

HUMAN RIGHTS COMMISSION

CAYMAN ISLANDS

Human Rights Commission 2025 Annual Report

July 2026

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Statement from the Chair

It is my privilege to present the Annual Report of the Cayman Islands Human Rights Commission for 2025.

This year has been marked by continued engagement, careful scrutiny, and a reaffirmation of the Commission's constitutional mandate to promote, protect, and preserve human rights across the Islands. The work of the Commission has spanned a broad range of issues, reflecting both longstanding concerns and emerging challenges within our community.

Throughout 2025, the Commission has maintained a strong focus on the rights of vulnerable groups, including migrants, detainees, and individuals experiencing mental health challenges. Our engagement with public authorities, civil society, and legal stakeholders has sought to ensure that policy and practice remain aligned with the fundamental rights and freedoms enshrined in the Cayman Islands Constitution.

In particular, the Commission has continued to monitor conditions within the prison system, raising concerns regarding mental health provision, overcrowding, and access to appropriate care. We have also contributed to public consultation processes on proposed legislation, ensuring that human rights considerations remain central to legislative development.

Alongside this oversight role, the Commission has expanded its efforts in education and outreach. Engagement with schools, public servants, and the wider community remains essential to fostering a culture of respect for human rights. Increased public awareness and dialogue are critical to ensuring that rights are not only protected in law but understood and upheld in practice.

The Commission has also continued to fulfil its investigatory function, receiving and assessing complaints from members of the public. While the number of complaints remains modest, they provide important insight into the areas where individuals perceive their rights to be at risk, and they guide the Commission's ongoing work.

None of this work would be possible without the commitment of my fellow Commissioners and the support of the Secretariat. I also extend my thanks to the many

public authorities, organisations, and individuals who have engaged constructively with the Commission over the past year.

As we look ahead to 2026, the Commission will continue to prioritise education, constructive engagement, and the monitoring of key human rights issues affecting the Cayman Islands. We remain committed to ensuring that the principles of dignity, fairness, and equality are reflected in all aspects of public life.

Benjamin Tonner, KC

Chairman, Cayman Islands Human Rights Commission

Monitoring Human Rights in Policy, Practice and Legislation

Migrants Policy

During 2025, the Human Rights Commission (HRC) devoted significant attention to the human rights of migrants and asylum seekers, with a particular focus on access to legal representation, procedural fairness, and conditions of detention.

The HRC continued its engagement with Customs and Border Control (CBC) and relevant stakeholders to address long-standing concerns regarding asylum procedures. Engagement with the Legal Aid Department confirmed that, although asylum seekers are not automatically entitled to legal aid, assistance may be granted at the discretion of the Director in certain circumstances.

The Commission also worked closely with the Cayman Islands Legal Practitioners Association (CILPA) to facilitate the establishment of a roster of pro bono attorneys willing to assist detained migrants. In parallel, engagement continued with the Cayman Islands Legal Assistance Clinic (CILAC), which proposed providing support in the asylum process, including appeals, legal clinics, and targeted training.

Throughout the reporting period, the HRC sought clarification from CBC on migrant statistics, interview procedures, and policy safeguards. Updated arrival statistics were eventually provided, and the Commission was informed that asylum interview questions which had raised human rights concerns were removed from use. A joint meeting with CILPA and CILAC was scheduled, with plans for the development of minimum standards and the possible establishment of a memorandum of understanding with CBC during the following year.

Child Safeguarding

During 2025, the HRC revisited policies governing the interviewing of minors by law enforcement. Following engagement with the Multi-Agency Safeguarding Hub (MASH), Members received clarification regarding applicable procedures and safeguards. The Commission was satisfied that appropriate protections are in place and closed the matter following receipt of the responses.

