



1<sup>st</sup> April 2022 - 30<sup>th</sup> September 2022

# Equality & Human Rights Commission Interim Report 2022



## Overview

In the first 6 months of this year we have moved to new offices in Napoleon Street, completed and begun work on our 3<sup>rd</sup> Strategic Plan assisted 27 new Clients and continued to assist 44 others. The issues the EHRC is dealing with continue to become more profound each year.

Our key priorities for the period have been (and will continue to be):

- the need to introduce local Ordinance protecting those in the private sphere from discrimination, sexual harassment and bullying and to promote equality access to work and leisure activities for the disabled.
- Resolve misunderstandings and disharmony resulting from rising numbers of non-local residents.
- dealing with the past and the resurgence of colonialism and the

effects on island culture and tradition.

- the continued absence of an SHG strategy to reduce poverty.
- Achieving the goals laid out in our Strategic Plan 2022-25 (see below)

The EHRC believes that the islanders' relationship with UKG is strained due to:

- A perceived lack of funding
- the gaps that exist between the protection of rights in the UK and those extended to St Helena.
- A lack of representation in the UK parliament.

There is a perception that the people of St Helena, who are, after all, British citizens, are treated as second class citizens, if indeed they are considered at all.

The EHRC calls on Legco to protect human rights no matter what the

British Government decides. This includes ensuring rights of individual redress and remedies before the courts.

The changes to the Constitution are now complete. However, the EHRC is disappointed in the limited scope of those changes and the lack of respect shown to the people of St Helena by steamrolling the changes through, without regard for the human rights issues on island.

The Right to Self-determination is not protected nor are any of the Economic, Social and Cultural rights, for example the right to:

- adequate housing,
- a reasonable standard of living
- the enjoyment of the highest attainable standard of physical and mental health.

## Our Work

In the first half of this year the Commission has continued to be very busy. The Commission has had 27 new contacts in the first 6 months (see fig: 1) raising 37 themes (see fig 2). This number is down on previous years, mainly due to COVID and our closure to clients during the move. Most contacts have had their issue resolved or been referred to another agency for example the Public Solicitors Office. 17 have issues which potentially have human rights implications and are therefore being assisted by the EHRC.

- Employment issues in Public Service have almost doubled
- Health Service complaints have more than doubled
- Poverty and benefits issues are also high.
- The EHRC is seeing increasing numbers of people coming for legal advice (which we cannot give)

as they are frightened of having solicitor’s bills they cannot afford. This is taking up EHRC time and resources which we do not have.

- Complaints about Government Landlord Housing have fallen significantly.
- Increases in the cost of living on the island have led to an increase in people looking for help with debts.

Food security is major concern. The changes to customs arrangements in the UK following Brexit have meant reduced supplies from the UK. The war in the Ukraine coupled with the limited availability of local fish have made the situation worse. The EHRC is being contacted by people with specific dietary requirements (mainly diabetics) about their inability to find suitable food and to be able to afford the little they can find.

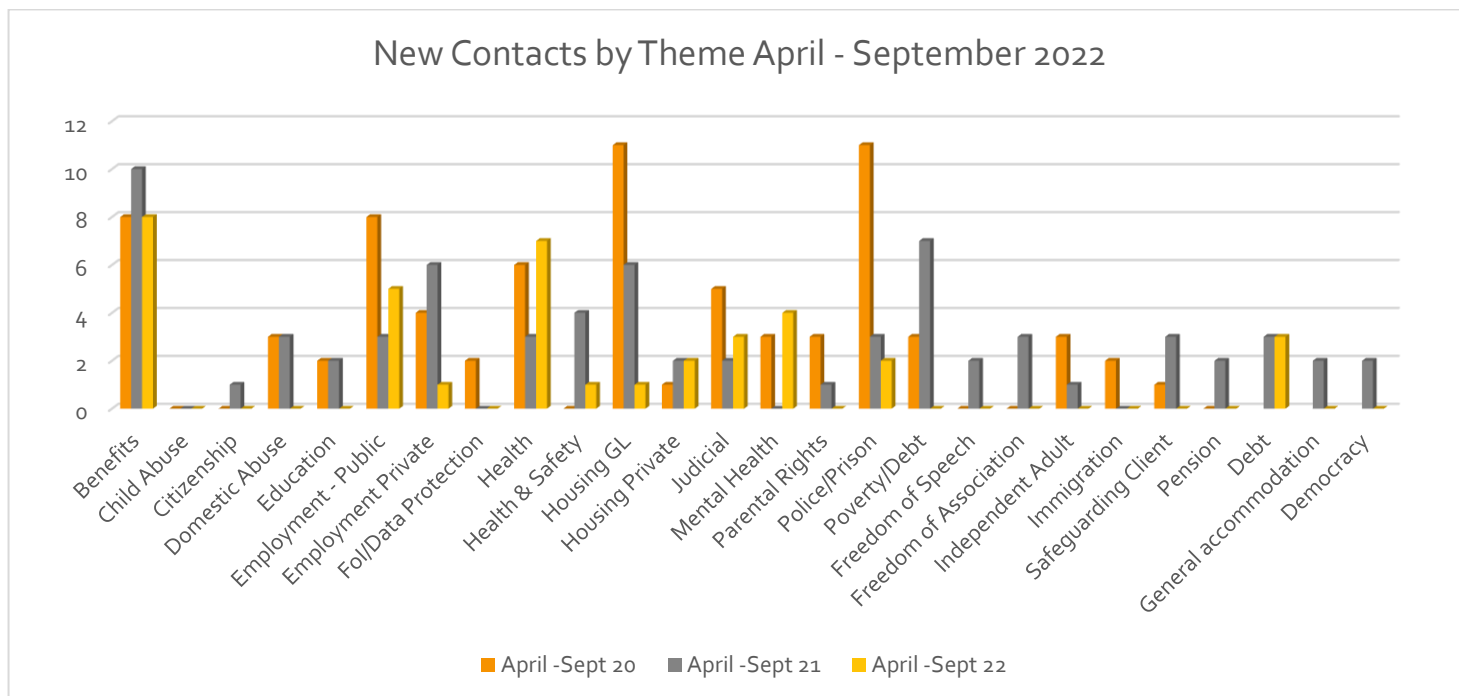
We still have some clients whose cases have been with us for several years who

