1st April 2023- 30th September 2023

Overview

Over the last six months the world has been settling back to normal after the disruption of the Covid pandemic. This is also true of St Helena even though it escaped the worst of the effects.

For the first time the Commission now has its full complement of six commissioners with two new members starting in April. We also have a new Chair and deputy chair, and this new team that is now settling-in to its role. This has enabled the Commission to branch out into the community once again and presentations have already been conducted at schools and youth organisations after a long period of absence.

The Commission has submitted evidence in response to three

different 'calls' from British Government bodies into the future relationship between St Helena and the United Kingdom. This relates to ongoing Commission concerns about self-determination.

We continue to put measures in place aimed at achieving Accreditation which include internal policies and a Governance Manual. Once achieved, Accreditation will enable the Commission to seek project funding from overseas sources like the UN. We continue to encourage the British Government to reinstate its funding obligations. Meanwhile the Commission has introduced a 'Project Tracker' to more efficiently manage its funds and monitor the cost of individual projects.

EQUALITY & HUMAN RIGHTS COMMISSION

Interim Report 2023



There remains concern about the reduction of democratic involvement following the imposition of the ministerial system of governance on the island two years ago. There has been little improvement to the principles of transparency. There continues to be a lack of 'Freedom of Information' and an absence of data protection legislation.

Since the last General Election the population has fallen by a tenth. Young families of working age are leaving the island. The elderly population is increasing, causing concern about provision of long term health care. There are long awaited immigration proposals ostensibly aimed at replacing those who have left. However there appear to be no proposals from government aimed at stemming the tide of

those leaving, let alone encouraging younger families to return. This is causing concern generally as it is likely to have long term implications for the maintenance of St Helenian culture, especially resulting in the separation of families. In short there is likely to be a damaging loss of hope.

Some of the issues believed to be behind the exodus relate to standards in employment provision and opportunities, health care for young and old, education at all levels, housing provision and high cost of utilities and food. Much of this is hampered by reduced access to legal advice and the lack of legally enforceable minimum standards.

The Commission continues to provide Government with assistance in these areas by highlighting issues. To this end the Commission, as part of its process in following its Strategic Plan, is setting forth its own program to establish recommended minimum standards for the above. It is hoped this can form the basis for enforceable government minimum standards that can be incrementally raised over time. The Commission believes this can be one way to help to build a more confident society that reduces the desire to leave the island.

In the first 6 months of this year we, continued work on our 3rd Strategic Plan assisted 29 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.
- understanding and addressing the increasing disharmony between Saints and non-Saints.
- dealing with the past including the remnants of colonialism and the effects on Saint culture.
- 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 Saints' relationship with UKG is strained due to lack of funding and the gaps that exist between the protection of rights in the UK and those extended to St Helena. 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 our Ministers and Elected Representatives to protect human rights no matter what UKG decides. This includes ensuring rights of individual redress and remedies before the courts.

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

like the right to adequate housing, a reasonable standard of living or the right of everyone to 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.

22 have issues which potentially have human rights implications and are therefore being assisted by the EHRC.

- Employment issues in Public Service have continued to increase.
- Health Service complaints have decreased however we are working to support several vulnerable clients who have suffered as a result of the recent medical negligence issue.
- The EHRC continuing to see 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 on Government Landlord remain low.
- Increases in the cost of living on the island continue to cause debt problems.
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Food security is major concern. The war in the Ukraine coupled with the limited availability of local fish and unpredictable supplies by ship have made the situation very worrying.

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. Those on low incomes are losing out as they cannot be in town to shop every day as items are put out and cannot afford to bulk buy.