Immigration (Transition) Amendment and Validation Bill 2025

The HRC reviewed the Immigration (Transition) Amendment and Validation Bill 2025, which proposed, among other matters, extending the residency requirement for eligibility for Caymanian status to 22 years. Members prepared a written submission identifying key human rights concerns, particularly in relation to proportionality, legal certainty, and the impact on affected individuals and families. The submission was provided during the public consultation period.

Beneficial Ownership Register

The HRC monitored proposed legislative amendments relating to public access to beneficial ownership information. A UK-based barrister was engaged to provide an expert legal opinion addressing constitutional considerations and Cayman-specific implications. The opinion was received during the reporting period and circulated to Members for review and discussion.

Engagement with Public Officials, Civil Society and the Media

Prison Updates

The Commission continued to monitor conditions within the prison system, with particular concern regarding Northward Prison. During the reporting period, the HRC became aware of a marked increase in the number of prisoners presenting with mental health conditions, including a significant rise in those requiring psychotropic medication. Members also noted reduced access to psychiatric services, ongoing overcrowding, and limitations on the ability to appropriately segregate vulnerable prisoners.

The HRC wrote formally to the responsible Ministry, copying senior government officials, to raise concerns and to seek information regarding interim measures pending construction of a new prison facility. These concerns were also raised directly with the Premier and attracted media attention. Planning for further prison monitoring visits continued, with a visit to Northward Prison scheduled for early 2026.

Media

In July, the HRC received a request for comment on the conditions at Northward Prison and the concerns around the rise in mental health issues. The HRC issued the following statement:

"The Human Rights Commission (HRC) is deeply concerned by recent reports regarding the significant rise in mental health issues among inmates at HMP Northward. Management has advised that 70 inmates—approximately 30% of the total prison population—are currently under the care of the visiting Psychiatrist and prescribed psychotropic medication, up from just 10 in recent months.

The Commission is particularly troubled by the reduction in psychiatric services within the prison, as visits by the Psychiatrist have been cut from weekly to biweekly following the opening of the Poinciana mental health facility. This shift has stretched resources thin and limited access to essential care for prisoners.

In addition, the inability to separate individuals with mental health conditions from the general population, due to overcrowding and lack of adequate facilities, has exacerbated tensions within the prison. We have been informed of a marked increase in unrest, including cell fires and inmate altercations.

The HRC recognises the efforts made under challenging circumstances but urges the government to act swiftly to address the growing mental health crisis in the prison system. We welcome continued dialogue on this issue to ensure that the treatment of all inmates remains consistent with international human rights standards."

Human Rights Awareness, Education, Events and Presentations

Awareness and Social Media

The Commission maintained an active social media presence throughout 2025 to raise awareness of human rights issues and the work of the HRC. Performance updates were regularly provided to Members, and content was strategically planned and approved in advance.

Engagement increased across the year, with a notable 11% increase in followers reported in May. Sponsored posts were used strategically around key dates, including World Children's Day and Human Rights Day. It was noted that boosted posts received considerably more engagement than unboosted posts.

The HRC also confirmed and reactivated its LinkedIn page to support future professional engagement. Monitoring of engagement trends continued, with adjustments made to improve reach and interaction.

The HRC published posts recognising various local and international observance days to highlight human rights issues, including:

- International Day of Education (24 January)
- National Heroes Day (27 January)
- World Day of Social Justice (20 February)
- International Women's Day (8 March)
- Earth Day (22 April)
- Emancipation Day (5 May)
- International Day of Families (15 May)
- Constitution Day (7 July)
- International Youth Day (12 August)
- International Day of Non-Violence (2 October)
- World Mental Health Day (10 October)
- World Children's Day (20 November)
- Human Rights Day (10 December)

2025 Social Media stats:

- 18 Facebook posts
- 19 Instagram posts
- 1 LinkedIn post
- 758 Facebook followers
- 327 Instagram followers
- 100 LinkedIn Followers

School presentations

School outreach remained a central component of the Commission's education mandate. In 2025, presentations were delivered mostly in smaller, class-based settings, which Members found to be more effective than large assemblies.

