



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.30 p.m. – 7.00 p.m.

Gibraltar, Friday, 16th March 2012

The Gibraltar Parliament

The Parliament met at 3.30 p.m.

[MR SPEAKER: Hon. H K Budhrani QC *in the Chair*]

[CLERK TO THE PARLIAMENT: M L Farrell Esq RD *in attendance*]

Questions for Oral Answer

HEALTH AND THE ENVIRONMENT

Western Beach pollution problems Technical explanation

Clerk: Answers to Oral Questions continue.
Question 265/2012, the Hon. S M Figueras.

5 **Hon. S M Figueras:** Mr Speaker, will the Minister with responsibility for the Environment provide details of the technical explanations received as to why previous solutions have not worked to solve the Western Beach problem as reportedly discussed at the Chief Minister's meeting with the La Línea Mayor, Ms Gemma Araujo?

10 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, may I first apologise for my voice. I am suffering from a cold.

I will answer this Question together with Question 266.

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**Western Beach pollution problems
Discussions with Mayor of La Línea**

20 **Clerk:** Question 266.

25 **Hon. S M Figueras:** Mr Speaker, in light of the meeting held by the Chief Minister with the La Línea Mayor, Gemma Araujo, can the Minister for the Environment confirm whether any agreement has been reached with the said Mayor in respect of progressing towards a solution to the Western Beach pollution issue?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

30 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the technical solution to this issue is that the illegally polluted discharges from the storm water drain should not discharge into the sea. In order for this to occur, La Línea needs to be able to invest in works to their system.

35 The poor state of the La Línea economy has made an investment of this nature almost impossible, even though the present Mayor would clearly like to be in a position to do so. Government has concluded that, under the circumstances, pursuing a solution with the regional authority, as was the previous administration's preference, will not lead to this.

It has, therefore, decided that it is Spain's central government that needs to be made responsible and pressed for a solution, and an official complaint will be lodged with the EU to this effect.

40 **Hon. S M Figueras:** Mr Speaker, I am grateful to the Hon. Minister for his answer. However, he has failed to address the point of what technical solutions have not worked previous to this meeting.

45 **Hon. Dr J E Cortes:** The fact is that the technical solutions would be almost impossible in one respect, in the sense that they are illegal connections to the storm drain and the technical solution would be to cut off those illegal connections.

Also, any works which would have to be carried out to take the effluent from the point at which they enter the sea to a point far enough away where they would not cause contamination would be more costly than it appears the La Línea authorities are able to cost. Those are the solutions, of which one is very difficult because it is a question of illegal connections and, obviously, the costs that that will incur.

50 It is not for me to make excuses for the La Línea authorities; I am just reporting the facts.

55 **Hon. S M Figueras:** Just by way of an aside to this matter, I have been made aware in the last few days of what appears to be some works in the area of that storm drain. I wonder whether the Minister is aware of any action being taken at this time?

Hon. Dr J E Cortes: No, I am not aware and if they have decided to progress any works then, obviously, we would welcome that, but that does not come to us officially. They may be works which are not related to that, even though they are in the area, but certainly I will endeavour to find out as soon as possible.

60 **Hon. S M Figueras:** I am grateful, Mr Speaker.

Hon. Chief Minister: Mr Speaker, if I might just, in terms of information... the Government has also been made aware of those works.

65 They do not appear to be of the nature that would suggest that they are designed to deal with the problem, although they may be designed to deal with ancillary problems arising in that storm drain.

Hon. S M Figueras: I am grateful to the Hon. the Chief Minister for his participation in the answer.

I understand that this is a matter that has complicated cross-border – what is the word I am looking for? (*Interjection*) – dimensions to it. Thank you.

70 However, in January, we were told that the matter was being reviewed, that legal advice had been sought and then, in February, that the advice had been received and was being considered and would be considered – and I quote – ‘for a considerable length of time’.

75 Obviously now, in light of this meeting, and the decision that the Government appears to have taken in respect of the matter, would the Minister agree with me that it is now of the highest priority to pursue this complaint with the central government in Madrid, to try and progress the matter before the bathing season is upon us?

Hon. Dr J E Cortes: Yes, Mr Speaker, in 2010 – I was not a member of this Parliament, but I have checked *Hansard* in relation to my preparation for this Question – the then Government was not sure what the source of the pollution was. In 2011, when the issue was raised again by the then Opposition, it had become clear to them that it was pollution proceeding from this drain in the La Línea area, and the Government at the time was of the opinion that it had to proceed with discussion with the regional authority first, and then consider taking legal action.

85 I am aware, from my officials, that certain steps were taken, but they were made aware also that it was unlikely that the regional authorities were going to take any steps, and that is where it was left. When I came into my responsibilities for the environment, we wanted to confirm that those steps with the regional authorities were not going to get us anywhere, hence the discussions with the Mayor of La Línea and that was within two and a half months of our coming into office. Within about a month, we have now got all the documentation, all the data, updated.

90 I have seen the reports today and I am having a meeting with Mr Llamas next week, in order to make the complaint with the EU in the shortest possible time. It is, in fact, imminent.

Hon. S M Figueras: Mr Speaker, I commend the Hon. Minister for the action that is being taken in respect of this matter, which is obviously one of great concern to the community. Is he in a position, however, to say to this House whether he anticipates the problem will be solved in a specific timeframe, or is this simply just out of his hands and the community will be, unfortunately, without resolution in this matter for some time to come?

100 **Hon. Dr J E Cortes:** Yes, I do not want to waste the Parliament’s time in looking for the precise quote, when a similar question was asked a year ago of the then Chief Minister, but it is unlikely that this will be resolved in a very short space of time.

Hon. S M Figueras: I am grateful for...

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**Barbary apes
Population details**

110 **Clerk:** Question 267, the Hon. S M Figueras.

Hon. S M Figueras: Yes, Mr Speaker, can the Minister with responsibility for the Environment provide this House with details in relation to the ape population in Gibraltar, broken down by births, deaths and location over the last four years?

115 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, the information requested by the hon. Member is contained in the schedule which I now hand to him.

Answer to Question 267

Barbary Macaques Population

Year	Total population at start of year	Deaths	Births	Total Population at end of year	Breakdown of population by location*					Totals (+/- 5 animals)
					Middle Hill	Prince Philip's Arch	Anglian Way	Apes Den	Farringdon	
2008/9	241	56	27	212	54	61	43	38	16	212
2009/10	212	57	27	182	48	57	29	40	9	183
2010/11	182	36	29	175	50	56	24	35	12	177
2011/12	175	13	21	183	46	56	34	41	9	186
2012/2013	183	3								

* It should be noted that there is movement of macaques between locations and that some groups are sub-divided.
(Data provided by GONHS)

120 **Hon. S M Figueras:** I am grateful.

**Barbary apes
Plans for dealing with problems**

125 **Clerk:** Question 268, the Hon. S M Figueras.

130 **Hon. S M Figueras:** Can the Minister for the Environment confirm what plans, if any, have been put in place by his Government, beyond what was already in place on the 8th December 2011, to deal with the issues faced on a daily basis by many members of the community arising from the size, distribution and behaviour of the Barbary ape population?

Clerk: Answer, the Hon. the Minister for Health and Environment.

135 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, I will answer this question together with Question 269.

140 **Barbary apes
Plans for population management and anticipated cost**

Clerk: Question 269.

145 **Hon. S M Figueras:** Can the Minister for the Environment provide details of his Government's policy for the management of the Barbary ape population in Gibraltar, as well as further details of costs of the measures anticipated?

150 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, no new systems have yet been introduced since December 2011, although contracted staff continue to attend when called. However, complaints in the past three months have been few.

The Government's policy for the future management of the Barbary Macaques is based on the Barbary

155 Macaque Management Plan, which was presented to the then Chief Minister in the autumn of 2009, but which was never agreed nor implemented by the then Government.

This plan was prepared by representatives of the Gibraltar Veterinary Clinic, the Gibraltar Ornithological and Natural History Society, and the Department of the Environment, with the involvement of the Gibraltar Tourist Board.

