



OFFICE OF THE  
**PREMIER**  
CAYMAN ISLANDS GOVERNMENT

**Opening of the New Cayman Islands Parliament  
Statement by Premier, Hon. Alden McLaughlin, MBE, JP, MP  
4 December 2020  
House of Parliament**

In the course of my twenty years as an elected representative, but particularly over the course these seven and a half years as Premier, I have taken part in many events of national significance. The sixty years celebrations of our Coat of Arms and our Constitution, numerous Heroes' Day celebrations, the visit of the Prince of Wales and Duchess of Cornwall are just a few. I felt immensely privileged to be part of all of them.

However, I also felt somewhat humbled by such events. Recalling the struggles and achievements of the Caymanian women and

men, including our National Heroes, on whose shoulders we now stand, puts into clearer perspective our own life and times.

Yet, I must confess that I have also taken great pride in those events. Pride, yes, at my own small part in things, but much more I have felt great pride at what our tiny nation has achieved. We may still just be three small Islands in the Caribbean, but we are no longer 'the land that time forgot.'

We have come of age in this world.

The Constitutional journey that began at a meeting at Pedro St. James or Pedro Castle as I grew up knowing it, on December 5, 1831, has had its twists and turns but it has taken us to where we are today. I pause here to note that tomorrow December 5, 2020, will be the 189<sup>th</sup> anniversary of that historic meeting at Pedro St. James. Those present that December day so long ago could not have imagined how significant their early steps toward democracy would be or how far we would have come over time.

Throughout our journey, these past two centuries, our National Heroes, and the founders of our Constitution and our democratic system are Caymanians of whom we are naturally proud and whose achievements we rightly celebrate.

But I am equally proud of, and honour, all Caymanians, nation builders all, many unsung who in their own ways have contributed to our success and the enviable position we are in today.

The seafarers and shipbuilders who laid the foundation for our prosperity and growth; the entrepreneurs and those who labour with them who have helped drive forward our economic success; the community organisers and volunteers who have made Cayman such a great place to live; the public servants who keep the wheels of government turning and provide necessary services to the public; the mothers and fathers who have raised children who will grow beyond us to take Cayman forward – I celebrate and honour all of them with pride.

I also appreciate and honour those who have come and settled amongst us, who love these Islands, and who have worked shoulder to shoulder with us to help build and uplift these three Islands and our people. Indeed many have lived and worked amongst us over the decades and have gained the distinction of becoming Caymanian.

In many respects, today represents a recognition of the contribution of all Caymanians, whatever their heritage. We are gathered here to change the name of a building. But we are doing so much more than that. This building has always stood as a symbol of our national identity and our potential as a free, self-governing people. A people who some 61 years ago decided that we wished to maintain our historical and political relationship with the United Kingdom, but to also provide the ability for that relationship to mature. Today we gather to witness one more aspect of that maturity.

The change of the Legislative Assembly to become The House of Parliament is symbolic of the United Kingdom's recognition of our growing maturity. It also reflects on our achievements as a people and as a nation. I hope that everyone here today, and everyone who visits or just looks upon this building in the months and years ahead will reflect on just how far we have come as a people and a nation in the last 61 years.

During that time, we have gone through several changes in our constitutional arrangements. Each has represented a progression toward greater local autonomy and increased responsibility for our affairs. In the many years since the adoption of the 1972 Constitution, we have moved from the Executive Council or Cabinet and the Legislative Assembly being merely advisory bodies to the Governor - who was the ultimate decision-maker for all matters - to the position where Cabinet and Parliament have, within the confines of the Constitution, exclusive responsibility for local affairs and local laws.

So the progress toward more local autonomy continues with the changes to our Constitution that were agreed by the Privy Council last month. The change we are celebrating today – the re-designation of the Legislative Assembly as a Parliament is rightly the centre-piece of the Constitutional Amendment Order. This is a proper reflection of the work that Members do in this building and a proper reflection of our national self-confidence and ability to run our affairs.

But it also carries with it other benefits. This Administration, as did the last one that I led, has made it a priority to increase Cayman's profile overseas. That is about Cayman being more assertive in promoting and protecting our interests but it is also crucial as we look at the future of our Islands and our ability to attract and retain the drivers of future economic growth and prosperity.

As we deal more directly with members of foreign governments and foreign business leaders, it helps that Members can call themselves Members of Parliament. Quite simply, it just carries

more weight with those with whom we are dealing and opens more doors to us as we look to open our doors to new opportunities.

As well as the establishment of our own Parliament for the first time, these Constitutional amendments include changes that are important both symbolically and in terms of the substantive enhancement of Caymanian self-government that they bring.

