



Cayman Islands Expungement Board

Office of the Deputy Governor
Cayman Islands Government

2023 ANNUAL REPORT

Table of Contents

Foreword on Behalf of the Expungement Board	2
The Board's Report.....	3
Introduction	3
Expungement Statistics for the 2023 Calendar Year.....	3
Table 1: 2023 Expungement Statistics (Processed by Expungement Board) – Sentences Exceeding 5 years	4
Table 2: 2023 Expungement Statistics (Processed by Expungement Board) – Sentences NOT Exceeding 5 years	4
Table 3: Total applications processed per year by the Expungement Board.....	6
Table 4: 2023 Expungement Statistics (Processed by Criminal Records Office) – Sentences NOT exceeding 5 years	6
The Board	9

Foreword on Behalf of the Expungement Board

The Expungement Board (“the Board”) has been seeking to recruit a Chairman since Oct 2023. During this time, board members have elected a member of the board to lead the meetings. For the period covered by this Report, Mr. Michael Bromby was elected to write the Foreword on behalf of the Expungement Board.



Mr Michael Bromby
Member of the
Expungement Board

Since 2018, the Expungement Board (“the Board”) has seen the benefits of the expungement process. Individuals with a criminal record may encounter challenges across various aspects of their lives, making it difficult to move forward once they have served their sentence. The expungement process has proven to be a progressive way to permit persons to close a chapter on a past error of judgment.

In many instances, employers are hesitant to employ people with a criminal record and often opt to hire those with no known criminal history. Similarly, a criminal conviction can prevent persons from holding specific professional or occupational licenses, or even prevent overseas travel. Therefore, persons whose records are expunged have the ability to pursue a variety of opportunities that may not have been available to them with a criminal record.

Whilst the law does permit convictions to be expunged, there are checks and balances in the system to prevent certain offences from being expunged, such as murder, serious offences against the person, offences relating to firearms those or relating to the care and protection of children and vulnerable persons. The law often requires persons to disclose expunged records for professions such as attorney-at-law, medical practitioner and school teacher, amongst others.

Helping persons avoid the stigma attached to being convicted of certain criminal offences has been personally rewarding for each Board member. Reflecting on the Board's work, it is noted that a total of 48 applications were reviewed by the Board in 2023, resulting in the approval of 26 applications. It should be noted that the administrative procedures related to “Automatic Expungement” (sentences not exceeding five years) have been taken over by the RCIPS Criminal Records Office following advice received in February 2023.

On behalf of the Expungement Board, I would like to extend my appreciation for the invaluable support offered by the Office of the Deputy Governor, including the exemplary secretariat services provided to the Board. The Office of the Deputy Governor has been instrumental in providing strategic and operational advice and support throughout this period.

Mr Michael Bromby

On behalf of the Expungement Board

The Board's Report

Introduction

This document represents the fifth Annual Report of the Cayman Islands Expungement Board, which provides a detailed account of the Board's activities during the period from January to December 2023. This report, for the first time also includes data provided to the Board on the number of "Automatic Expungements" approved by the Criminal Record Office (CRO), as of February 2023.

Expungement Statistics for the 2023 Calendar Year

According to Section 44 of the Criminal Records (Spent Convictions) Act (2018 revision), the Board is required to submit an annual report to the Governor. This report should include the following information: the number of applications for expungement of criminal records that have been made for the offences mentioned in Schedule 2 of the Act; the number of approved or disapproved expungements of criminal records for those offences, categorized by the related offence and district of residence (where applicable), and any additional information required by the Governor.



Tables 1 to 5, below, provide details of the applications for Expungement processed by the Expungement Board during the 2023 calendar year.

