



**7<sup>th</sup> MEETING OF 2011  
24<sup>th</sup> MEETING OF  
THE CONSTITUTIONAL COMMISSION  
12 MAY, 2011  
CONFERENCE ROOM  
COMMISSIONS SECRETARIAT**

**PRESENT:**      Pastor Al Ebanks                      Chairman  
                    Julene Banks                                  Member  
                    Wil Pineau                                      Member

**Secretariat members present:**

                    Deborah Bodden                                  Manager, Commissions Secretariat

**1. Call to order**

The meeting was called to order at 9:22am and a prayer was offered by a member of the Commission.

**2. Confirmation of previous minutes**

The minutes of the 5 April, 2011 meeting were approved.

**3. Outstanding Business**

I. District Meetings

The district meetings in North Side and Bodden Town have been held while the meeting in East End was cancelled due to low attendance. Overall it was thought that the meetings have been successful this far as those in attendance engaged in good discussions. The George Town meeting is scheduled to take place on 19 May, 2011 at the South Sound Community Centre. It was agreed that the Secretariat will contact both Talk Shows on the morning of the 19<sup>th</sup> May to remind the public of this meeting. Pastor Al will confirm with the district representatives dates for the West Bay and Cayman Brac meetings.

The Commission notes that they are experiencing a learning curve in terms of venues, publications, etc. It was agreed that for future meetings, the Commission needs to look at other venues and other 'tools' to assist with educating the public on the Constitution. A meeting with GIS will be set up to discuss the creation of a PR scheme for the Commission. The Secretariat has also been asked to contact the National Gallery to enquire about possible assistance to produce a book on the Constitution similar to the "This is Paradise, Dis is Cayman" publication that they recently produced. Member Julene Banks continues to work on the editing of the booklets created by the Secretariat.

II. Budget

The Manager explained that the 10/11 Budget has been suspended by the Premier and the Secretariat is waiting for a new allocation for the remainder of the year. Additionally, the 11/12

Budget has not yet been approved. The Commission requested a breakdown of last year's budget by what was spent on personnel costs and what was spent on each Commission. It was agreed that the Secretariat will research other funding opportunities (i.e. good governance grants) that the Commission may utilise in its work. It was further agreed that Member Wil Pineau will reach out to some of the private companies/individuals who may be interested in donating funds to these projects.

### III. Discussion Papers

#### a. Governance Structure

It was agreed that the Commission should write to the Governor, Deputy Governor and Attorney General expressing their appreciation for the meeting and indicating that the Commission understands their concerns. The letter should:

1. restate the Commission's original intention of the exercise which was to create a working document that depicts how Government functions;
2. provide a copy of the table which will be used as an appendix as an example of the information the Commission was hoping to receive;
3. ask the Governor to assist the Commission through the Cabinet Secretary to obtain the remainder of the information.
4. ask whether he or the Deputy Governor are in a position to take on the advice previously given by the Commission; and
5. request any minutes of the meeting as a record of the discussion.

The responses that have come in thus far regarding the Boards and Committees were shared with the Commission members. The Secretariat will now begin piecing this information together into a discussion paper for the Commission's approval. The paper will include an Executive Summary which supplies information based on the Commission's examination of Government such as the number of appointments to these Boards/Committees which are made by Cabinet, the # of structures which are not assessed, have no Terms of Reference and which do not submit annual reports. In addition, as an appendix, the document will contain a table mapping out information on each Board/Committee.

The Commission expressed its appreciation for the submission of the requested information to the Ministry of Community Affairs, Gender and Housing, Ministry of Finance (Financial Services), Cabinet Office, Portfolio and Internal and External Affairs, Portfolio of Legal Affairs, and Ministry of Health, Environment, Youth, Sports and Culture. Thank you letters should be sent to those Chief Officers who had provided the information requested.

#### b. People Initiated Referendums

The Commission questioned whether any follow up was done on their request for information on the topic of People Initiated Referendums. It was noted that the Secretariat had followed up with persons and only one other person indicated that they would be submitting a paper but they have not done so. The Secretariat will now develop a discussion paper for the Commission's approval on this topic. The paper will include the one response given by Captain Patrick Schmidt as well as information on the constitutional requirement of needing 25% of voters to sign a petition for a referendum and whether this is too onerous on the voters given the large number of civil servants there are. Research will need to be conducted on how many civil servants are eligible to vote and how many of that number have actually registered to vote.

## **4. New Business**

### I. Professor Jowell's Visit

The Commission enquired as to the background for asking Professor Jowell to attend the Cayman Islands and the Secretariat indicated it was raised at the December 2010 Chairpersons meeting. All Chairpersons in attendance as well as the Governor and Deputy