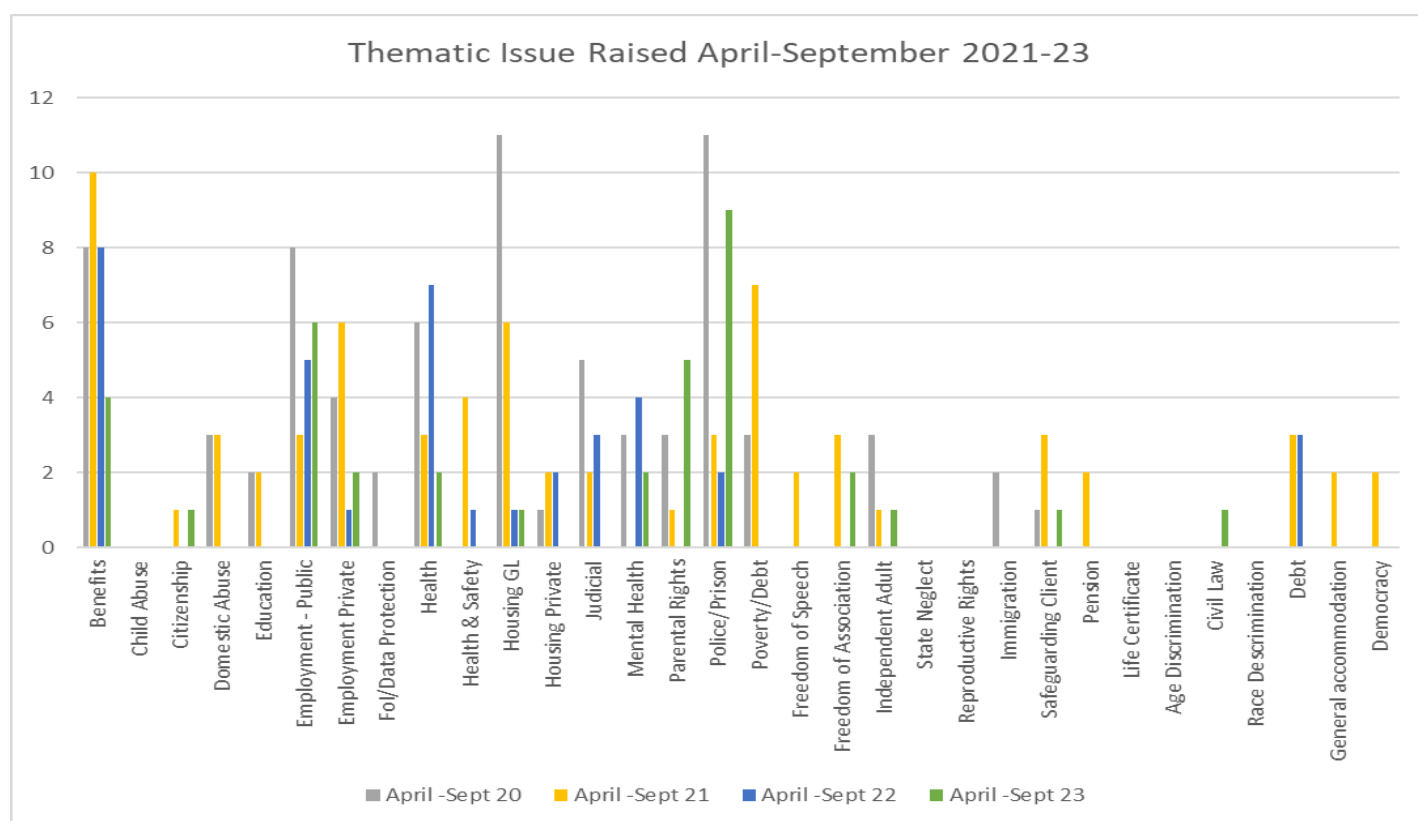
The better off can bulk buy plenty of milk, margarine, butter, cheese, biscuits and flour.