I will highlight four of those today. First and foremost is the clear Constitutional recognition of the primacy of our new Parliament and the Cabinet in all matters of domestic policy and the consequent requirement now placed on the UK to consult Cayman on all legislation before the House of Commons that directly impacts these Islands.

This is the first time that the United Kingdom has made such a concession in the Constitution of an Overseas Territory. It is highly significant as it provides us with the opportunity to influence UK legislation before it gets into the public domain and political positions are fixed. While this provision does not prevent the

enactment of legislation that may not be in Cayman's best interests, this amendment significantly reduces the likelihood of such detrimental provisions being imposed upon us.

Secondly, the Governor's power to approve the Standing Orders of our new Parliament has been removed. This amendment stands alongside the legislation we enacted in the last meeting of the old Legislative Assembly to give the legislature, not the executive, the control over its administration, staffing and resources of the Parliament. Together these changes mean that our new Parliament is itself a properly autonomous, sovereign institution, able to determine its affairs and answerable to the people it serves, not to the executive.

Thirdly, the new Constitution Order allows the creation of a Police Service Commission to act as an independent voice in the appointment of senior officers in the Royal Cayman Islands Police Service. I have repeatedly paid tribute to the work the current Commissioner has done to restore confidence in the RCIPS among

local communities. By creating an independent voice in senior appointments, this change represents a further step in ensuring that the RCIPS continues to be a locally responsive and accountable organisation.

Finally, the change to become a Parliament also means that we are now able to replace the role of councillors with that of formally appointed Parliamentary Secretaries. This affords proper recognition to the hard work of those elected members who work with Ministers to do so much to ensure the effective delivery of government priorities. I know from the experience of the last seven years how much I and my elected Cabinet colleagues have depended upon the support we have had from Councillors. I thank them on behalf of all of my Cabinet colleagues for what they have done, and we look forward to working with them in their new, enhanced roles.

So, with the recent constitution enhancements, the UK is acknowledging both the status of our legislative body and the right

of Cayman to determine its future by advancing the Constitution. We are rightly celebrating these achievements today.

The last 61 years have shown that we cannot assume that our Constitution is fixed and that no further change is necessary. On the contrary, our development as a nation will continue and further Constitutional change will be necessary to keep pace.

I have said before, and I say again this afternoon, that I regard Independence for Cayman to be as inevitable as my own death but like my own death, I hope it not to be soon. For the immediate future, I believe Cayman's best interests are served by staying as a member of the United Kingdom family. Not just our economic success but our culture and traditions are bound up in being part of the UK family.

But I would also add that as the UK prepares to leave the EU and seek a new place in the world as Global Britain that it too has a renewed appreciation for the value of its Overseas Territories as a part of the British family. This renewed appreciation of the OT's

must include an appreciation that we, like other nations that form a part of the British family, should be allowed to take greater responsibility for decisions that affect our people.

I have noted on several occasions in conversations with UK Ministers, UK parliamentarians and FCO officials over the years, including at the recent virtual Joint Ministerial Council meeting, that if the UK indeed wishes to retain her Overseas Territories over the long term, it is important that she continues to loosen the apron strings.

Increasingly across all of the Overseas Territories, our populations tend to bristle when they perceive the UK Government is telling us what to do. The idea of a partnership of progress and prosperity is important but it also needs to include mutual understanding and respect.

If the UK wishes to avoid driving the Territories to choose independence, particularly before they are ready, then it must allow the OT's greater autonomy over our destinies. This includes the

ability for the Territories to make our own mistakes and to learn from them. The UK must not feel that it is bound to intervene every time it believes that a Territory has made or is making a mistake.

On the other hand, those of us who govern in the OTs must accept that if we expect greater autonomy, then with that comes greater responsibility and the need for the courage to make difficult, and at times unpopular, decisions. Decisions we make must have the maximum respect for the rule of law.

The Constitutional amendments that have been made starting in 2009 have given our Islands a great degree of self-government.

But, as I have said, there is equally no doubt in my mind that further change will be necessary. As His Excellency the Governor knows, I believe that despite the important changes that we are celebrating today, the Constitution still retains some provisions that could most charitably be described as ‘anachronistic.’

I still believe the retention of Section 81, allowing the Governor to legislate directly in areas of the Governor’s special responsibilities,

is one such provision that needs to be abolished. However, the UK Government has made clear that, as they have had to recently use the provision, they have determined that now is not the time to remove it. I truly hope that a future Cayman Government can persuade the UK that, despite its misgivings, this section must go.