Table 1:

2023 Expungement Statistics (Processed by Expungement Board) – Sentences Exceeding 5 years			
Applicant's Country of Residence (District if applicable)	Type of Offence	Final Decision	Number of Expungement Applications Received
Overseas, Jamaica	Importation of Cocaine, Possession of Cocaine with intent to supply	Deferred	1
Overseas, Jamaica	Being concerned in the importation of cocaine	Approved	1
Overseas, Jamaica	Importation of Cocaine	Approved	1
Total:			3

Table 2:

2023 Expungement Statistics (Processed by Expungement Board) – Sentences NOT Exceeding 5 years			
Applicant's Country of Residence (District if applicable)	Type of Offence	Final Decision	Number of Expungement Applications Received
Grand Cayman, Bodden Town	Robbery, Consumption of Ganja	Approved	1
Grand Cayman, George Town	Damage to property	Approved	1
Grand Cayman, West Bay	Failing to Surrender to Custody, Consumption of Ganja, Possession of Ganja	Approved	1
Grand Cayman, North Side	Failing to Surrender to Custody	Approved	1
Overseas, Jamaica	Failing to Surrender to Custody	Approved	1
Grand Cayman, West Bay	Being concerned in the importation of Ganja , Failing to Surrender to Custody	Approved	1
Overseas, Jamaica	Possession of Ganja with Intent to Supply	Approved	1
Grand Cayman, George Town	Common Assault, Insulting the modesty of a woman, Failing to Surrender to Custody, Intentional harassment, alarm or distress	Not Eligible	1
Overseas, Jamaica	Robbery, Possession of an imitation firearm with intent to commit an offence	Deferred	1
Grand Cayman, George Town	Damage to property, Obtaining Property by deception	Not Eligible	1
Grand Cayman, George Town	Damage to property, Failing to Surrender to Custody	Not Eligible	1
Grand Cayman, Bodden Town	Failing to Surrender to Custody	Approved	1
Grand Cayman, East End	Assault Causing Actual Bodily Harm	Approved	1
Grand Cayman, Bodden Town	Failing to Surrender to Custody	Not Eligible	1
Grand Cayman, Bodden Town	Conspiracy to export ganja, Conspiracy to export ganja/Attempting to export ganja	Not Eligible	1

Cayman Brac	Consumption of Ganja, Failing to Surrender to Custody, Possession of Ganja	Approved	1
Grand Cayman, West Bay	Consumption of Ganja, Possession of Ganja	Approved	1
Grand Cayman, West Bay	Common Assault, Resisting Arrest, Breach of Bond, Carrying a restricted weapon	Not Eligible	1
Grand Cayman, George Town	Consumption of Ganja, Possession of Ganja	Approved	1
Grand Cayman, East End	Consumption of Ganja, Possession of Ganja	Approved	1
Grand Cayman, George Town	Possession of Ganja	Approved	1
Grand Cayman, East End	Possession of Ganja	Approved	1
Grand Cayman, George Town	Wounding with intent	Not Eligible	1
Grand Cayman, Bodden Town	Consumption of Ganja	Approved	1
Grand Cayman, George Town	Theft	Spent Under Previous Law	1
Grand Cayman, George Town	Common Assault, Damage to property, Possession of Ganja, Wounding with intent	Not Eligible	1
Grand Cayman, George Town	Failing to Surrender to Custody	Not Eligible	1
Overseas, Jamaica	Insulting the modesty of a woman	Approved	1
Grand Cayman, George Town	Disorderly Conduct	Automatic Expungement (Referred to CRO)	1
Grand Cayman, George Town	Assault causing Actual Bodily Harm, Failing to Surrender to Custody, Theft	Automatic Expungement (Referred to CRO)	1
Overseas, Honduras	Giving false name and address to a Police Officer, Taking a conveyance without authority	Not Eligible	1
Grand Cayman, West Bay	Going equipped for stealing	Not Eligible	1
Grand Cayman, Bodden Town	Causing Fear or Provocation of Violence	Not Eligible	1
Grand Cayman, George Town	Importation of Ganja	Approved	1
Grand Cayman, Bodden Town	Taking a conveyance without authority	Approved	1
Grand Cayman, George Town	Damage to property	Not Eligible	1
Grand Cayman, George Town	Damage to property	Approved	1
Grand Cayman, George Town	Giving false name and address to a Police Officer	Automatic Expungement (Referred to CRO)	1
Overseas, France	Common Assault	Approved	1
Grand Cayman, George Town	Failing to Surrender to Custody	Approved	1
Grand Cayman, West Bay	Consumption of Ganja, Possession of Ganja	Approved	1
Grand Cayman, Bodden Town	Consumption of Ganja, Possession of Ganja	Approved	1
Grand Cayman, George Town	Acting as a security guard without a license, Carrying on a security business without a license	Automatic Expungement (Referred to CRO)	1
Grand Cayman, George Town	Breach of Curfew	Not Eligible	1