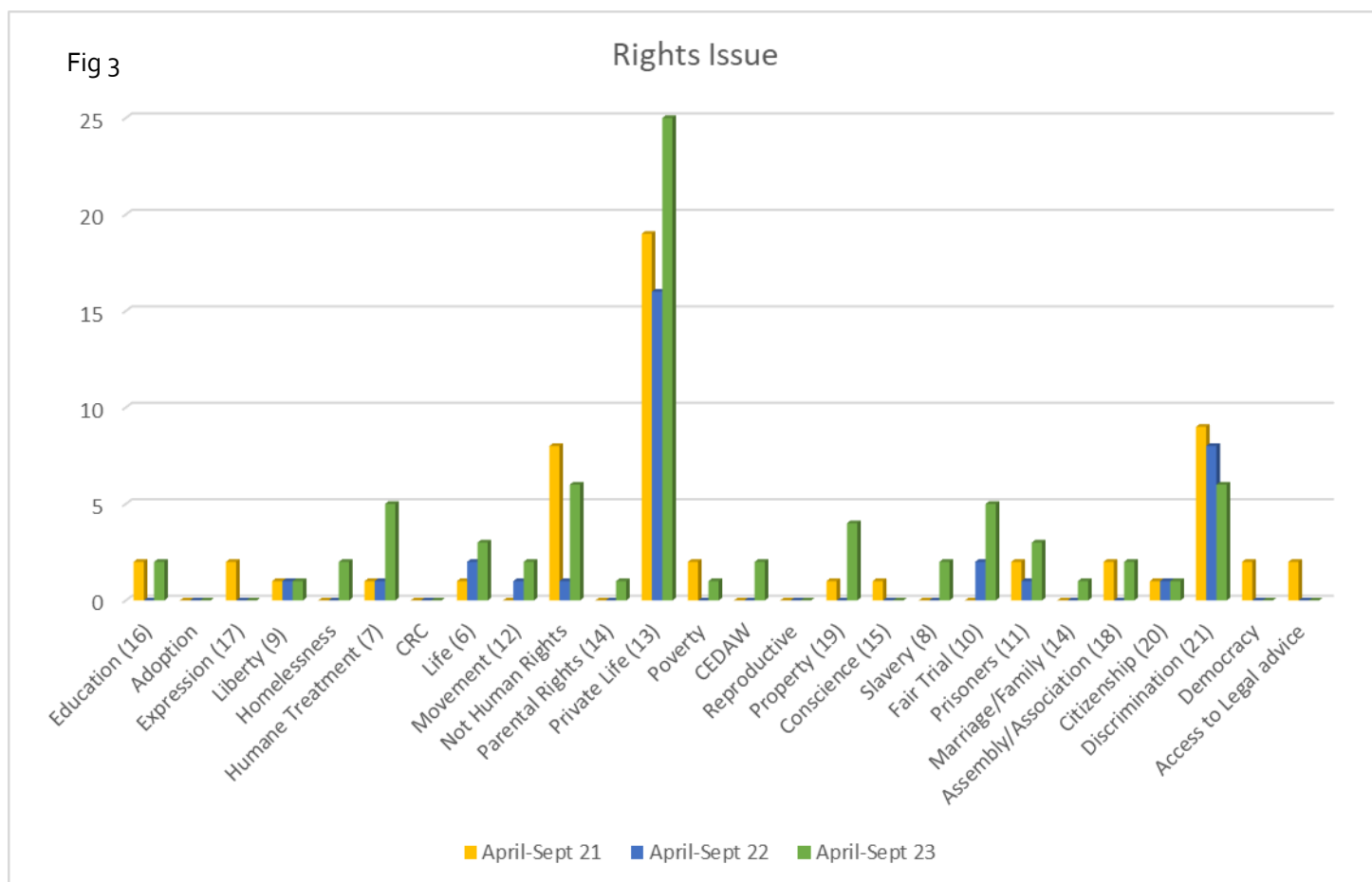
We still have some clients whose cases have been with us for several years who now require our assistance to seek redress under the Constitution. (See fig: 3). This is difficult as the EHRC has repeatedly requested funding for such cases, but this has not been forthcoming.

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
- 🕒 There is no Equality Ordinance which is a failure to protect those in minority groups from discrimination and harassment.
- 🕒 Recent events have also highlighted the need for Modern Slavery legislation.

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 2022/23 and PAC for 2021/22
- 🔗 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 Internet Security training.
- 🔗 Progressing work on the Strategic Plan 2022 - 25 including the UN Sustainable Development Goals (SDG) and the new Governance arrangements (see below)
- 🔗 Work has continued on a Gender Action Plan.
- 🔗 Met with the Public Solicitors office, Police, Elected Members and two Ministers
- 🔗 The EHRC is currently running within its budget.

Goal 1

Sustainable social and economic development with nobody left behind

- Minimum wage above the Minimum Income Standard (MIS).
- Basic Island Pension (BIP) and Income Related Benefits (BIP) increased to 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

- 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

- 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

Annex C - Summary of target deliverables/ outputs

Financial Projections:

The table below shows the financial projections for 2023/24 with a summary of how our outputs link to the St Helena Government Vision & Strategy April 2022 – March 2025 and how resources are allocated to deliver those outputs.

