



## Ministerial Statement

To the House of Assembly

By

The Hon. E. David Burt, JP, MP, Premier

### **Consultation on the Proposed Process for Constitutional Reform**

Date: 15 May 2026

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Mr Speaker, I am pleased to inform this Honourable House that the Government of Bermuda has formally commenced consultation on the proposed process for constitutional reform.

Nearly sixty years have passed since the introduction of the Bermuda Constitution Order 1968, and it has been more than two decades since substantive reforms were last achieved. Mr. Speaker, the first Progressive Labour Party Government cemented the electoral process under which we now operate, enshrining “*one man or woman one vote, each vote of equal value*” into our Constitution. That is this Government’s legacy of fairness and democracy, achieved under the leadership of the former Honourable Member Dame Jennifer Smith and the late former Honourable Member and Attorney-General, Dame Lois Browne-Evans.

Mr. Speaker, since that time, Bermuda and the world have changed socially, legally, and technologically. The time has therefore come to consider constitutional modernisation in a serious, structured, and inclusive way. Honourable Members will recall that the Speech from the Throne in March 2025, signalled the commencement of this process and in so doing, confirmed that:

**“Electoral and Constitutional reforms should mirror the times in which we live, and the strength of systems is in their ability to adjust to meet the demands of the times.”**

Mr Speaker, I will be clear from the outset. This process of modernisation will be the result of careful, considered change to a constitutional framework that has served Bermuda for almost six decades. Changes will not be made without scrutiny by this Honourable House, meaningful participation by the people of Bermuda, and ultimately the agreement of the Government of the United Kingdom.

Mr Speaker, in advance of my remarks today, I have written to the Leader of the Opposition, the Chief Justice, the President of the Senate, the Speaker of the House of Assembly, and other relevant heads to notify them of the commencement of this consultation and to provide the draft recommendations for their consideration. Each has been invited to provide feedback, the intent of which is to improve and finalise Bermuda’s map to an improved constitutional framework.

The draft recommendations now before stakeholders are the product of significant research, analysis, and engagement. That work included an examination of Bermuda’s constitutional history and comparative constitutional practice across other British Overseas Territories and the Commonwealth nations of the Caribbean. It also reflects input from Government House, the Opposition, the Attorney-General and Minister of Justice, the Speaker of the House, the President of the Senate, the Chief Justice, the Director of Public Prosecutions, the Clerk to the Legislature, and other senior constitutional appointees, technical officers, and contributors.

These efforts have culminated in the *Draft Recommendations for a Bermuda-Led Constitutional Reform Process*, which set out a proposed five-phase pathway for constitutional reform.

As Bermuda is a British Overseas Territory, the United Kingdom's consent is required for constitutional reform. The United Kingdom has indicated that Bermuda may design and carry out its own process, provided that the process is *cross-party, inclusive, transparent, proportionate, and consultative*. The proposed process has been designed to meet those requirements, reflecting this Government's commitment to full public participation and transparency in consultation and process.

Mr Speaker, this Government is firmly committed to ensuring that constitutional reform is conducted in a measured and inclusive manner ensuring that its legitimacy is not an afterthought, but the foundation upon which the entire process has been designed.

As a result, the five proposed phases are:

- *Phase 1 - Process Design and Agreement*: gathering informed feedback on the proposed process, improving the draft, securing broad, multipartisan agreement, and formally initiating the process following the approval of the United Kingdom;
- *Phase 2 - Implementation Preparation*: establishing the legal framework and organisational structures to deliver the process, including a Constitutional Reform Commission and an Executive Steering Committee;
- *Phase 3 - Awareness, Education and Engagement*: providing civic education, plain-language information, and opportunities for community submissions on constitutional priorities;
- *Phase 4 - Constitutional Conference and Drafting*: convening a locally designed and led constitutional conference to deliberate on priorities and develop draft recommendations for constitutional amendments;

- *Phase 5 - Finalisation, Approval and Ratification*: securing local approval, submitting recommendations to the United Kingdom, undertaking bilateral discussions, and ratifying agreed amendments by an Order in Council.

Mr Speaker, we are now at the beginning of Phase 1. By virtue of their constitutional roles and responsibilities, the current consultation is directed at the leaders and stewards of the three branches of Government to gather their views on the process. The Bermuda Bar Council has also been invited to participate as a critical stakeholder with relevant legal expertise.

Mr Speaker, I think it is important to underline the central role proposed for the Legislature in the constitutional reform process. Members of the Legislature are invited to scrutinise the draft process, and in time consider enabling legislation, debate future reform proposals, and evidence their support before recommendations are advanced to the United Kingdom. The participation of both Houses on behalf of those people we represent is critical for progressing reform.

Mr. Speaker, public participation is also essential. Following agreement on the process the people of Bermuda will be invited to help shape the reform agenda enabled through public education, plain-language information, submissions, community dialogue, deliberation, and fulsome consultation on developed proposals. The purpose is to ensure that participation is meaningful, accessible, informed, and includes a cross-section of Bermudian society.

Mr Speaker, the mention of Constitutional reform can understandably give rise to concern that intended change of this nature is a pretext for something larger, something more fundamental – that has not been put to the people. Let me be clear: what we are embarking upon is a process of modernisation – the kind of careful, considered maintenance that any living constitutional document requires after six decades.

I would note that this is not a process Bermuda is undertaking alone: the United Kingdom has itself committed, most recently at the 2025 Joint Ministerial Council, to engage closely and proactively with each Overseas Territory whose democratic will is to revise its constitution. That commitment reflects a shared understanding that modernisation of this kind is both reasonable and overdue.

The process as proposed will be transparent, and any proposed changes will be considered and advanced following consultation with the people of Bermuda and the approval of the Legislature. As is the case with each British Overseas Territory, final approval rests with the Government of the United Kingdom.

I wish to thank those who contributed to the development of the draft recommendations, including the Attorney-General's Chambers, the Cabinet Office, the London Office, the Legislature, and the many individuals, including retirees, who gave their time and expertise to inform this work.

Mr Speaker, I will ensure that this Honourable House and the public, are kept informed of the progress and outcome of the consultation, and I look forward to the feedback it will generate in support of our shared goal of a better Constitution for Bermuda.

Thank you, Mr Speaker.