



**4<sup>th</sup> MEETING OF 2025**  
**THE CONSTITUTIONAL COMMISSION**  
**9 JUNE 2025**  
**COMMISSIONS SECRETARIAT**

**PRESENT:**

J. Lemuel Hurlston	Chairman
Annalisa Shibli	Member
Hon. Alex Henderson KC	Member

**GUEST:**

Vaughan Carter (in part)

**SECRETARIAT MEMBERS PRESENT:**

Francis Kearns	Deputy Manager
Lise Hurlstone	Research Analyst

**1. Call to order**

The meeting was called to order at 11:33 am. The Chairman thanked all for attending and welcomed guest Vaughan Carter, former Constitutional Commission Chairman.

**2. Minutes from Previous Meeting****a. Minutes of Meeting Held on 12 May 2025**

The minutes of the meeting held on Monday, 12 May 2025 were approved with no changes. The Secretariat will upload these to the Commission's website accordingly.

**3. Matters Arising from Previous Minutes****a. Reporting Procedures**

Member Annalisa Shibli provided the updated Reporting Procedures document based on the Commission's previous conversations, as well as conversations which took place during Members' lunch with the Governor in May. It was agreed that Members would review the amendments and the document would be considered for approval at the next meeting.

**b. Constitutional Issues for Discussion****i. Segregation of Prisoners by Conviction Status**

Members noted the letter sent to the Director of Prisons on 27 May 2025 requesting an update regarding the segregation of convicted from unconvicted prisoners. An

acknowledgement has been received but no substantive response yet, so the Secretariat was asked to follow up in due course.

**ii. Segregation of Prisoners by Age**

Members noted the letter sent to the Director of Prisons on 27 May 2025 requesting an update regarding the segregation of juvenile from adult prisoners. An acknowledgement has been received but no substantive response yet, so the Secretariat was asked to follow up in due course.

**iii. Entitlement to Legal Aid**

Members noted the letter sent to the Director of Legal Aid on 27 May 2025 requesting an update regarding the right to legal aid outlined in section 7(2)(d) of the Constitution. An acknowledgement has been received but no substantive response yet, so the Secretariat was asked to follow up in due course.

**iv. Right to Private and Family Life**

Members noted the letter sent to the Director of Customs and Border Control (CBC) on 27 May 2025 requesting an update regarding how the right to private and family life is factored into deportation decisions. A response was received on 9 June 2025, which was circulated to members during the meeting. It was noted that CBC does not appear to have decision-making authority with regard to deportations; rather, Cabinet does. CBC does, however, have decision-making authority over “removal” of persons who do not have immigration authority to remain in the Islands, which is a separate designation and process. Members discussed and agreed to continue to consider this matter whilst awaiting responses to the other correspondence noted above.

**4. New Business**

**a. Press Release on Membership**

Members reviewed the draft press release and approved it. It was agreed that the document would be issued shortly in advance of Constitution Day, which will take place this year on 7 July 2025.

**b. Governor’s Lunch**

Members noted the lunch with the Governor, held on Tuesday, 21 May 2025, which was attended by the Governor, all Commission members, the Manager of the Secretariat and staff of the Governor's Office.

**5. Any Other Business**

**a. Visit from Vaughan Carter, Former Chairman**

At the start of the meeting the Chairman invited guest Vaughan Carter to discuss issues which may be of assistance to this new incarnation of the Commission in its work going forward. Mr Carter noted the changes to the Secretariat structure and the increase in Commission

membership from 2 to 3 persons as improvements which would strengthen the Commission's capabilities in its new ventures. He also commented on the fact that the wide remit of the Commission means that its direction is open as well, which can present opportunities and risks. He discussed the possibility of adding a statutory supplement for the Commission, beyond that outlined in the Constitution, which could also provide for enhanced reporting requirements and procedures. The importance of the Commission's educational remit was discussed, as well as Advisory District Councils and the likelihood that this issue may need to be addressed in the near future. There was also a discussion regarding the overlapping remit of this Commission with others supported by the Commissions Secretariat, and the benefits of addressing mutually relevant matters jointly. Members and the Chairman thanked Mr Carter for his attendance and very informative conversation.

## **6. Action Items**

### **Members were asked to:**

- a. Consider the draft Constitutional Commission Reporting Policy as outlined in item 3.a. above.

### **The Secretariat was asked to:**

- a. Upload meeting minutes to the Commission website as outlined in item 2.a. above; and
- b. Follow up for substantive responses from the Director of Prisons and the Director of Legal Aid, and continue to consider the response from the Director of Customs and Border Control, as outlined in item 3.a. above.

## **7. Items to be Discussed at the Next Meeting**

- a. Reporting Procedures
- b. Constitutional Issues for Discussion
- c. Constitution Day

## **8. Next Meeting**

The next meeting is scheduled for Monday, 14 July 2025 at 11:30 am at the Commissions Secretariat offices.

## **9. Adjournment**

The meeting ended at 12:49 pm.



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**J. Lemuel Hurlston**

**CHAIRMAN**

**CONSTITUTIONAL COMMISSION**