Organisation Priority	Outputs	National Goal (St Helena Government Vision & Strategy April 2022 – March 2025)	2023/24 £	Progress
<ul style="list-style-type: none"> Encourage Ministers to bring the minimum wage above the minimum income standard (MIS). Push for Basic Island Pension (BIP) and Income Related Benefits (BIP) to be increased to at least MIS. 	<p>A Public Report to Ministers on Poverty levels and Current trends/Issues by age, gender, and ability</p> <p>Capacity Building with Disabled Persons Aid, Age Ways and Making Ends Meet</p>	<p>Altogether Better for Children and Young People</p> <p>Altogether Healthier</p> <p>Altogether Wealthier</p>	<p>800</p> <p>600</p>	<p>Poverty report in progress.</p> <p>Awaiting report</p>
<ul style="list-style-type: none"> Lobby for a legal definition of homelessness and minimum housing standards. Ensure there is a clear definition of housing standards and basic services that it is open, transparent and publicly understood Push for legislation to protect both landlords and tenants. 	<p>Continue working with Housing to develop human rights-based policies and legislation to include</p> <ul style="list-style-type: none"> Sustainable materials Low cost/renewable energy and energy efficient Fair division of risks and responsibilities of both lessee and lessor. 	<p>Effective Infrastructure</p> <p>Altogether Safer</p> <p>Altogether Healthier</p> <p>Altogether Greener</p> <p>Altogether Better for Children and Young People</p>	1000	<p>Project in progress</p> <p>Meeting with stakeholders in progress.</p>
Safe play spaces for children especially in Jamestown.	A public report to Ministers Work with stakeholders to ensure children's voices are heard and their	Effective Infrastructure Altogether Safer Altogether Healthier	2000	Budget not approved for this year by Ministers

Organisation Priority	Outputs	National Goal (St Helena Government Vision & Strategy April 2022 – March 2025)	2023/24 £	Progress
	rights under the Convention on the Rights of The Child to play and access their environment are met. Work with children's champion to establish a Children's Charity on Island	Altogether Greener Altogether Better for Children and Young People		
Lobby for increased access to public spaces for women, children, older persons and those with disabilities	Work with relevant stakeholders (SHG, National Trust, Age Ways etc) Carry out an accessibility Audit of key spaces and publish the findings	Effective Infrastructure Altogether Safer Altogether Healthier Altogether Greener Altogether Better for Children and Young People	1,000	Budget not approved for this year by Ministers
Encourage increased educational attainment levels especially among boys	Talk to boys in school – survey to find out issues.	Altogether Better for Children and Young People Altogether Wealthier	2,500	Commissioner visits to schools and initial meeting with Director
Reduce gender stereotyping in schools through Rights Respecting Schools, and in the workplace	Offer gender sensitivity training in schools and workplaces	Altogether Better for Children and Young People Altogether Wealthier	1000	Budget not approved for this year by Ministers
Monitor and report on equal pay for equal work, for all; reducing gender pay gap.	Research as part of Gender Action Plan	Altogether Wealthier	4000	Gender Action Plan nearing completion
Lobby for stronger employment protection legislation	Work with Labour Regulator, Employment Rights Committee, Education and Employment, Chamber of Commerce. To produce an outline of what is required.	Altogether Wealthier	2800	Meetings taken place with Chair of ERC
Help create measurable increase in the understanding of equality and diversity	Deliver Equality & Diversity Training to all sectors Basic introduction free	Altogether Better for Children and Young People Altogether Wealthier	3000	Charging policy being developed.