160 The plan will be updated and re-costed, following consultation with the team that prepared the plan and with Prof. Agustín Fuentes of Notre Dame University, Indiana, who is a world expert on Macaques and has worked in Gibraltar.

165 Prof. Fuentes is currently in the field in the Far East and will visit Gibraltar shortly. Once the plan has been updated, it will be made public. However, I can say that the main components will be improving the sites on the Upper Rock, increasing on-site supervision, observation and data collection, contraception and, as far as possible, exportation.

170 **Hon. S M Figueras:** In the context of the exportation of the apes, is the Minister able to confirm whether there are any willing entities which have been identified to receive any of the Barbary apes?

Hon. Dr J E Cortes: Yes, Mr Speaker, in fact, there was an entity which, for possible commercial reasons, I will not name, but I am happy to give the information to the hon. Member outside this House.

175 There were approaches from one entity in the United Kingdom, which did not come to fruition, and we have re-engaged with them to see whether there are possibilities and the possibility of sending Macaques back to North Africa. Tunisia, possibly, now that the political situation there has changed, and Morocco, certainly, are still being considered and contacts are once again being made, with a view to the possibility of sending some of our surplus animals to North Africa.

180 **Hon. S M Figueras:** Mr Speaker, is the Hon. Minister able to commit to a period of time during which this may occur?

185 **Hon. Dr J E Cortes:** No, Mr Speaker, at this stage, I am not. It is a complex issue. Particularly in North Africa, there are many different levels of authorities there that have to be engaged, and at this point in time, it is too early. But I will share that information with this House as soon as anything is certain, because I think it is something which is in the interest of the whole community.

Hon. S M Figueras: Has the Hon. Minister managed to overcome the issues that the previous administration was facing in respect of the exportation – the practical aspects of the exportation of the apes?

190 **Hon. Dr J E Cortes:** This is a problem that I have personally been dealing with through several administrations, and the problems are not yet overcome.

195 The problems are several. I have no problem with sharing them with the House. One is the inability, or difficulty, of getting them through the land frontier, and the other is the fact that none of the airlines currently servicing Gibraltar will take animals on their flights. Therefore, one has to resort to either transport by sea, which could be very long and not satisfactory for animals in boxes, or chartering of aircraft, which are issues which obviously increase the cost of any such exportation.

In the discussions with the UK entity, it would be hoped that, perhaps, there could be co-funding. In the question of North Africa we have not got that far yet.

200 **Hon. S M Figueras:** Is the Minister confident, then, that the issues arising from the practical exportation of the apes are ones that will be overcome in due time?

205 **Hon. Dr J E Cortes:** Yes, inasmuch as when the present Minister was working in a non-governmental organisation, even though for a long time there was a lot of goodwill from the Government at the time, I was not personally in a position to move certain things that I hope, as a Minister, and with the backing of my colleagues in the Cabinet, I will be able to make some inroads. But, obviously, the proof of the pudding, as the saying goes, will be in the eating.

Hon. S M Figueras: Is the Minister able to confirm to this House whether or not – and I understand you

210 are in the early stages of discussing the matter with the UK entity in question – they are interested in sufficiently large numbers of the population, as would make a significant impact on the local population?

Hon. Dr J E Cortes: Yes, they are.

215 The discussions, as far as I was involved with the previous administration, although mainly with the Hon. Mr Britto – who is not here in this Chamber any longer and is now lucky enough to have time to be on the stage, which is something I will not be doing for a while, I suspect – the intention was that they would take one group, initially, of up to 30 animals, followed by a second group of up to 30 animals and, quite frankly, if we were able to export two groups like that, the situation would be back to a very manageable level. So it would be useful if we could pull it off.

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Hon. S M Figueras: Mr Speaker, I suspect that this House will be as close as we both get to the stage for some time to come!

I am grateful to the Minister for his answer.

225 In relation to the numbers, is the Government committed to a specific number in relation to the management of the population?

Hon. Dr J E Cortes: Mr Speaker, numbers will not necessarily solve the problem. The aim of successive Governments, ever since Prof. Bob Martin, then of Zurich University, now of Chicago Field Museum, carried out his survey some years ago, I forget the exact year, the recommendation was that 180 should be the maximum number and the number at the moment is about – give or take – five animals per group. It is not possible to be exact, you are always going to miss some, and I am referring to the schedule from the previous question – the number is now down to about 186.

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235 But it is not just numbers, as such, because if you have one group of 30 animals, which are stable and they are on the Upper Rock, then that is not going to be a problem. You could have a smaller group of 10 or 15 animals that decide to roam, and then you are going to get a problem. So it is not just the absolute numbers, but the composition and their behaviour. Although the numbers are approximately what the scientists say we should have, the question is now where those numbers are and that is where the management issues come in.

Hon. S M Figueras: Mr Speaker, perhaps you will indulge me just one question which may perhaps include an element of speculation and the Minister will decide whether or not he chooses to answer it.

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If for any reason, practical, economical, or otherwise, the Government were unable to move on the process of exporting up to, say, 60 Barbary Macaques, how would the Government propose to deal with the population, as it grows, in the light of their stated position on culling?

Hon. Dr J E Cortes: I think there was an argument about speculation earlier on in this session. I am not going to accept failure at this stage.

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All I can do is confirm that we can control movements, we can control the problem of where the animals go to, without culling, and that would be our aim, if we could not export.

250 Controlling the way they – ‘control’ is a very strong word, you cannot really control a wild animal, but manage in such a way that the likelihood of them coming into contact with areas of human habitation would be reduced. We are not contemplating culling.

Hon. S M Figueras: Mr Speaker, the only reason why I asked the question is because, if their likeness on warning signs all over the Upper Rock is to be believed, the Barbary macaque is a dangerous wild animal and there have been stated instances of attacks on the human population which, of course, have been discussed in this House in previous sessions.

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It is a concern, certainly from this side of the House – and I fully believe that it is shared across the floor – that incidents of that nature should be, as far as possible, a thing of the past and it is this side of the House’s position that the policy of not culling at all, no matter what, may lead us to a situation where it is not manageable. Hence the question, but I do completely concede that it involves speculation.

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Hon. Dr J E Cortes: I have no problem in commenting on that. It is not the numbers, it is what the animals are doing, it is where they are, it is the interaction, it is the way people interact with them. It is normally people who cause the bites, not the animals. So what we have to control is the man-Barbary

265 macaque interface and the management plans that we are going to be introducing will tackle that, regardless of the numbers.

You can have one group of 20 monkeys and, if they are treated in the wrong way and they are in the wrong place, they are going to bite. I can say that there is scientific research, which I do not have here – I could, if I had had notice – which indicates that the percentage of bites in Gibraltar is the lowest of that in any population where monkeys and humans come together. That research, in fact, has been carried out by Prof. Fuentes, who will shortly be here on his way back from the Far East to advise us further.

Hon. S M Figueras: The plans for management, which the Hon. Minister has just referred to, is there a timescale on that?

Hon. Dr J E Cortes: Yes, Mr Speaker, we are starting our consultation process on the question of the Upper Rock management within the next two weeks and the question of the Barbary Macaques will be considered in tandem with the rest of the Upper Rock, so I think we would be able to have something in place within the next, maybe, three or four months. I am not going to be held to that timescale, but that is the timescale that I would like to see and the way I see it, as it is developing at the moment.

Hon. S M Figueras: Mr Speaker, is the Minister able to enlighten this House, as to the kind of cost that the Government is contemplating is almost the ceiling in this matter?

The Hon. the Chief Minister did refer in a question in a session in 2009 to the fact that the then administration needed to take stock and invest a significant amount of money in this particular issue. Has the Minister or the Government taken a moment to consider where the ceiling might be in relation to those costs?

Hon. Dr J E Cortes: Yes, I have an idea of the cost, but because it depends on which final model of management we follow and because I still think we could benefit from our external adviser, I do not feel I am in a position to offer any actual figure at this stage but, as soon as we have an idea, then, obviously I would be able to do so. I do not think it would be correct for me... It is too early a stage now to be able to commit myself to figures.

