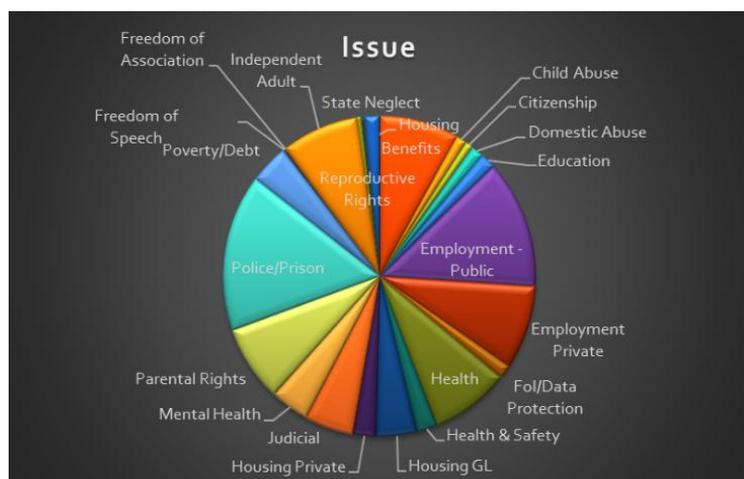
Equality in Marriage

The commission has been joined as Intervener in the Supreme Court Application by two men who wish to marry. In law, intervention is a procedure to allow a nonparty, called intervener to join ongoing litigation, either as a matter of right or at the discretion of the court, without the



permission of the original litigants. The basic rationale for intervention is that a judgment in a particular case may affect the rights of nonparties, who ideally should have the right to be heard. In this case the Commission will be providing the Court with information on the current international status of marriage equality and being the voice of the Saint LBGT community both here and overseas.

This case will be heard in February 2018 unless the Elected Members take the decision to enact the 2016 Marriage Bill allowing same-sex couples to marry. It is the Commission's view that Civil Union will not be acceptable under the Constitution of St Helena, Ascension Island and Tristan da Cunha.



The Commission has had 126 new contacts in the first 6 months of the year, the majority of whom have been referred to another agency (see fig 2). 61 have issues which potentially have human rights implications and are therefore being assisted by the EHRC. The key areas of concern remain the Prison which fails to reach human rights standards structurally and Employment. The lack of proper protection for employees in the private sector is particularly concerning as it leaves people open to exploitation. There is also a real inequality of arms in both the public and private sector when it comes to adequate representation at official meetings. In one case (not an employment matter) a person appealing a decision by the Education Directorate was told she could not take a legal representative, in fact she had to press to be allowed a representative at all – yet the Education Committee had Crown Council present. Our Key focus for the coming months will be the prison, employment and legislation focused on promoting and protecting equality.

Commitments v Achievements

The Commission committed that this financial year our priorities will be:

1. Developing the Commission through
 - a. Publicising the Commission and its role to develop public awareness
 - b. Agreeing and establishing reporting and communication systems
2. Dealing with whatever issues are brought to us by members of the public
3. Personal training and development
4. Work towards the elimination of discrimination; and harassment through assisting with the development of Equality Legislation, sexual harassment legislation and strong domestic abuse legislation
5. Encourage St Helena Government (SHG) to act on specific issues; reviewing and advising on new legislation and policies
6. Be the statutory monitoring body required when the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) is extended to St Helena
7. Provide advice, education and training and undertake research on relevant issues.

In the first half of this year the Commission has achieved or is on track to achieving all of those commitments. We have:

- 🐝 Received 126 new contacts/ enquiries compared to 72 in the same period last year
- 🐝 Driven the development of the Training and Employment Support Scheme designed to support those with disabilities into the work place.
- 🐝 Written Articles/been interviewed for the newspapers on various subjects
- 🐝 Carried out research and assisted in the preparation of the impending Supreme Court case.
- 🐝 Regularly met with Safeguarding, the Public Solicitors office, Housing and the Social & Community Development Committee
- 🐝 Delivered our Annual Report
- 🐝 Acted as litigation friend to 4 vulnerable adults
- 🐝 Work is developing on setting up a Gender Unit as the monitoring body for CEDAW
- 🐝 Research on various topics has been carried out for various elected members and officials.
- 🐝 Assisted in the Human Rights module of the police training carried out by Craig Ogbourne.