As the UK and His Excellency the Governor are aware, I still believe fervently that the Cayman Islands Cabinet must come to be chaired by the Premier who holds the highest elected, representative office in the Territory. If it were ever in doubt, this most recent Constitution Amendment Order makes it absolutely clear that the Cayman Islands Cabinet has autonomous responsibility for domestic policy.

As such it is a real anomaly, and indeed a contradiction in terms, that the UK-appointed Governor still presides over Cabinet – a Cabinet of which the Governor is not a member and in which he or she has no vote.

It is said that this provision is important in enabling the Governor to properly discharge his or her role. In arguing otherwise, I should

make clear that I have nothing but respect for Governor Roper personally and for the office he holds. Indeed I have come to regard him as a good friend and a most excellent Governor.

My position on this issue is one of principle. Indeed Governor Roper is the 4<sup>th</sup> Governor that has chaired Cabinet since I have been Premier. However, I believe the Governor can and should fulfil his or her responsibility without the need to assume a role that is naturally and logically that of the Premier.

I say that after seven and a half years in that role and I am fully cognizant that I have only six months remaining as Premier and so this change would not be one I seek for myself, but rather for future Premiers.

My issue, as I have said, is that the Governor chairing Cabinet actively detracts from the position of the elected Government having primacy over our domestic affairs that the rest of the Constitution now enshrines.

I hope that a future Premier will convince the UK Government to correct the situation and make the necessary change to allow the Premier to chair his or her Cabinet.

No doubt when that day comes, there will be other adjustments to be made. Ours is a living Constitution, not a dusty parchment to be viewed under glass by children on a school visit to a museum. It will continue to evolve as our nation continues to grow. Neither we nor the United Kingdom should be afraid to make further necessary changes.

But those are matters for the future. Today, we are here to celebrate a landmark achievement in our Constitutional journey with the designation of our legislature as a full Parliament.

Many people have been involved in achieving the Constitutional improvements that we celebrate today along with the renaming of this building to the House of Parliament.

I wish to pay tribute to all members of this House for their support for the Constitutional amendments and in particular to those who

worked with me and the team, including visiting the UK and attending the various meetings with the Foreign and Commonwealth Office to ensure that we achieved these critically important constitutional reforms.

I wish to thank the Member from North Side Mr. Ezzard Miller, who was the then Leader of the Opposition, and the Deputy Leader of the Opposition and Member for Newlands Mr. Alva Suckoo, who formed the Opposition's part of the delegation.

Special thanks also to my team on the Government side including Minister Joseph Hew (Minister for Commerce, Planning & Infrastructure) and Minister Tara Rivers (Minister for Financial Services & Home Affairs) as well as the learned Attorney General Samuel Bulgin, QC, and the Cabinet Secretary Samuel Rose, Chief Officer Eric Bush, my political advisor and Head of Office of the Premier Mr. Roy Tatum, as well as Mr. Jason Webster from the Cabinet Office, Mr. Charles Parchment in the Cayman Islands

London Office, and my Personal Assistant Ms Jana Pouchie-Bush for the role that they played in the success of the negotiations.

I especially thank Sir Jeffrey Jowell, QC, who has played an instrumental role in assisting the Cayman Islands for over two decades on matters of constitutional reform, including the 2009 Constitution, and whose advice and assistance during the recent negotiations played a pivotal part in helping to put together the package of reforms that we presented to the United Kingdom Government.

I also thank the Celebrate Cayman team of Alfonso Wright, Marzeta Bodden and Kristy Watler, the Hon. Speaker, Madam Clerk, and the many others who worked diligently to make this day a success.

Finally, I must thank His Excellency the Governor for the good faith and, I must say, considerable good humour he has shown throughout the last 18 months or so of negotiations. Thanks are also due to him for the representations he has made on our behalf

in Westminster and Whitehall and for the reassurances he has been willing to give to decision-makers as they considered the proposed changes. Final agreement on the amended constitutional order was achieved, in no small part, thanks to the Governor's willingness to support us in the dialogue with London.

Before I resume my seat, I wish to be somewhat introspective. I have dedicated a good deal of my elected life to building our democratic institutions and advancing our constitution – the bedrock of our democracy. It is some of the work of which I am most proud – not because of any benefit to myself but rather because of the benefit to the Caymanian people and these Islands that I love. To borrow the words of a great American President Abraham Lincoln. “I want it said of me, by those who know me best, that I always plucked a thistle and planted a flower where I thought a flower would grow”. The advancements to our constitution, starting in 2009 through to today, and the recognition of this institution as the House of Parliament are indeed flowers that

I am proud to have helped plant and that I know will bloom and grow for the benefit of our people for many years and many generations to come.

Today is a special day. We celebrate our past. We take pride in our achievements. And we look with renewed confidence and God's constant guiding hand towards our bright future.

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