Hon. S M Figueras: If Mr Speaker will indulge me with one more supplementary on the matter – the Hon. the Chief Minister in this very House, some years ago, referred to having not been gutless for a long time and therefore not an avid beachgoer...

I am not gutless and have not been for as long as I can recall and if my gut ever had that loud a say in my life, I would scarcely leave the house. That said, I am an avid beachgoer and I am interested whether the Minister can enlighten us as to whether the complaints received, although low in number, have been in respect of the Catalan Bay area at all? (*Interjection*)

Hon. Dr J E Cortes: Mr Speaker, it has been mooted, in fact only this morning to me, that the Barbary Macaques might well be members of the Gibraltar Socialist Labour Party because, since the Election, there have been remarkably few complaints.

I have seen them myself in the area of the Caleta Hotel and I have seen them myself in the Trafalgar cemetery area, but I have not had any direct complaints, bar possibly two.

Mr Feetham will be amused that they came to me via Facebook, (*Laughter*) of Barbary Macaques in built-up areas, but I would like to credit the people who manage them who, perhaps being former colleagues of mine, they are putting in an extra bit of work, or perhaps the Macaques are Party members, if not of the GSLP, maybe of the Liberals. (*Interjections and laughter*) I thought I would throw that in. But the complaints are certainly much lower than they have been.

Hon. S M Figueras: And just to bring the tone of the conversation right back to the seriousness with which, obviously, we consider the matter, is the Government content to stand by its policy not to cull, if that means the possibility of facing fatalities or injuries in future?

Hon. Dr J E Cortes: Mr Speaker, the Government is content to stand by its policy of not culling, because we are not going to have a problem, once we have put in the proper management structures, which have not ever existed in Gibraltar.

320 **Hon. S M Figueras:** As long as that is a guarantee with somewhat more strength than the Future Job Strategy, thank you and I am very grateful. *(Laughter)*

Hon. E J Reyes: May I, Mr Speaker –

325 **Mr Speaker:** Yes, the Hon. Edwin Reyes.

Hon. E J Reyes: The Hon. Minister, in his answer to Question 269, referred us back to the schedule he offered on 267.

330 When it says here ‘Year’ and it says, for example, 2011-12, and then 2012-13, are we talking about financial years or when does a year – is it 1st April like a financial year, or when would the year come in? I am a bit confused.

Hon. Dr J E Cortes: Yes, I think by looking up the last entry, the thing is that the young of the year are added to the total on 1st January.

335 Because they are born round about October and there are some deaths, we do not add – the contractors used to be me, but it isn’t me any longer – the contractors do not add – the numbers until, for example, 1st January, so in the case, for example... Let us look at the first one: we are talking about 2008, although the actual figures, when you tally up, would be on 1st January 2009, so the births were in 2008, but the number is added in 2009, so look at the first figure, rather than the last figure.

340 **Hon. D J Bossino:** Can the Minister advise this House whether he is aware of what the nature of the complaints are? He has stated that there are few, but does he know what the nature of the complaints are?

345 **Hon. Dr J E Cortes:** They were not complaints as such, other than being advised that there were Macaques in built-up areas and people are often scared of them, but I have not... I cannot recall anything specific that has happened in the past of them getting into people’s houses.

I am not saying it has not happened, I am just saying that I have not been aware of any such complaints, but that does not mean it could not happen tomorrow or as I speak. Remember, we have not implemented the programme yet.

350 **Clerk:** Question 2...

Mr Speaker: Hon. Damon Bossino.

355 **Hon. D J Bossino:** Thank you, Mr Speaker. Which authority would normally be the authority that would be in receipt of those complaints? Can the Minister advise me what the position is?

360 **Hon. Dr J E Cortes:** There have, in the past, as part of the management programme – we would like to streamline that – but in the past, phone calls could come in to the Royal Gibraltar Police, to officials of the Department of the Environment, to members of the macaque team of the Natural History Society, including myself personally, so there is a wide range of different sources of complaints, which would then all be channelled to the Department of the Environment. Those are the main sources.

We would like to have something like a hot line or something like that, but that would be part of the plan.

365 **Hon. D J Bossino:** The important issue I wanted to address from my question was that it would be channelled to your... to the Minister’s Department?

Hon. Dr J E Cortes: Yes, indeed.

370 **Hon. D J Bossino:** If it has, then I am satisfied with that answer.

Hon. D A Feetham: There has been no-one referred to hospital, because of any incidents with Macaques? I do recall a letter from Ray Pilley, referring to a girl who had been badly injured as a consequence. There have been no incidents of that nature, has there?

375 **Hon. Dr J E Cortes:** There may have been people who are bitten, who will normally go to the hospital and they keep a register. If any of the hon. Members wish to ask me, for a future occasion, how many bites there have been, but I do not have that information. (*Interjection*)

I am told that was before the Election, so obviously –

380 **Hon. D J Bossino:** What was? The incident? (*Interjections*)

Hon. Dr J E Cortes: No. Nonetheless important. (*Interjections*)

385 **Hon. S M Figueras:** [*Inaudible*] ...Mr Speaker the management of the apes today. This is what we are discussing. [*Inaudible*] This is precisely why it is very important to have this discussion in this House.

Clerk: Question 2 –

390 **Hon. G H Licudi:** Just to dispel any notion or any misunderstanding, my recollection of the letter that the Hon. Mr Feetham has referred to was, in fact, in relation to a fictitious incident that he created simply to illustrate a particular point, but it was entirely fictitious.

395 **Hon. D J Bossino:** Mr Speaker, if I could assist the House and concur with what the Hon. the Minister is saying, I think that was just an introductory paragraph in Mr Pilley's letter, in order to create alarm, initially, and therefore create, I suspect – I have not spoken to the author – but to create the interest in what he was saying. I would agree with that.

So I am not sure he was referring to any specific incident, whether before or after the new dawn arrived.

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**Seagull population
Management and control policy**

405 **Clerk:** Question 270, the Hon. S M Figueras.

Hon. S M Figueras: Yes, Mr Speaker, the Minister need not wince; I am not armed with a barrage of supplementaries on this one! (*Laughter*)

410 Can the Minister with responsibility for the Environment confirm the Government's policy in relation to the management and control of the seagull population?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

415 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the Hon. Mr Figueras can ask me as many supplementaries as he likes, but if my voice runs out before the Hon. Mrs Ellul has a chance to ask me any questions, then I might have to get somebody else to read my answers!

Mr Speaker, the existing year-round culling programme will continue with enhanced resources currently under discussion with the service providers.

420 Government inherited a four-year programme from the previous administration which is run by the UK's Food and Environment Research Agency (FERA). This is the last year in this programme, which has now been considerably streamlined and will factor in an element of handing over and training to the local operation, which will take over in full.

New technologies, which have proved very successful elsewhere, will also be introduced this year. The Government is committed for the long-term control and reduction of the gull population.

425 **Hon. S M Figueras:** Mr Speaker, is the Minister able to enlighten us in respect of the identity of the local operators who will be taking this matter on?

Hon. Dr J E Cortes: Yes, the local operators who have been operating the Gull Control Unit for the last 15 years are the Gibraltar Ornithological and Natural History Society (GONHS).

430 **Hon. S M Figueras:** In respect to the cost, which has obviously been in the questioning, is the Minister able to assist us in respect of the anticipated cost moving forward of this operation versus perhaps what has gone before?

435 **Hon. Dr J E Cortes:** I would have had to have notice to give you details of cost. I can pass them over to you outside the meeting if you like, but I do not have that information here.

Hon. D A Feetham: Yes, if he wants notice of the question, we will ask it in a month's time. It really is not contentious in any way.

440 But I have noticed in my walks in the Upper Rock that there appear to be a very large number of feral cats. I wonder what the Government proposes to do about feral cats (*Laughter*) and whether he thinks there is an impact, or a potential impact, on wildlife.

445 I think also that he and I have spoken in the past about the resident population of goats: what is the Government to do about the goats, because he knows that we have spoken, as well, in the past about the possible re-introduction of the Iberian ibex, (*Laughter*) which is not possible, unless something is done about the herd of domestic goats that are running wild in the Upper Rock.

