

Commission Committed to Constitution

Mon, 2010-03-22 10:05

Statement by the Constitutional Commissioners - 22 March 2010.

Good morning and thank you for attending the first press briefing for the Constitutional Commission. The purpose of today's press briefing is to introduce the Commissioners and the Commission to the people of the Cayman Islands, to explain its role and to provide an outline of the work that we intend to carry out.

Earlier this year three Commissioners were appointed by the Governor in consultation with the Premier and the Leader of the Opposition. The Commission includes myself, Pastor Al Ebanks, as Chair, Attorney Mrs. Julene Banks and Mr. Wil Pineau. Each of the Commissioners have played a significant role in the public debate and discussion on constitutional issues for many years in both personal and professional capacities. Both Mr. Pineau and myself have attended and presented research papers at various local, regional and international forums on constitutional matters and Mrs. Banks has contributed to the national debate on constitutional reform for many years. Personally, I believe we make a solid team and will do our endeavour best to fulfill our roles as Commissioners and to serve the people of the Cayman Islands to the best of our abilities without fear or favour.

The role of the Constitutional Commission, as explained more fully in section 118 of the Cayman Islands' 2009 Constitution is:

1. To advise the Government on questions concerning constitutional status and development in the Cayman Islands;
2. To publish reports, discussion papers, information papers and other documents on constitutional matters affecting the Cayman Islands;
3. To promote understanding and awareness of the Constitution and its values;
4. To exercise such other functions as may be prescribed by a law enacted by the Legislature.

The Commission has been described as combining the functions of an advisory body with those of a think tank on constitutional matters. In exercising its functions, the Commission will be guided by the principle that questions on matters of national importance regarding the constitution must have input from the electorate, maintain clear and open governance and ensure, non-partisan debate is an integral part of its process.

Administrative support for the Constitutional Commission will be provided by a joint Commissions Secretariat which will also provide support services for the other three Commissions established under the Constitution. The Secretariat is headed up by Mrs. Deborah Bodden who is here with us today and her capable support staff.

The Commission has held two meetings since the appointments of the members were announced 13th January 2010. The Commission has spent most of our time developing a work plan. The Constitution does not provide an outline of the work to be carried out by the Commission so the Commissioners, with

support of the Secretariat, are developing a work plan and defining the roles to be carried out by the Secretariat.

We have agreed that the work plan for the Commission will be divided into the following phases:

1. Organisational phase, during which the Commission will adopt its rules of procedure and work plan;
2. Public Education phase, which will be coordinated by the Secretariat and will inform the public about the work of the Commission and its process. This will include promoting understanding and awareness of the Constitution and its provisions through various media;
3. Public Consultation phase, which will be coordinated by the Secretariat, during which the Commissioners will host "town hall meetings" in the various districts or gain feed-back through questionnaires and other surveys, as appropriate, to solicit and discuss the views of the public on constitutional matters;
4. Research and Expert Consultation phase, during which the Commissioners, with the assistance of the Secretariat, will consult with experts for clarification on constitutional matters;
5. Report Writing phase, during which the Commissioners, with the assistance of the Secretariat, will analyse the views expressed by the public and prepare reports, papers and other documents as appropriate in response to those views;
6. Advisory phase, during which the Commissioners, with the assistance of the Secretariat, will advise the Government, either at the request of the Government or on the initiative of the Commission, on matters of national importance and other questions concerning constitutional status and development in the Cayman Islands.

The Commission will communicate the progress of implementing our work plan regularly and openly. The Commission intends to operate in an open and transparent fashion and will be posting minutes of our meetings as well as other appropriate documents on the Commission's website for public access. We intend to act responsibly in all of our actions and to provide the public with informed and well researched and reasoned opinions on constitutional matters and matters of national importance. Among our top priorities is "education and simplification" to promote understanding and awareness of the Constitution and its values in such a way that all in our community including our children can understand this important document and its significance and impact on their daily lives. We will also work to ensure that a Referendum Law is put into place as soon as possible.

As you have heard, the Commission's work plan is extensive and varied. It will take some time to develop these plans, but we intend to work diligently to fulfill our functions as prescribed under the Constitution. To be successful, we believe that all stakeholders in our society must become engaged in the process. The Constitution is the highest law of the land and we must all embrace it and develop a keen interest and understanding of its role in our daily lives. It must not become a document that is reviewed when external pressures mandate action. It must be a document that is supported, understood and used to promote the best ideals of a modern and innovative democratic society.

My fellow Commissioners and I are confident that with the support and involvement of the public that we will be able to fulfill the functions of the Commission so that all people of the Cayman Islands take pride in the Constitution and work together to promote its ideals.

Thank you for your attention. We will take questions at this time.