The Commission delivered two presentations at the Cayman Islands Further Education College (CIFEC) on 1–2 April, reaching students aged 16–17. On 25 June, Members presented to 77 Year 6 students at Red Bay Primary School across three separate classes. A Human Rights Day presentation was delivered at Sharon Marie Martin Primary

School on 10 December, with media coverage provided by the Cayman Islands Government Communications.

During visits strong student engagement was noted. The Commission intends to expand its outreach programme during the next academic year, prioritising schools not previously visited.

Bill of Rights (BoR) Training

In 2022, the HRC was asked to consider collaborating with the Cayman Islands Government (CIG) to refresh the Bill of Rights training provided to civil servants. After a review of the existing materials, it was decided that the training would be redeveloped.

The HRC continued to offer an interim online Bill of Rights training course while progressing the development of a comprehensive programme. By the end of 2025, enrolment in the interim course exceeded 440 participants. The course was not actively promoted, as it was intended as a temporary measure.

Significant progress was made on the comprehensive training programme. A UK-based specialist provider was engaged to develop a full online course incorporating assessment. Scripts, storyboards, video recordings, and assessment materials were completed and approved during the reporting period. By December 2025, the course had entered the verification stage and is expected to significantly enhance understanding of constitutional rights across the public sector and wider community.

Mental Health

In March 2025, Members visited the newly opened Poinciana mental health facility. The Commission reported positively on the quality of accommodation, staffing, and the range of services being provided, noting that the facility represents a significant improvement in mental health infrastructure in the Cayman Islands.

Notwithstanding this progress, the HRC highlighted ongoing concerns regarding the absence of a secure mental health facility and limited provision for individuals requiring high-risk or critical-care treatment. Members also examined the role and powers of the Mental Health Commission and raised concerns regarding the absence of a dedicated mental health court. The Commission continued to link mental health capacity concerns with pressures observed within the prison system. Engagement with the relevant Ministries remains ongoing.

Alleged Breaches or Infringements of Human Rights

6 November 2012 marked the implementation of the final clauses of the BoR allowing any individual to bring allegations of breaches or infringements of the BoR in the Cayman Islands courts (as was previously the case, individuals may still directly petition the European Court of Human Rights alleging breaches of the obligations under the ECHR.)

As mandated under the Constitution, the Commission continues to receive and investigate complaints that decisions or actions of public officials have breached or infringed the BoR or that local legislation violates their human rights. The Commission receives:

1. complaints of breaches or infringements of any section of the BoR;
2. complaints of breaches or infringements of common law and statutory human rights and freedoms;
3. complaints that any international human rights treaty extended to the Cayman Islands has been breached or infringed.

In the Cayman Islands, constitutional human rights have only a 'vertical application'. 'Vertical application' of human rights means rights can be enforced by a citizen against the CIG and public bodies only – not against other private individuals or companies.

It is important to note that the Commission only accepts complaints of alleged breaches of the Bill of Rights, Freedoms and Responsibilities which have occurred after 6 November 2012. This may be a one-off event that has occurred after 6 November 2012 or may be a continuing infringement of a right. In all cases, unless there is clear evidence that the alleged infringement is continuing, the Commission will not accept a complaint in relation to an alleged infringement that has taken place more than one (1) year prior to the date of the complaint.

During this reporting year, the Commission received 14 complaints from members of the public alleging breaches of their human rights by public officials. Of those cases, 3 remained open at the end of this reporting year.

In respect of the cases remaining open, at the end of 2025 the Commission continues to be in correspondence with the relevant public authorities. In addition to the above, 1 complaint from 2024 remains open, all other complaints from previous years have been closed.

2025 also saw 3 formal enquiries made to the Commission, 2 of which were closed by the end of the year and 1 remains open.