Mr Speaker: I am not sure there is a connection between feral cats and goats and seagulls, but if the Minister wishes to – (*Interjections*)

450 **Hon. Dr J E Cortes:** Mr Speaker, if I fall into the temptation of giving a lecture on the wildlife of the Upper Rock, (*Laughter*) then we might be here for several days, let alone...!

I am happy to answer specific questions in future, but opening a discussion on those subjects, (**Mr Speaker:** Yes.) I think is...

455 But we can talk about it outside – the second person today who has offered your – (*Interjection*)

Clerk: Question –

Mr Speaker: The Hon. Mrs –

460 **Hon. Mrs I M Ellul-Hammond:** Yes, Mr Speaker, can the Minister explain how is GONHS going to be taking over the service that was introduced by the UK? What measures will be taken – any new ones?

465 **Hon. Dr J E Cortes:** Right, yes, there will be a considerable amount of training which, for the first time, has been organised by the people from FERA, the Food and Environment Research Agency, with the Control Unit here, with a view to, depending on the success, expanding the size of the Unit.

470 The question of new technologies, we will be trying and GONHS will be trained in this new technology, which is the use of lasers to disrupt gulls at their breeding colonies, which means they will abandon the nests. Then there will not be the number of young, which is obviously a problem, and eventually, if this is successful – it has been tried in the UK but never outside the UK, perhaps in the United States – then it may be possible to reduce the population of gulls without resorting to killing them directly, which would be the ideal situation.

475 **Dementia and Alzheimer patients
Policy re care provision**

Clerk: Question 271, the Hon. Mrs I M Ellul-Hammond.

480 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health explain what the policy, in conjunction with the Care Agency is 'to further and adequately increase the overall provision for Dementia and Alzheimer patients' as outlined in their press release number 32 of 17th January 2012?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

485 **Minister for Health and the Environment (Hon. Dr J E Cortes):** Mr Speaker, the Ministers with responsibility for Health, Social Services and the Care Agency have commissioned a multi-agency team, which will work in regular consultation with relevant non-governmental organisations and which will report by the end of the summer on a strategy to address the core needs of those with dementia.

490 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister explain if he has plans to boost the community health service and domiciliary care?

495 **Hon. Dr J E Cortes:** Mr Speaker, it is highly likely that the conclusions of this group, this multi-agency team – as I have declared in conversations and possibly even publicly – will be that the community will be well-benefited by increasing health care in the community, including domiciliary care.

I do not want to pre-empt the results, but I think it is very clear to those of us – both the Minister for Equality and Social Services and myself have discussed it at length – that it will, most likely, be necessary for us to take considerable steps in the community.

500 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, is the Minister aware that the domiciliary care funding increased by about 400% over the last five years to £750,000? By how much does he envisage, or would like to see, the domiciliary care budget increase this year?

505 **Hon. Dr J E Cortes:** Mr Speaker, domiciliary care is handled by another ministry. I do not have insight – although we discuss regularly – obviously, I do not have insight into the proposed budgets and so on. I cannot answer that. All I can say is that we hope to be able to expand it, but I cannot go into figures at that stage. I do not have that information.

510

**King George V Hospital
Breakdown of expenditure**

515 **Clerk:** Question 272, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain how the £70,000 has been spent at the KGV Hospital, broken down by painting of the building, erection and hire of scaffolding and purchase of new equipment and furniture for the KGV?

520 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, the spend to date, as committed expenditure for the renovation programme at the KGV Hospital, is as follows:

525 Painting external building, £2,765 spent, £8,000 committed; internal paintwork, £1,000 committed; scaffolding, £7,800 spent; external plumbing, £500 spent, £1,500 committed; refurbishment of male and female toilets, £13,145 spent; ceiling tile renewal, £2,820.38 spent; ironmongery, £3,380 spent; general building materials, £2,405.09 spent; new suspended ceiling in the dining area of the long-stay ward, £1,500 committed; new treatment room, £1,600 spent; new isolation room, £2,340 spent; furniture, £4,069 spent.

530 The following are committed, subject to final receipt of all the estimates that have been requested. These are the last few things that are going to be done, and that is: curtain rails, £7,000 committed, subject to quotes; privacy wall-mounted partitions, £7,000; main entrance flooring, £2,000; new signage, £1,000; repairs to windows, £2,000; renewal of entrance ramp, £3,000.

Total spent to date: £40,824.47; committed expenditure, £34,000. Total expected expense on the project: £74,824.47.

535 I would like to take this opportunity to congratulate the team in the Health Authority for their exemplary work in having all this work done to schedule. *(Applause)*

Hon. Mrs I M Ellul-Hammond: Mr Speaker, I am grateful for that information. Could the Minister extend a copy of that schedule to the Members opposite?

540

Hon. Dr J E Cortes: Certainly.

Hon. Mrs I M Ellul-Hammond: Thank you.

ANSWER

THE HON THE MINISTER FOR HEALTH AND THE ENVIRONMENT

Mr Speaker,

The spend to date and committed expenditure for the renovation programme at the KGV Hospital is as follows:

Works	Spend to date	Committed Expenditure
Painting external Building	£2,765.00	£8,000.00
Internal paintwork		£1,000.00
Erection of Scaffold	£7,800.00	
External Plumbing renewal	£500.00	£1,500.00
Refurbishment of Male and Female Toilets	£13,145.00	
Ceiling Tile renewal	£2,820.38	
Ironmongery improvements	£3,380.00	
General building materials	£2,405.09	
New suspended ceiling Dining Area Long Stay Ward		£1,500.00
New treatment Room	£1,600.00	
New Isolation Room	£2,340.00	
Furniture	£4,069.00	
Curtain Rails Anti-ligature		£7,000.00*
Privacy wall mounted partitions		£7,000.00*
Main entrance flooring		£2,000.00*
New signage		£1,000.00*
Repairs to all windows		£2,000.00*
Renewal of entrance ramp asphalt		£3,000.00*
	£40,824.47	£34,000.00

The committed expenditure marked with an asterisk has been calculated on approximate costs as the quotes requested have still not been received.

545

**Royal Naval Hospital site
Explanation of plans**

550

Clerk: Question 273, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain what changes will be made to the former Royal Naval Hospital site and to the plans for the internal buildings of the new mental health hospital and of the new Alzheimer and Dementia hospital?

555

Clerk: Answer, the Hon. the Minister for Health and the Environment.

560

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, as this is something in which my colleague, the Hon. Minister for Equality and Social Services, and I are working together, with your permission, we will answer this Question in two parts. (**Mr Speaker:** Yes.) My colleague will start on her side of the project, and I will continue on mine.

Mr Speaker: Certainly.

565 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, with regard to the Alzheimer and Dementia Unit, as I have said in previous sessions of Parliament, a review of the initial proposed 80-bed facility for the site of the Royal Naval Hospital was commenced very shortly after this Government began in office. It was very evident that the facility fell short of UK minimum standards, even taking into account the conversion of existing buildings into this type of facility.

570 I can at this stage say that the number of beds will be reduced to incorporate communal facilities to allow residents accommodation in the facility to have quality of life. The final layout of the interior has not yet been finalised, as we are awaiting input from experts.

Hon. Dr J E Cortes: Mr Speaker, I will now continue on my half. I have a little bit more because we have been able to proceed further on the mental health.

575 Regarding the Mental Health facility, the plans were incomplete and had not been approved by the professionals. The professional team has now reviewed all aspects and I was pleased to be able to sign off proper plans last month.

580 The area designated for Mental Health will be divided into three main zones: first is the Activity and Rehabilitation Centre zone, which will include a small garden area attached to the back of block D, the area will consist of activity for daily living, kitchen, assessment room, arts and crafts room, IT facilities room, bookable rooms for conducting groups, sitting room, quiet area and dining room.

