



3rd MEETING OF 2026
THE CONSTITUTIONAL COMMISSION
10 APRIL 2026
COMMISSIONS SECRETARIAT

PRESENT:

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

SECRETARIAT MEMBERS PRESENT:

Lise Hurlstone	Research Analyst
----------------	------------------

1. Call to order

The meeting was called to order at 11:30 am. The Chairman welcomed all present and thanked members for attending.

2. Minutes from Previous Meeting**a. Minutes of Meeting Held on 6 March 2026**

The minutes of the meeting held on 6 March 2026 were confirmed, and the Secretariat was asked for the minutes to be uploaded to the website.

3. Matters Arising from Previous Minutes**a. Constitutional Issues for Discussion****i. Entitlement to Legal Aid**

For this portion of the meeting, all attendees met with the Director of Legal Aid, the Acting Court Administrator, and a Legal Aid Officer at the Legal Aid Office to gain a fuller understanding of the legal aid system and to determine whether any additional enquiries may be required. The visit took place following the substantive Commission meeting, between 12:15 pm and approximately 1:30 pm. Members' feedback on the meeting will be discussed at the next Commission meeting.

b. Third Report for 2025

Members noted that the Commission's Third Report for 2025 was circulated to the Governor, Deputy Governor, Premier and Leader of the Opposition on 20 March 2026. No feedback was received.

c. Education Activities

i. Constitutional History Display

The Secretariat reported that work on the proposed constitutional history display remains in progress and it will continue to update as needed.

d. Advisory District Councils

Members noted the response received from the Premier indicating a desire for the Chairman to participate as an observer member of the Parliamentary Select Committee established by Parliament to consider Advisory District Councils. The Commission agreed that its role at this stage would be limited to observation.

e. Amendments to the Elections Act

Members noted that the Commission wrote to the Supervisor of Elections on 2 April 2026 with the Commission's feedback on the proposed amendments to the Elections Act. Member Henderson clarified that the concern he raised is that there appears to be no scientific or rational basis for disqualifying electors solely on the basis of mental health impairment. The Secretariat was asked to provide this clarification to the Supervisor of Elections following receipt of his response.

f. Comments on the Court System at the Grand Court Opening 2026

Members discussed recent comments concerning the court system made during the Opening of the Grand Court. It was noted that the principal shortages appear to relate not to budgetary allocations or the number of judges and magistrates, but rather to supporting systems, including staffing and facilities. Members considered that the matter did not presently raise a constitutional issue for further examination by the Commission.

4. New Business

a. Law Reform Discussion Papers:

i. The Common Law Forfeiture Rule: A Case for Legislative Intervention

Members noted the discussion paper circulated by the Law Reform Commission and agreed that no further action was necessary.

ii. Spent Convictions

Members noted the discussion paper circulated by the Law Reform Commission and agreed that no further action was necessary.

5. Any Other Business

a. Schedule of Meetings

Members agreed that future meetings should revert to Mondays on a four-week cycle. The Secretariat would therefore send updated meeting invitations for the remainder of the year.

b. Drafting and Circulating correspondence

Member Shibli requested that all members be copied on draft correspondence when

circulated for approval and when formally issued. The Secretariat agreed to explore the establishment of a distribution list to facilitate circulation. Members indicated that they were content with the potential disclosure of their email addresses for this administrative purpose.

6. Action Items

The Secretariat was asked to:

- a. upload the minutes of 6 March 2026 to the CC website, per item 2.a. above;
- b. continue to work on and update on the Constitutional history display, per item 3.c.i. above;
- c. respond to the Supervisor of Elections as agreed, per item 3.e. above; and
- d. send updated meeting invitations for the remainder of the year, per item 5.a. above.

7. Items to be Discussed at the Next Meeting

- a. Constitutional Issues for Discussion
 - i. Entitlement to Legal Aid
- b. Advisory District Councils
- c. Education Activities
 - i. Display in Constitution Hall
- d. Amendments to the Elections Act
- e. First Report for 2026

8. Next Meeting

The next meeting date will be circulated via email.

9. Adjournment

The substantive meeting adjourned at 11:57 am. Members thereafter attended the Legal Aid Office meeting from 12:15 pm until approximately 1:30 pm.



J. Lemuel Hurlston
CHAIRMAN
CONSTITUTIONAL COMMISSION