Number of alleged rights breaches in 2025

The chart below illustrates the **alleged** rights breaches in 2025, organised by the rights listed in the Cayman Islands BoR. Note that s.1 – Guarantee of Rights, Freedoms and Responsibilities - has not been included as any possible breach would automatically engage this section.

It is important to note that the chart below represents the views of complainants regarding which of their rights they perceive may have been breached; it does not represent actual breaches. Therefore, this tells us which rights complainants perceive as affecting them in their particular situation, not which rights may be legally relevant to their particular situation. Additionally, complainants often allege breaches of multiple rights.

Bill of Rights Section	Total Complaints	Percentage of Total
Torture & Inhuman Treatment	5	9.8%
Non-discrimination	6	11.8%
Fair Trial	4	7.8%
Lawful Admin Action	3	5.9%
Private & Family Life	4	7.8%
Personal Liberty	6	11.8%
No Punishment without Law	3	5.9%
Life	5	9.8%
Treatment of Prisoners	3	5.9%
Movement	1	2%
Protection of Children	3	5.9%
Expression	2	3.9%
Slavery / Forced Labour	1	2%
Conscience & Religion	4	7.8%
Education	1	2%
TOTAL	**51**	**100%**

*Values in the table above have been rounded up to the nearest decimal.

Number of Complaints by Respondent

The chart below illustrates the public authorities against which formal complaints have been made to the Commission in 2025. It is important to note that multiple public authorities can be cited in a single submission, and these statistics reflect this accordingly.

Respondent Entities	Total Complaints	Percentage of Total
Royal Cayman Islands Police Service	1	5.5%
Judiciary / Courts	3	16.7%
Office of the Deputy Governor (BOTC)	2	11.1%
Workforce Opportunities & Residency Cayman	3	16.7%
Her Majesty's Cayman Islands Prison Service	3	16.7%
Customs and Border Control	3	16.7%
Health Services Authority	2	11.1%
Ministry of Border Control and Labour	1	5.5%
TOTAL	**18**	**100%**

*Values in the table above have been rounded to the nearest decimal.

Recommendations from Own-initiative Investigations

Section 116(6)(a) of the Constitution empowers the Commission to investigate possible breaches or infringements of the Bill of Rights, or any international human rights treaty that has been extended to Cayman, on its own initiative. Each year the Commission agrees on a number of issues to investigate accordingly, and this can represent a significant amount of the Commission's work. While the description of these issues is captured in this Annual Report, the summary below indicates instances where these own-initiative investigations have resulted in recommendations being made to public authorities, or possible breaches being identified. Please note that, due to the nature of own-initiative investigations, recommendations may be made and possible breaches may be identified to public authorities which have not carried out offending actions.

- Ongoing investigation regarding the concerns surrounding the rise in mental health issues in the prison system, overcrowding, and conditions of the prison accommodations.
- Recommendations provided during the public consultation period for the Immigration (Transition) (Amendment and Validation) Bill, 2025.

Acknowledgements

The Commission has worked hard over 2025 to promote human rights in the Islands; however, it would have been impossible for it to have carried out its work without the assistance of many members of the public, private entities and CIG employees. There is not space here to list all those who the Commission would wish to thank, however, we do wish to acknowledge the following individuals, companies and public authorities, who over the past year have provided particular assistance to our endeavours to promote compliance with the BoR:

- Cayman Islands Customs & Border Control
- Department of Education Services
- Governor's Office Grand Cayman
- Her Majesty's Cayman Islands Prison Service
- Judicial Administration
- Law Reform Commission
- Ministry of Employment & Border Control
- Office of the Deputy Governor
- Workforce Opportunities & Residency Cayman (WORC)

The majority of the Commission members are employed by private entities in the Islands and particular thanks should go to each of them for allowing us to take what is sometimes significant time away from our jobs to perform our Constitutional roles. Without the support of, McGrath Tonner, Conyers and Walkers we would not have been able to dedicate the time necessary to this Commission.