585 Second, the Psychiatric Unit zone on the lower ground floor will consist of main entrance, reception security area, visitors' facilities, consisting of a visitation area, cafeteria offering sheltered employment facilities and seating area, multi-disciplinary team room, resource room, medical records storage room, clinical nurse manager's office, pharmacy department, disabled toilet facilities, technical services workshop, staff facilities, outpatient department, workshops, general stores, medical equipment stores, domestic equipment store and boiler room.

590 The upper ground floor, which will be for enduring mental health illness (EMI) and a Dementia unit, will consist of seven twin rooms with 14 beds... clearly, dining area, lounge/TV area, quiet rooms, male and female assisted bathrooms, male and female toilet and shower rooms, staff office, staff base, multi-disciplinary team room, clinic room, utilities sluice room, clean linen store, staff WC, food preparation room, dishwasher room, ward kitchenette and covered terrace.

595 On the first floor will be the Rehab Unit and the rehab apartments divided into two sections by a lobby. The first section with four twin-bedrooms, four single bedrooms, one high dependency bedroom with 13 beds, lounge/TV area, quiet room, assisted bathroom, male and female toilet and shower room, staff office, staff base, clinic room, utilities sluice room, clean linen store, staff toilet, ward kitchenette and covered terrace, including a dining area.

600 The second section of this floor will have the Psychiatric Intensive Care Unit, which will consist of three single rooms and en suite facilities, a staff base, two high dependency rooms, dining area, lounge/TV area, covered terrace area and also a self-contained multi-functional suite, composed of two single rooms, dining area, lounge/TV area, toilet and shower facilities.

605 And, finally, the external recreational area, which is still in the process of being designed; however, it will be a secure area divided into two sections, in order to be able to offer a safe environment to the various client groups. It will contain sheltered areas, a splash pool, an aviary, a one-on-one basketball court, exterior exercise equipment, group seating, picnic chair and table facilities.

Hon. Mrs I M Ellul-Hammond: I am grateful for that, Mr Speaker. Could we possibly have a copy of that. (**Hon. Dr J E Cortes:** Certainly.)

610 Could the Minister advise what additional costs these changes will incur?

Hon. Dr J E Cortes: Mr Speaker, I have not got that information with me now. Again, I would need notice of that in order to be able to give you the specific details.

615 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister advise what is different to the original plans that were there?

Hon. Dr J E Cortes: There were no plans that had been approved. They were working plans. They had not been finalised by the professionals. The main difference is that the rooms will, in fact, be bigger than had originally been planned.

620

Hon. D A Feetham: Can he confirm whether there are going to be any additional costs because, of course, it is quite possible that you may actually change around internal layouts from what was originally envisaged, but there be no additional costs? Does he know whether there are going to be additional costs, without actually telling this House what that additional cost is?

625

Hon. Dr J E Cortes: The original costs have not ever been communicated to me, so I am not able to compare one with the other. So I am not able to answer that question. The original estimates cannot have been very accurate because the plans had not been finalised.

630

Hon. D A Feetham: Well, that does not necessarily follow, but we will ask the question again in the future.

But what about the hon. Lady, can she tell us whether the change of plans that she envisages in relation to the areas that are within her responsibility will involve an increase in cost; and can she inform the House as to what those costs are?

635

Hon. Miss S J Sacramento: Mr Speaker, I cannot inform the House as to the costs because the plans have not yet been finalised.

What I would speculate is that some cost would be incurred but, in proportionate terms, Mr Speaker, it would be desirable to incur some cost and have a better finished product than incur the tremendous cost that will be incurred, in any event, ending up with a product that will not be fit for purpose. At this stage, I am not able to provide any figures on costs because we do not have the plans, therefore we cannot calculate from there.

640

Hon. Mrs I M Ellul-Hammond: Mr Speaker, could the hon. Lady advise who the proper consultants are who they have engaged in relation to advice on the Alzheimer's and Dementia Unit?

645

Hon. Miss S J Sacramento: Mr Speaker, I do not have the name of the consultant. It is people in the Department who are liaising with this consultant. I know that they are people who were recommended to us by the local Alzheimer and Dementia Society, who gave us some contact details for the UK Association and they recommended us with some names. I am not sure who, from the list of names has been selected, but I am happy for the question to be asked on the next occasion.

650

If I were to have notice of the question, Mr Speaker, I would be happy to answer it.

Hon. J J Netto: Mr Speaker, can I ask the hon. Lady, the Minister for Social Services... because she said that, in the new plans for the Dementia and Alzheimer Hospital the number of beds will come down from 80, but what she did not say was to what number will the new plans cater for. Does she have that figure available?

655

Hon. Miss S J Sacramento: No, Mr Speaker, that is because I do not know because I am waiting for the final plans to be confirmed by the specialists in the UK.

660

What we have identified, as I explained, Mr Speaker, in the last session of Parliament, was that initially the plan was for a 66-bed unit. That was changed four times, eventually going up to a 90 something bed unit and then going back down to 80, which was the sort of structure that I saw when I went to visit the unit in my second day in office and which I was told by the local people that would not be fit of purpose. I gave plenty of detail as to that on the last occasion and, in fact, I have asked for the costs of the consequences of having changed the plans four times by the previous administration and I am actually waiting for those figures.

665

But the answer is that there is no final plan for the interior yet because we are waiting for the feedback.

Hon. J J Netto: Mr Speaker, I can accept that there are no final plans, in terms of final plans being the exact minutiae of details of work that needs to be done, but the hon. Lady does not need final plans in a construction project to be able to tell us, and for her to know now, what the number of beds would be.

670

The hon. Lady says, for instance, that the previous Government changed its mind four times: she should

675 be congratulating the GSD Government for only changing its mind four times (*Laughter*) because, if the hon. Lady knew anything about the construction industry, she would know that, with any particular construction project, the Government normally changes it mind many times, architects change their minds many times, engineers change their mind many times and the actual contractor involved in the works changes his mind. So it is a matter of record that we only changed four times.

680 Leaving that aside, it is not credible for the hon. Lady to stand up saying that she needs final plans to know what the final numbers of beds is because we knew, in the four times that she was mentioning, the number of beds that were going to be available with our final plans – that is the reality of the construction industry.

So will the hon. Lady not try and get the information as to what will be the final number of beds, regardless of having final plans?

685 **Hon. Miss S J Sacramento:** Mr Speaker, once I have the cost to the taxpayer of those four changes, then people can decide whether to congratulate the previous administration for those changes. (*Laughter*) I suspect not, because I suspect, given the information... (*Interjection*) Well, given the information that I have, Mr Speaker, the reasons for changing the plans was motivated by increasing the number of beds, having no regard to the needs of the patients.

690 Mr Speaker, what we have done, in principle, is revert to the initial plans that the architects prepared for the previous administration, which was for a 66-bed unit. What we are waiting for is for the experts to tell us whether the layout is acceptable or not, because it may be very well, Mr Speaker, for us to have a room where we want to fit a bed but then, if the hoist or the armchair or the wardrobe do not fit into the room, then the plans cannot be finalised. I therefore cannot say whether I can have one room with one bed or it may be better to have a bigger room with two beds, in which case there is a difference in the number of rooms and, ultimately, there will be a difference in the number of beds available.

695 The answer, Mr Speaker, is that until we have the final professional advice, I cannot answer the question. All I can say is that, at the moment, we have reverted to the initial 66-bed plan.

700 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health explain their idea behind developing extra buildings to serve as sheltered accommodation for patients with long-term mental illness? Will this also be done in conjunction with the plans for the new mental health hospital?

Hon. Dr J E Cortes: Are you referring to something specifically in what –

705 **Hon. Mrs I M Ellul-Hammond:** In the... No, no, sorry. In your manifesto commitment as part of the new mental health facility.

Hon. Dr J E Cortes: Can you refer me exactly to... I am sure I know –

710 **Hon. Mrs I M Ellul-Hammond:** It says:

‘Extra buildings to serve as sheltered accommodation for patients with long-term mental illness...’

715 on page 29, the second to last sentence. Sorry, no.

‘We are committed to the completion of a new KGV facility and will also develop extra buildings to serve as sheltered accommodation for patients with long-term mental illness in a position to look after themselves.’