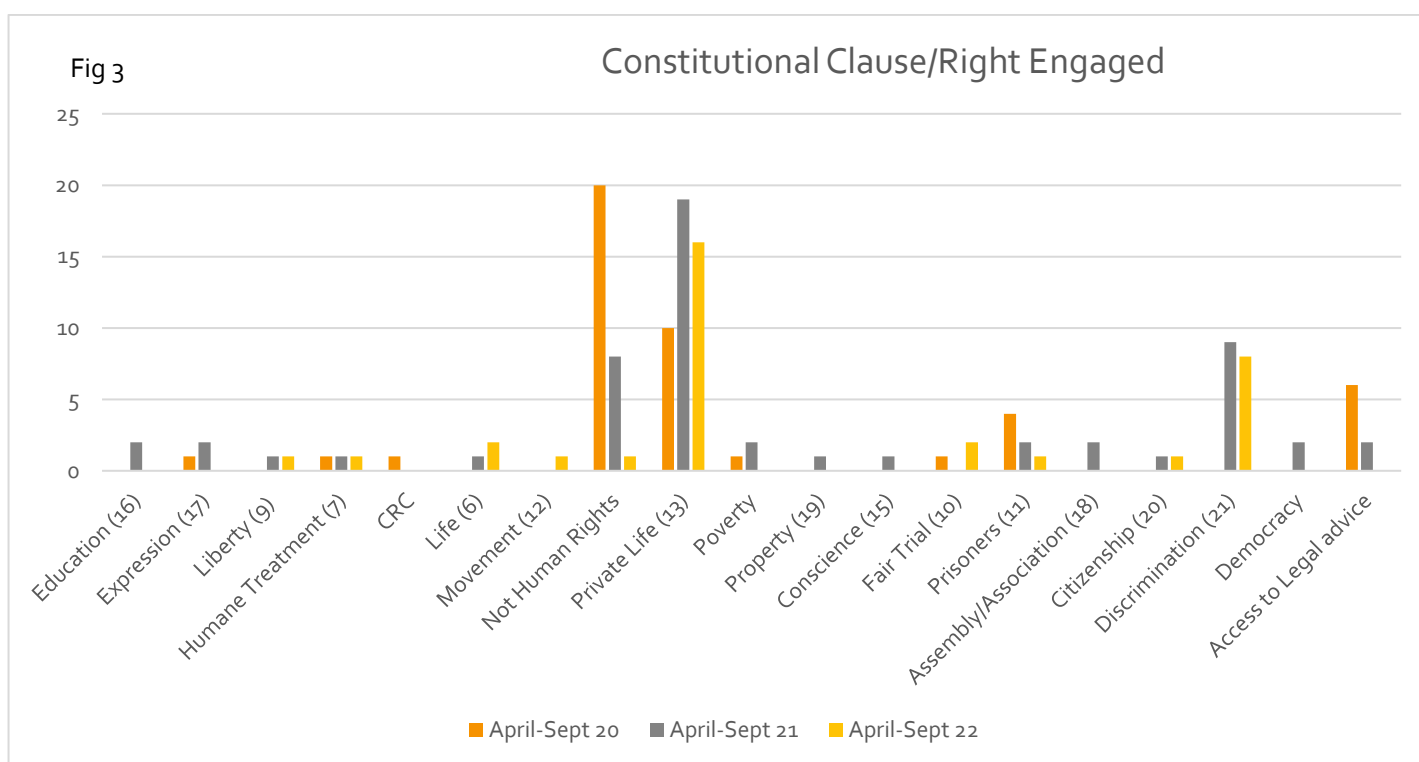
now require our assistance to seek redress under the Constitution. (See fig: 3). This is difficult as the EHRC has repeatedly requested funding for such cases, but this has not been forthcoming.