Grand Cayman, Bodden Town	Consumption of Ganja, Possession of Ganja, Refusing to provide a urine specimen	Deferred	1
Total:			45

Table 3

Total applications processed per year by the Expungement Board					
2018	2019	2020	2021	2022	2023
6	52	23	52	101	48

Table 4:

2023 Expungement Statistics (Processed by Criminal Records Office) – Sentences NOT exceeding 5 years		
Country of Residence (District if applicable)	Type of Offence	Number of Expungements by CRO
George Town, Grand Cayman	Defilement of a girl	1
George Town, Grand Cayman	Failing to surrender to custody	1
West Bay, Grand Cayman	Defilement of a girl under 16, Threatening violence, Wounding, Possession & consumption of Ganja	2
West Bay, Grand Cayman	Importation of Forged Currency Notes	1
George Town, Grand Cayman	Wounding	1
George Town, Grand Cayman	Failing to surrender to custody, Aiding & abetting, Unlawful payment for a work permit	1
George Town, Grand Cayman	Taking conch above the prescribed daily limit	1
Bodden Town, Grand Cayman	Causing fear or provocation of violence	1
George Town, Grand Cayman	Failing to surrender to custody	1
Watering Place, Cayman Brac	Indecent Assault on a female	1
George Town, Grand Cayman	Failing to surrender to custody, Theft	1
West Bay, Grand Cayman	Failing to provide a specimen of urine	1
North Side, Grand Cayman	Possession & Consumption of cocaine, Carrying an offensive weapon	1
George Town, Grand Cayman	Assault causing actual bodily harm	1
Bodden Town, Grand Cayman	Threats to kill, Wounding	1
North Side, Grand Cayman	Assault ABH, Damaged to Property, Possession of an offensive weapon	1
Bodden Town, Grand Cayman	Misconduct in public office	1

Bodden Town, Grand Cayman	Failing to surrender to custody	1
George Town, Grand Cayman	Common Assault	1
George Town, Grand Cayman	Disorderly conduct	1
West Bay, Grand Cayman	Possession of a speargun without a valid license	1
George Town, Grand Cayman	Burglary	1
George Town, Grand Cayman	Theft	1
George Town, Grand Cayman	Theft	1
George Town, Grand Cayman	Failing to surrender to custody	1
George Town, Grand Cayman	Theft, Possession of an imitation	1
West Bay, Grand Cayman	Failing to surrender to custody	1
George Town, Grand Cayman	Taking turtles during closed season	1
George Town, Grand Cayman	Assault ABH, Failing to surrender to custody	1
George Town, Grand Cayman	Damaged to Property	1
West Bay, Grand Cayman	Damaged to Property	1
North Side, Grand Cayman	Unlawful gaming, Possession of criminal property	1
West Bay, Grand Cayman	Arson, Contempt of court, Handling stolen goods, Burglary	1
George Town, Grand Cayman	Failing to surrender to custody	1
George Town, Grand Cayman	Threats to kill	1
George Town, Grand Cayman	Threats to kill	1
Watering Place, Cayman Brac	Theft	1
West Bay, Grand Cayman	Assault ABH	1
Bodden Town, Grand Cayman	Possession of an unlicensed speargun	1
West Bay, Grand Cayman	Disorderly conduct, Insulting the modesty of a woman	1
George Town, Grand Cayman	Aggravated burglary	1
George Town, Grand Cayman	Disorderly conduct, Resisting arrest	1
George Town, Grand Cayman	Theft	1
George Town, Grand Cayman	Failing to surrender to custody	1
George Town, Grand Cayman	Failing to surrender to custody	1
West Bay, Grand Cayman	Failing to surrender to custody	1
Bodden Town, Grand Cayman	Failing to surrender to custody	1
West Bay, Grand Cayman	Attempted to obtain property by deception, Theft, Failing to surrender	1
West Bay, Grand Cayman	Failing to surrender to custody	1
Bodden Town, Grand Cayman	Forgery, Making documents without authority, Obtaining property by deception, Transfer of criminal property, Theft, Consumption of cocaine, Possession of a utensil used in the preparation of a controlled drug	1
Bodden Town, Grand Cayman	Assault ABH, Failing to surrender to custody	1
Bodden Town, Grand Cayman	Insulting the modesty of a woman	1
George Town, Grand Cayman	Common Assault	1