Organisation Priority	Outputs	National Goal (St Helena Government Vision & Strategy April 2022 – March 2025)	2023/24 £	Progress
issues in key organisations that the Commission works with	– scale of charges for full cost recovery for further training	Effective, Efficient and Accountable Public Sector		Basic training package developed.
Lobby for improved quality of treated water and access to untreated water sources.	Public awareness of Human Right to Safe drinking water through media campaign	Effective Infrastructure Altogether Better for Children and Young People Altogether Healthier Altogether Greener	500	Budget not approved for this year by Ministers
Encourage the safeguarding and transfer of traditional cultural practices to younger generations Assist in defining Saint Helenian culture and our cultural heritage	World Café format workshops to define (as best we can) Saint Culture and examine how our children can access their culture (Convention on Rights of the Child)	Altogether Better for Children and Young People Altogether Healthier	800	Budget not approved for this year by Ministers
Contribute to the Heritage Register and listing in UNESCO Intangible Heritage Register	Continue work with UNESCO on Heritage Register	Effective Infrastructure Altogether Greener	500	Budget not approved for this year by Ministers
Assist in 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.	Advise SHG on the requirements of the protocol Use knowledge gained from research and other NHRIs to assist in the establishment of the independent monitoring body	Altogether Safer Altogether Healthier Effective, Efficient and Accountable Public Sector	2000	WIP Progressing work with Prison
Raise awareness of the importance of human rights in closed environments and how vulnerable individuals, particularly the young and the disabled can assert their rights	Raise awareness through a campaign including a detailed booklet, press, radio and social media. Leaflets to be available to those detained and their families in the Prison, the hospital and through	Altogether Better for Children and Young People Altogether Safer	2000	Progressing work with Prison

Organisation Priority	Outputs	National Goal (St Helena Government Vision & Strategy April 2022 – March 2025)	2023/24 £	Progress
	the courts and Public Solicitors Office			
Prison Ordinance	Carry out 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.	Altogether Safer	1500	Budget not approved for this year by Ministers
Ensure vulnerable individuals and their families have greater awareness of rights in closed environments and are better able to act.	Raise awareness through a campaign including a detailed booklet, press, radio and social media. Leaflets to be available to those detained and their families in the Prison, the hospital and through the courts and Public Solicitors Office	Altogether Better for Children and Young People Altogether Safer Altogether Healthier Effective, Efficient and Accountable Public Sector	3000	Budget not approved for this year by Ministers
Assist institutions to understand the benefits of human rights and to be more committed to ensuring that the rights of people in their care are protected.	Offer Training/ leaflets/information	Altogether Better for Children and Young People Altogether Safer Altogether Healthier Effective, Efficient and Accountable Public Sector	Nil	Progressing work with Prison
Lobby for a real Freedom of Information/Data Protection Ordinance	Raise at every opportunity this much needed human rights protection.	Altogether Safer Effective, Efficient and Accountable Public Sector	Nil	
Work to ensure nobody is left behind.	Monitoring and reporting on numbers of people living below the MIS and below minimum wage Report on tax threshold v minimum wage and MIS.	Altogether Better for Children and Young People Altogether Wealthier Altogether Healthier	5000	Not yet commenced – dependent on Poverty Report. Work progressing on defining Minimum standards

Organisation Priority	Outputs	National Goal (St Helena Government Vision & Strategy April 2022 – March 2025)	2023/24 £	Progress
Lobby for improved access to health care for the poor, elderly and vulnerable.	Highlighting problems as they arise and are reported to the EHRC to the Portfolio lead and Minister.	Altogether Better for Children and Young People Altogether Healthier	500	Budget not approved for this year by Ministers
Lobby for improved alcohol abuse services and support for those trying to stop drinking.	Report on current situation Report to Tax Working Group re duty on local alcohol	Altogether Better for Children and Young People Altogether Safer Altogether Healthier	500	Budget not approved for this year by Ministers
Lobby for changes in the Constitution to reflect the right of self-determination, ISESCR Facilitate the Conversation about St Helena's relationship with the UK. Work with the change team to ensure the project and outcome is human rights compliant.	Commit to playing a full and active role in the review of the Constitution	Effective, Efficient and Accountable Public Sector	10,000	Work on identifying changes required completed. 3 Submissions to UKG on St Helena's relationship with the UK submitted. Suggests on method of change and public engagement submitted to Councillor Essex.
Explore introducing a Rights Respecting Schools scheme with UNICEF or a local scheme	Have a working Scheme ready to introduce by September 2023	Altogether Better for Children and Young People Altogether Greener	5,000	Budget not approved for this year by Ministers
Work with Children's Champion to assert children's right to play and access their environment.		Altogether Better for Children and Young People Altogether Safer Altogether Healthier Altogether Greener	5,000	Budget not approved for this year by Ministers
Work with Health Promotion to achieve a Whole Systems Approach to tackling Obesity	Form a part of the core working team in Stage II of the WSAO	Altogether Healthier Altogether Better for Children and Young People	1,000	Budget not approved for this year by Ministers

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