We are grateful to the media, and members of the public who have taken the time to engage with us, seek our views and report and provide feedback on the Commission's initiatives and human rights generally.

In addition, the Commission wished to thank the staff of the Commissions Secretariat, who continue to provide it with support to carry out its constitutional functions.

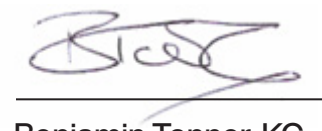
Finally, the Commission extends its sincere appreciation to departing Members Nicholas Quin and Jennifer Hunter for their years of dedicated service. The Commission thanks them for their valuable contributions and wishes them every success in their future endeavours.

Moving Forward

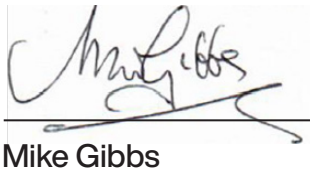
In 2026 the Commission intends to continue its focus on education and the promotion of awareness of human rights in the Cayman Islands. Specifically, the Commission intends to focus its efforts on human rights issues which are of public concern that arise in the Cayman community.

The Commission encourages the public to visit our website (www.humanrightscommission.ky), join us on Facebook at www.facebook.com/cihrc, or email us at info@humanrightscommission.ky to learn more or get involved in promoting, protecting, and preserving human rights in the Cayman Islands.

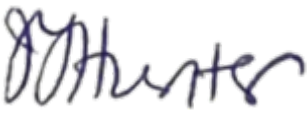
Dated this 18 day of June 2026.



Benjamin Tonner, KC



Mike Gibbs



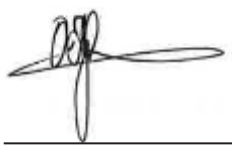
Jennifer Hunter



Nicholas Dixey



Nicholas Quin



Alecia Johns

Appendices

Appendix 1: Human Rights Commission Members

Mr Benjamin Tonner KC (Chairman)

Ben Tonner KC leads the Litigation practice at McGrath Tonner, Cayman Islands. Mr. Tonner has practiced litigation in the Cayman Islands for over 20 years and has extensive knowledge of both the criminal and civil divisions.

Mr Tonner regularly appears as leading counsel in the Grand Court and Court of Appeal of the Cayman Islands. He has also acted as Cayman counsel in respect of appeals to the Judicial Committee of the Privy Council. Mr Tonner is also a fellow of INSOL International.

Mr Tonner remains committed to accepting instructions in publicly funded (legally aided) work which he believes is an important means by which he can contribute to the local community and the Cayman Islands justice system.

Mr Tonner was originally appointed as a Member of the Human Rights Commission in September 2022 for a three-year term. Mr Tonner was then appointed as Chairman of the Commission since September 2025.

Mr Nicholas Quin

Nick Quin graduated from Newcastle University with a law degree and is qualified as a Barrister of England and Wales and an Attorney-at-Law in the Cayman Islands. He is currently Managing Director, Corporate Services at Walkers Corporate Limited. Prior to that he was the Legal Counsel for The Citco Group and has previously held the positions of Managing Director of Citco B.V.I. Limited and Managing Director of Citco Trustees (Cayman) Limited. Prior to joining Citco he worked for the Cayman office of Mourant in their litigation department. Mr. Quin has acted as a director of various licensed and charitable entities in the past. Mr Quin was originally appointed as a member on 1 November 2019 for a period of three years. His appointment was renewed for a further term and his final term ended in October 2025.

Mrs Jennifer Hunter

Jennifer Hunter holds a B.A. degree in Economics, an LL.B. (Hons) degree and a Postgraduate Certificate i n Education. She formerly practiced as an Attorney-at-Law (Cayman Islands), concentrating in the areas of contract and property law, and trusts and estates. She has previously served as Chairperson of The Labour Tribunal and Deputy Chairperson of The Planning Appeals Tribunal. Mrs Hunter has also served on the National Trust Council and The Board of Directors of The Cayman Islands Humane Society. In more recent years, Mrs Hunter has devoted her time to being an educator in the government primary school system and volunteered as an Interventionist at Sir John A. Cumber Primary School. Mrs Hunter was appointed as a member on 17 September 2022 for a period of three years. Her term ended in September 2025.