The Commission continues to be concerned about, and lobby on the gaps in our legislation which leave the door open to human rights abuses:

- Our legislation does not adequately protect the survivors of domestic abuse. What little we do have, falls well short of the UN guidelines.
- There is a lack of protection from workplace sexual harassment and bullying in the private sector
- The island has no Equality legislation. This is a failure to protect those in minority groups from discrimination and harassment.

Fig 2





## Achievements

- 🏆 Dealing with Contacts from the public (see above)
- 🏆 Communication and work with SHG Portfolios, Public Solicitor and other stakeholders
- 🏆 Shadow report preparation
- 🏆 Half year & Annual reports to Elected Members in line with Ordinance
- 🏆 Successful annual audit for 2021/22 and PAC for 2019/20 & 2020/21
- 🏆 Provision of information to elected members, SHG and the public
- 🏆 Developing and maintaining policies, management systems and internal communications.
- 🏆 Personal training and development – all staff/Commissioners undergone Gender training
- 🏆 Restructure of the EHRC to match the new Governance structure
- 🏆 Completed a review of the Strategic Plan to commence April 2022 to incorporate the UN Sustainable Development Goals (SDG) and the new Governance arrangements (see below)
- 🏆 Figures have been collected for the purposes of monitoring Gender issues and Convention reporting. Work has commenced on a Gender Action Plan.
- 🏆 Met with the Public Solicitors office, Police, and Chief Minister
- 🏆 Opened and launched new offices.
- 🏆 The EHRC is currently running within its budget.

Goal 1

## Sustainable social and economic development with nobody left behind

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- Minimum wage above the Minimum Income Standard (MIS).
- Basic Island Pension (BIP) and Income Related Benefits (BIP) increased MIS.
- Clear definition of housing standards and basic services.
- Legal definition of homelessness.
- Safe play spaces, especially in Jamestown.
- Increased access to public buildings and spaces for the elderly & disabled.
- Reduced incidence of sexual harassment in public spaces.

Goal 2

## Improving workplace equality for all

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- Increased educational attainment levels especially among boys.
- Reduce gender stereotyping in schools through Rights Respecting Schools, and in the workplace.
- Monitor and report on equal pay for equal work, for all - Reducing gender pay gap.
- Review of the Health & Safety legislation.
- Stronger employment protection legislation.
- A measurable increase in the understanding of equality and diversity issues.

Goal 3

## Environmental and cultural preservation

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- Increased water subsidy for agriculture.
- Traditional agricultural practices and farming methods transferred to future generations.
- Improved quality of treated water and access to untreated water sources
- The safeguarding and transfer of traditional cultural practices to future generations.
- Definition of Saint culture and cultural heritage.
- Contribute to the Heritage Register and listing in UNESCO Intangible Heritage Register.

## Goal 4

## Safe, secure and fair institutions

- The extension and implementation of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT) and its standards for monitoring places of detention.
- Increased awareness of the importance of human rights in closed environments and how vulnerable individuals, particularly the young and the disabled can assert their rights.
- A review of the Prison's Ordinance and the various other law and policies that regulate closed environments to ensure it is fully compliant with human rights principles, norms and standards.
- Vulnerable individuals and their families have greater awareness of rights in closed environments and are better able to act.
- Freedom of Information Ordinance.
- Legislation/protection in Care Homes.

## Goal 5

## Improving health and wellbeing

- At least Minimum Income Standard for all.
- Nobody is left behind.
- Improved access to health care for the poor, elderly and vulnerable.
- Subsidies on local fresh fruit and vegetables.
- improved alcohol abuse services and support, for those trying to stop drinking.
- Review of customs tariffs to reduce charges on healthy products or increase tariffs unhealthy food

## Cross-Cutting

## To protect and promote the following:

- Self determination and the rights of Saints
- Equal treatment and an end to discrimination
- The rights of children and young people