West Bay, Grand Cayman	Failing to surrender to custody	1
George Town, Grand Cayman	Wounding	1
Bodden Town, Grand Cayman	Failing to surrender to custody	1
George Town, Grand Cayman	Giving false name and address to a police officer in execution of duty	1
George Town, Grand Cayman	Disorderly conduct	1
Bodden Town, Grand Cayman	Wounding	1
Watering Place, Cayman Brac	Assault ABH	1
George Town, Grand Cayman	Theft	1
George Town, Grand Cayman	Failing to surrender to custody x2	1
East End, Grand Cayman	Failing to surrender to custody x2	1
George Town, Grand Cayman	Unlawful assembly	1
Bodden Town, Grand Cayman	Attempted theft	1
North Side, Grand Cayman	Common assault, Damaged to property	1
George Town, Grand Cayman	Assault ABH	1
Bodden Town, Grand Cayman	Suffering ferocious dogs to be at large	1
George Town, Grand Cayman	Failing to surrender to custody	1
George Town, Grand Cayman	Failing to surrender x2	1
George Town, Grand Cayman	Possession of an offensive weapon	1
George Town, Grand Cayman	Taking conveyance without authority, Failing to surrender to custody	1
Bodden Town, Grand Cayman	Failing to surrender to custody x2	1
George Town, Grand Cayman	Selling lottery tickets, Possession of lottery tickets	1
George Town, Grand Cayman	Common assault	1
East End, Grand Cayman	Obtaining property by deception x2	1
West Bay, Grand Cayman	Taking marine life from a marine park, Taking conch during closed season	1
Bodden Town, Grand Cayman	Theft	1
George Town, Grand Cayman	Acting as a security guard without a licence	1
Bodden Town, Grand Cayman	Failing to surrender to custody	1
West Bay, Grand Cayman	Possession of explosives without authority	1
West Bay, Grand Cayman	Obtaining property by deception	1
George Town, Grand Cayman	Refusing to provide a specimen of urine	1
West Bay, Grand Cayman	Taking conveyance without authority	1
Bodden Town, Grand Cayman	Failing to Surrender to custody, Obstructing Police	1
Bodden Town, Grand Cayman	Taking conch above the prescribed daily limit, Taking conch during closed season	1
Total:		86

The Board

As prescribed in the Act, the membership of the Board may include individuals selected from the following categories:

- Attorneys-at-law of at least five years standing;
- Judges or retired judges;
- Magistrates;
- Persons interested in the rehabilitation of persons convicted of criminal offences;
- Psychiatrists or psychologists;
- Social workers;
- Members of the public, including justices of the peace, ministers of religion, etc.

The Governor appoints no more than five members to the Board. The appointment of members shall be for a period not exceeding three years and each member is eligible for reappointment.

The membership of the Expungement Board in the year under review is as follows:

Board 2023:

Mrs. Marilyn Brandt, Chairman – Until 1st October 2023

Mr. Michael Bromby, Member

Mr. Hugh Lockwood, Member

Mr. Ben Tonner, Member – Appointed on 25th October 2023

Mrs. Kayleigh Wright, Member