720 **Hon. Dr J E Cortes:** There are additional buildings on that site, but whether that will fulfil all the requirements of the community, we are hoping that the exercise that I have heard referred to earlier on another question as we develop the Dementia strategy, then we will identify what those requirements will be. They could be somewhere else.

725

**Consultants' contract
Update on progress**

730

Clerk: Question 274, the Hon. Mrs I M Ellul-Hammond.

735

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health state at what stage he is at in relation to the Consultants' contract and when does he envisage it will be finalised and signed as per their manifesto commitment 'to resolve the issue of the Consultants' contracts in the shortest time possible'?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

740

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, the consultants' contract was first drafted in 2004 and, by December 2011, had arrived at version 19B. The GHA has now updated the draft and will very soon be in active negotiations with its consultant doctors. The consultants have been kept aware of the situation through regular meetings.

745

Hon. Mrs I M Ellul-Hammond: I am obliged for that, Mr Speaker.
Can the Minister explain if the starting point at resolving the consultants' contract impasse is draft contract 19B?

750

Hon. Dr J E Cortes: No, that was the finishing point of the last administration. Ours is the new contract draft 1, which incorporates some of the things that were being negotiated at the time, together with other issues which we feel would be to our mutual benefit but, obviously, before the start of negotiation, I am not going to be able to reveal those publicly.

755

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister explain if he we will be considering including a recruitment and retainment allowance within the contract?

760

Hon. Dr J E Cortes: I do not feel that I should go specifically into items of a contract just before we are going to negotiate them with a consultant body. I do not think it would be in our interest, or in the interest of the consultants, that we should start discussing this in public.

765

Hon. Mrs I M Ellul-Hammond: I am grateful for that, Mr Speaker, but perhaps the Minister could, in general terms, give an indication of what aspects of the contract will be standardised across all the consultants and which ones will be variable, if possible?

770

Hon. Dr J E Cortes: Different consultants will have different disciplines in which they will work. Some of them will have a number of consultants in the same field and some of them may have rarely one, possibly two consultants. So, obviously, when it comes to cover, and so on, there may be different conditions, but I do not want to be drawn into giving away a negotiating position because, as I said before, I do not think this would be fair on the process, as it is in everybody's interest that the consultants should have a contract which is acceptable to them and acceptable to the Government so they can stop worrying about that and get on with doing the work that we want them to do for the community.

775

Hon. Mrs I M Ellul-Hammond: I am grateful for that.
One final supplementary question, Mr Speaker. Did you state when you envisaged the contract would be finalised and if the process has already started in earnest?

780

Hon. Dr J E Cortes: The draft contract is now ready and we hope to be starting negotiation within a number of weeks only.

**Hospital meals
Update on improvements**

785

Clerk: Question 275, the Hon. Mrs I M Ellul-Hammond.

790

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain what the new arrangements for hospital meals will be, as per their manifesto commitment to 'make alternative arrangements to improve the delivery of meals and consequently their quality'?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

795

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, a proposal presented by the catering department to revert to bulk meals service at St Bernard's Hospital has been approved and initial discussions have taken place in order to phase in this service. This has already been introduced as a highly successful trial at the newly opened Calpe Ward.

800

A feasibility study to relocate the catering facility to St Bernard's Hospital has also been commissioned and is progressing well. This project will encompass the introduction of bulk food distribution.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister explain why there was a problem with the provision of meals in St Bernard's Hospital?

805

Hon. Dr J E Cortes: Yes, at this point I would like to congratulate the catering staff of St Bernard's Hospital. They have always been very concerned that hospital meals have not had a good name, despite their excellent professionalism. They have a catering manager who is extremely highly qualified and extremely competent and a very dedicated staff, but the method by which the food was delivered to the wards meant that all their efforts could well be spoilt in the process. The problem is with the plating system, in that the food is prepared in the kitchen and is then put onto plates and put into trolleys and then carried by van in two stages to St Bernard's Hospital and then, from there, wheeled into the wards. So, by the end of the process, the food was no longer as fresh as it had been when prepared and, therefore, that was a problem.

810

By bulk food, we are referring to the way in which the food is prepared in larger containers and then served at the point of consumption. Therefore, the quality of the food, which is very high, will actually be high on point of delivery whereas, in the process at this point in time, it does lose because of the system that is in operation.

815

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister explain, then, where the kitchens will be sited within the Hospital and what will be happening to the existing catering facility on the North Mole?

820

Hon. Dr J E Cortes: Mr Speaker, we are carrying out an exercise at the moment with a team of the Health Authority and the support of Technical Services. A number of alternative locations within the Hospital are being considered. I am not able now to say exactly where. It will not affect any of the existing facilities, in the sense that we are not moving anybody *out* to move a kitchen *in*. There is spare room available in and adjacent to the building.

825

As to what would happen at the North Mole, I am not in a position to say that because, frankly, I do not know.

830

Hon. D J Bossino: Does the Minister have an idea what the cost of this initiative will amount to at this stage?

835

Hon. Dr J E Cortes: No, Mr Speaker, we are engaging with the catering department, as I have said, with management of the Hospital and with Technical Services. They now know the surface area that they require, the different sections that they require and so on, but because the site is not exactly... although we have a fair idea of where it will go, we are not yet at the point of knowing exactly how much it will cost. I think that we will be able to know... I think, again, it is a matter of weeks before we know that.

The discussions are well on their way.

**Gibraltar Health Authority
General Medical Council registration**

840

Clerk: Question 276, the Hon. Mrs I M Ellul-Hammond.

845

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain how their policy on ensuring all GHA doctors are GMC registered will work?

Clerk: Answer, the Hon. the Minister for Health and the Environment.

850

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, I have met with the Medical Registration Board and we are working together in drafting new legislation to encompass this. We have also taken steps to meet with GMC representatives to explore details of how we can establish a system. I will be able to report further once these discussions have taken place.

855

Hon. Mrs I M Ellul-Hammond: I am grateful for that, Mr Speaker, but could the Minister give us an indication of how he will be outsourcing to the GMC the assessment of doctors in Gibraltar to practice? Is there some initial idea of how the GMC could become Gibraltar's regulatory body in practice?

Hon. Dr J E Cortes: Not yet, Mr Speaker.

860

We have only very recently – I met with the Board, I think it was about two weeks ago – made contact with the GMC. I need to discuss it with the Medical Registration Board and we have now sent out... we have made contact now with a view to meeting with them and discussing with them but, obviously we have to be professional enough to await our discussions before I say anything publicly because they will have their views, we will have ours. I am confident that we will be able to marry the two and come up with a way of meeting our manifesto commitment to the satisfaction not just of the doctors, but also of the Health Service of the community as a whole, which needs to be confident that the doctors are properly regulated.

865

Hon. Mrs I M Ellul-Hammond: Mr Speaker, this is a policy move I do support, to ensure that all doctors practising in Gibraltar should be, and are, GMC registered.

870

Can the Minister explain if *all* doctors practising in Gibraltar, including in the private sector, will also require GMC registration and yearly re-registration?

875

Hon. Dr J E Cortes: Again, I cannot speak for the GMC, but certainly the intention I think that the community, as a whole, should be confident that *all* doctors practising in Gibraltar, both within the Health Authority and outside, are properly regulated to the standards of the GMC. So I think that, on this one, we agree.

880

Hon. Mrs I M Ellul-Hammond: And, finally, Mr Speaker, what will now be the role of the Gibraltar Medical Registration Board, which is chaired by the Director of Public Health? Will its role change or will it be taking on any of the GMC's roles?

885

Hon. Dr J E Cortes: We will have to await the discussions of the GMC before I am able to reply to that question. We are just initiating contact. We need to see how we will work and I just do not know. Hopefully, in a couple of months' time, if you ask me again, I will have some indication.

890

Clerk: Question 277, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain their manifesto commitment, outlined on their Health page, under 'Day Surgery', of: we will be 'looking into operating a day

case unit for surgical services’?