Dr Alecia Johns

Dr Alecia Johns is a Partner in the Litigation and Restructuring team at Conyers Dill & Pearman LLP, Cayman Islands. Alecia has practiced commercial litigation for over 10 years (both in the British Virgin Islands and the Cayman Islands).

Dr Johns' practice areas include insolvency and restructuring, civil fraud and asset recovery, and a wide range of complex cross-border commercial disputes.

Prior to commencing legal practice, Dr Johns completed a D Phil in human rights law at the University of Oxford. She has also written a number of publications on human rights and constitutional law issues following the completion of her D Phil and while in practice.

During her practice in Cayman, she has appeared (pro bono) before the Cayman Islands Court of Appeal on behalf of a non-profit organisation acting as intervener in a significant constitutional law dispute.

Dr Johns was appointed as a member of the Commission in February 2024 for a period of three years.

Mr. Nicholas Dixey

Nicholas Dixey is a Barrister and Attorney-at-Law who has lived and practised in the Cayman Islands since 2004. In his criminal defence work, Mr Dixey specialised in trial and appellate advocacy and has represented clients suspected of a range of offences on a legal aid basis at all levels of the court system, including the Judicial Committee of the Privy Council.

Mr Dixey has acted in cases which have contributed to the development of human rights law in the Cayman Islands in respect to the right to a fair trial, including the construction of the Bail Act and funded legal representation at police interviews.

Mr Dixey also has a civil and public law practice. He was appointed as a member of the Commission in November 2024 for a period of three years.

Mr. Mike Gibbs

Mike is the former President of Kensington Management Group, Ltd ("Kensington"), having retired at the end of 2020 from the role that he held from the Company's inception in 1999. He is a past Chairman of the Insurance Managers' Association of Cayman ("IMAC"), as well as a Past President (2021) and active member of the Cayman Islands Chamber of Commerce.

He is currently a CIMA-approved Non-Exec Director in the reinsurance arena, a Non-Exec Director of the Utility Regulation and Competition Office (URCO) and is also a member of the Deputy Governor's Audit & Risk Assurance Committee.

Originally from the UK, Mike is a Life Member and Fellow of the Institute of Chartered Accountants and has 45 years in the offshore financial services industry. After completing his accountancy training in London, Mike joined Price Waterhouse in Cayman for a 2-year contract, following which he spent 12 years with BankAmerica Trust in Cayman and Hong Kong (4 years) in a variety of accounting, audit, operations, systems and managerial roles. In 1995, Mike moved into the Cayman captive insurance industry with Johnson & Higgins/Marsh Management Services and in 1999 he was instrumental in the establishment of Kensington, which now ranks as one of the leading insurance management companies in the Cayman Islands.

Mr Gibbs was appointed as a member of the Commission in September 2025 for a term of four years.

Appendix 2: Cayman Islands Bill of Rights, Freedoms and Responsibilities

1. Guarantee of Rights, Freedoms and Responsibilities
2. Life
3. Torture and inhuman treatment
4. Slavery or forced or compulsory labour
5. Personal liberty
6. Treatment of prisoners
7. Fair trial
8. No punishment without law
9. Private and family life
10. Conscience and religion
11. Expression
12. Assembly and association
13. Movement
14. Marriage
15. Property
16. Non-discrimination
17. Protection of children
18. Protection of the environment
19. Lawful administrative action
20. Education
21. Public emergencies
22. Protection of persons detained under emergency laws
23. Declaration of incompatibility
24. Duty of public officials
25. Interpretive obligation
26. Enforcement of rights and freedoms
27. Remedies
28. Interpretation of the Bill of Rights

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