895 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr J E Cortes): Mr Speaker, ‘looking into operating a day case unit for surgical services’ will entail reviewing all aspects of day surgery within the GHA so that we can optimise the use of resources available within theatres and look at opportunities in widening the range of treatments provided on this basis. We plan to look into all aspects that relate to this service and this includes facilities, management of the unit, operational procedures, activity, current practices and quality measures.

The aim is to expand the Day Surgery Service as much as possible, without the need for overnight admission.

905 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, in the Hon. Minister’s answer to my Written Question number 69/2012, the Minister stated that the Day Case Surgery Clinic was first introduced by the GHA on 24th February 2005.

910 Was the Minister not aware that a Day Case Surgery Service had already been in existence for these last six years, when his party was writing their manifesto?

Hon. Dr J E Cortes: The sad thing is that the Day Surgery facilities are not operating to the extent that, certainly, I would like or to the extent that I think would benefit the community. The Day Surgery system is not functioning as one would like.

915 I had the pleasure of visiting a Day Surgery Unit in Salisbury General Hospital a couple of weeks ago in order to discuss and look into the way they work there and it is likely that maybe even as much as 80% of the kind of surgery we do at St Bernard’s Hospital *could*, if the facilities and the culture were right, be carried out by Day Surgery, which has various benefits, including the fact that beds are more available overnight for emergency admissions and the fact that people spend less time in hospital and more time at home. So it has got the benefit across the board.

920 We have to do a lot of work yet to get our Day Surgery facilities working at full throttle and that is what we intend to do by tackling the matters that I referred to in my original answer.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, is the Minister not aware that there is a difference between a Day Surgery Unit, that, in their view is *not* working, and there not being one at all? (**Hon. D A Feetham:** Hear, hear.)

925 How will the Minister improve on the so-called ‘deficient Day Surgery Service’ that exists at present which, in his answer to my question 69, 160 patients had benefited and used this service within less than a month?

930 **Hon. Dr J E Cortes:** There is a difference between a Unit that is not working and none at all. It depends on how much or how little it is working.

935 What I am saying is that there is a huge potential for developing Day Surgery, which is not being fulfilled at the moment and which we want to work at improving. This will require looking into all sorts of things, including the staff that we have available, including the fact that they are geared up to Day Surgery and the whole management of the Unit.

Therefore, I think that the judgement should come once we have taken on this initiative. It may work better or it may work less well, but I am confident that, if we put in the necessary resources, we will be able to increase the number of patients who are operated on in St Bernard’s without having to stay overnight.

940 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, I am grateful that you are looking into ways of improving the service, but does the Hon. Minister not concede that the service was in existence (**A Member:** Yes, absolutely.) while you were writing your manifesto and that, surely, you would not be sending 160 patients to use a service that is not working correctly?

945 **Hon. D A Feetham:** Hear, hear.

Hon. Dr J E Cortes: Mr Speaker, I did not write the manifesto. I was not in politics at the time so I

cannot really answer her comment.

950 All I can say is that... (*Interjections*) I was not in the College yet, Mr Speaker.

Mr Speaker, I revert to my original answer and explanation. The potential for Day Surgery in Gibraltar is very great. It is under-utilised and therefore we have to work hard to achieve it and that is really all I have to say on the matter.

955

EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS AND JUSTICE

**New teaching posts
Recruitment**

960

Clerk: Question 278, the Hon. Mrs I M Ellul-Hammond.

965 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education explain the process by which the 47 new teaching posts will be filled and if any will be recruited to fill 'retired' posts or specialist advisory roles within the Department of Education?

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

970

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the process started in December 2011, when head teachers were asked to produce a report on whole school needs. This included staffing requirements.

975 The consultation process continued with the Advisory Service of the Department of Education visiting individual schools to discuss staffing issues with head teachers. The result of the exercise have helped to inform the Department of Education as to how and where the 47 *new* teaching posts should be allocated.

980 The vacancies have been advertised in an official notice advising prospective applicants that interviews would commence on Monday, 2nd April 2012. Successful applicants will be in post for the start of the 2012-13 academic year. Any teaching posts left vacant due to retirement will be covered by the recruitment of teachers over and above these 47 new posts, in keeping with the Government's manifesto commitment of increasing the current teacher complement of 333 to 380.

In other words, the 47 new posts will not be used to cover retirements. Any retirements that occur between now and the end of this academic year, or the start of the following academic year, will be recruited by new posts over and above the 47.

985 It is anticipated that at least three of the 47 new posts will go towards the Behaviour Education Support Team which, to date, has been staffed predominantly by supply teachers.

Hon. Mrs I M Ellul-Hammond: Thank you for that, Mr Speaker.
Can the Minister advise if any of these 47 vacancies are to be used as Classroom Aides positions?

990

Hon. G H Licudi: No, Mr Speaker, there is a separate question on the Order Paper in relation to Classroom Aides, but these are teachers, not Classroom Aides. That is a totally separate exercise that is being done in relation to Classroom Aides.

995 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister advise what the Government's optimum maximum number of children in classes at each level of the education system will be, where a number of these new teaching posts will be placed to achieve these optimum class sizes?

Hon. G H Licudi: Is the hon. Member asking what the class sizes will be or how many of the 47 will be used to achieve that?

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Hon. Mrs I M Ellul-Hammond: The size. I appreciate that, perhaps, I should have given notice for this.

1005 **Hon. G H Licudi:** What I can say is that that is a matter that I am in discussion with the advisers at the Department of Education and the Director of Education in relation to the recruitment process of the 47 new teachers.

1010 I am undertaking an exercise whereby I have visited all schools, in fact, except for Varyl Begg Nursery, which is the only Government school that I have not visited yet. I have visited all schools to see for myself the question of classroom sizes and to talk to head teachers about that. That is an ongoing process, which I am in the process of discussing with the Education authorities.

Hon. D J Bossino: Does the Minister, so I can understand him fully, after assessing staffing requirements with the head teachers, is he aware of where these posts are going to be filled in by these 47 new recruits?

1015 **Hon. G H Licudi:** Yes, Mr Speaker, the exercise that has been done was done in conjunction with head teachers, taking into account their needs. Following discussions with the head teachers, tentative provisions have been made in respect of the numbers to be allocated to each school, so that exercise has been done.

1020

**Special educational needs
Additional resources for schools**

Clerk: Question 279, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, as per the manifesto commitment to start within three months of taking office, can the Minister for Education explain at what stage his Department is in relation to carrying out a review to identify what additional resources are required in each school for children with special educational needs?

1030

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

1035 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, I will answer this question together with Question 280/2012.

**Special educational needs
Classroom Aides**

1040

Clerk: Question 280.

1045 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education tell us if the Government is going to increase the number of Classroom Aides as part of their resourcing and support of children with special educational needs?

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

1050

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the Government's manifesto commitment was to identify – starting within three months of taking office – what additional resources are required for special educational needs for children in each school. I can confirm that this review was started in December 2011.

1055 All head teachers have been consulted in relation to the additional resources for special educational needs that they may require. These include staffing, environmental adaptations and equipment.

The data received is now being processed. The review has already identified a need for extra Classroom Aides. As an immediate step, 15 part-time Classroom Aides – in other words, 15 Classroom Aides who

1060 currently work part-time – who have asked to be considered for full-time employment, will be made full-time as from April 2012. This will have the immediate effect of increasing the overall support available for children with special educational needs. The effect, in fact, is an increase by 7½ Classroom Aides immediately.

1065 The engagement of further Classroom Aides is currently being considered, because the process is ongoing, having received the data and information and the requests from the different schools. I can also confirm that the supply lists for Classroom Aides is in the process of being repopulated. Applicants have already been interviewed and they should be available to provide cover shortly.

1070 I should explain that the problem we found was that, just before the Election, the supply list for Classroom Aides has essentially been exhausted, because the people on the supply list have been taken on for permanent employment. Therefore it was not possible, when Classroom Aides were off sick, or had engagements, to get supply Classroom Aides to come in to do that temporary cover. I understand that the previous administration was in the process of advertising, or had advertised, for that supply list. We have continued that process; interviews have been taking place and the successful applicants to go on the list will go on the list shortly and will be available to provide cover.

1075 The Department of Education and the Care Agency are also working together on collating data with reference to pupils with disabilities. The aim here is to look at the future needs of young people and children, as they progress through the education system and on into the adult world.

Hon. Mrs I M Ellul-Hammond: I am grateful for that.

1080 Mr Speaker, is the Minister aware that a full review of Classroom Aides was conducted by the former Director of Education just before the Election? I am not sure if you are using that Report – he submitted new salary scales, job descriptions and made recommendations – whether that review has been looked at and is being implemented as part of the plan of making 15 part-time Aides full-time?

1085 **Hon. G H Licudi:** No, Mr Speaker, the answer I have given is in relation to the review in respect of additional resources, which is something separate from reviewing the contract and the terms of engagement of Classroom Aides.

1090 This is something that I started in December 2012 with a face-to-face meeting with all head teachers and asked them specifically for their requirements, both in respect of staffing, so that we could do the exercise for the 47 teachers, and also in respect of special educational needs, as well as other matters, such as maintenance and buildings and all those matters were discussed.

1095 I asked for the teachers to produce, essentially, a wish list of what they would like for their schools. Having received that, that was the data that was collated. It was immediately identified that there was a need for additional Classroom Aides. Therefore, a decision was taken to engage those Classroom Aides who currently were in the system, working part-time, who wanted to go full-time, to engage them full-time and we are considering what further resources are required, in addition to making available supply Classroom Aides.

As a separate exercise, we are looking at the contracts and terms and conditions and we expect that that process will be ready when the Classroom Aides are made full-time in April, so that the terms of engagement can be standardised for all Classroom Aides.

1100 **Hon. Mrs I M Ellul-Hammond:** Can I suggest to the Hon. Minister that, perhaps, he asks the previous Director of Education to show you the work that had already been done, so that you do not have to duplicate it? Just to, perhaps, facilitate that.

1105 Mr Speaker, can the Minister answer how gifted children will be helped? Does he have an idea of what extra resources, or work they will receive that is already over and above the differentiation of current work that is being done and any extra work that is already given to them within the classroom?

Hon. G H Licudi: Mr Speaker, that is a matter that is also being looked at. Primarily, as the hon. Lady has identified, the matter is tackled through differentiation. Not everybody that is in the same class receives the same work and takes the same homework home.

1110 Pupils are differentiated, not just by being placed in bands in separate classes, depending on ability, but also within the same classroom there is differentiation that occurs. It is a matter that I have discussed with head teachers. I am informed, and am satisfied, that differentiation is working well, but we are looking at what additional help can be given, but the main process by which that is achieved, is through differentiation and it

is actually working.

1115 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, the Government pledges for all children, you just mentioned, to be assessed for special educational needs on entry into the education system.

1120 Is the Minister aware that this assessment or psychological screening is already being conducted on all children on entry into the education system and that the reporting system does ensure that there is continuous assessment and this stays in place? So what does the Hon. Minister envisage will be extra assessment for these children and will there be any extra work for the teachers to take on?

Hon. G H Licudi: Mr Speaker, it is not a question of extra assessment. I am certainly aware that there is an assessment panel and that children are assessed.

1125 There is a need for ongoing assessment, not just an assessment at the start of the educational life of the child, but ongoing assessment, because the needs of children can change in one direction or another. There may be a need for a particular child to have a Classroom Aide for a particular year, but not the next year, because of the progress that may be made. So the assessment is, and has to continue (*Interjection by Mrs Ellul-Hammond*) to be and has been, well, and that is a process that will continue.

1130 What we are also doing, is not just looking at it from an educational point of view, but because we said that we want to have the assessment and continue that through the educational life of the child and beyond, that is a reference that I made to the collaboration that is taking place with the Care Agency at the moment, so that there is exchange of information.

1135 In effect, what there should be, what there must be, in respect of children, is shared information, as to information that the Care Agency has in respect of disabilities – because they are dealing with issues regarding children with disabilities – and information that the Education Department has in respect of the assessment panel and the assessment in respect of special needs. That information is shared, so that there is, firstly, co-operation between the two agencies, the Department and the Agency, during the school life of the child and support is provided to both because, in some cases, we have children that are in the hands of the Care Agency, but they do need educational support. We have already witnessed, in the last few months, a number of examples of that and there are also children, clearly, within the educational system, that need the support of the Care Agency and that collaboration must continue on a hands-on and a shared information basis.

1140 Beyond that, what is also important is that there should not just be shared information and collaboration during the school years, but that, at the end of the day, the child with, perhaps, disabilities, that is going to have continuing needs for services of the Care Agency, they will progress into adulthood and there has to be a transition. That transition has to be managed during the course of the education system and that is why that collaboration is existing, to be able to make sure that we can manage that transition and not essentially leave a child in limbo, once he leaves the educational system.

1150 **Hon. Mrs I M Ellul-Hammond:** Well, Mr Speaker, my understanding is that process already was in existence and there was already collaboration between the Care Agency and the Department of Education and the Health Authority, so my question is how will it be different from what has already been in existence?

1155 **Hon. G H Licudi:** Mr Speaker, I have absolutely no idea what the system was before.

We came into office in December 2012 (*Interjection*) and we have decided – sorry, 2011, thank you – and we had decided to put this system in place to make sure that that exists. I am certain that there must have been some collaboration before, but it is not something that we have said, ‘Well, what existed before, let us just continue’: we have decided to talk about the needs of these children and how we can assist in working in conjunction with the two agencies to assist those children.

1160 Of course, there was collaboration before, of course there was assistance given to children with special educational needs before and, of course, the Education Department did a very good job in doing that, as indeed, did the Care Agency. What we are doing is continuing that work, perhaps enhancing that work by focusing more on that transition to adulthood. Perhaps there was – I will not say a failure – in that respect, but possibly more needed to be done and we are concentrating specifically on that, to make sure that transition is seamless.

1165 I do not want to be critical of the previous administration; I am here to answer for what *we* are doing and to explain what we are doing, rather than how what we are doing is different from the previous administration.

1170 Whatever happened before happened, and we are certainly grateful for the efforts of the Department of Education and the Care Agency *before*, in assisting these children and we will continue that process and try to enhance it.

1175 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, I am grateful for that acknowledgement and so, just to sum up, you are perhaps reviewing what is already in place and, perhaps, in your mind, if you feel there could be an improvement or more resources or funding could be pumped into the service, that is what you will be doing.

1180 **Hon. G H Licudi:** Mr Speaker, not just that. We have not come in and said, 'Well, let's just review what is in place and see how we can improve it.' We have come with ideas as to what *we* want to see achieved, and we have given instructions so that our system is put in place.

To the extent that that requires speaking of what happened before, that is what is happening. It is not just a question of looking at what existed before; we have decided what we want to do and how we want to achieve it and that is what we are putting forward.

1185 **Mr Speaker:** The Hon. Damon Bossino.

Hon. D J Bossino: I am grateful, Mr Speaker.

Just for my assistance, can the Minister confirm what my understanding is, in terms of the review... and I commend that the review has started and that was one of their manifesto commitments. I commend them for that.

1190 But the features of the review, if I can put it and summarise it in these terms, is a consultation with the head teachers which, presumably, you have confirmed has started and will presumably be ongoing; and, secondly, there will be a data collection in relation to all children with diabetes – sorry, with disabilities – I am thinking about something else! – (**Hon. G H Licudi:** Special needs.) Sorry, special needs – is that the position? I think you said disabilities but, fine, I accept that.

1195 So is the review going to take other features? Are you going to be looking at different things within the review they are carrying out?

Hon. G H Licudi: With special needs?

1200 **Hon. D J Bossino:** Yes, of course – this arises out of a supplementary question made by my colleague, Mrs Ellul.

1205 **Hon. G H Licudi:** Well, yes, as I have already explained, what we are doing is looking at specifically what is required by the different schools, what the head teachers identify are either additional resources or additional facilities, or additional equipment. All those matters are subject to... and it is not a review which we say, 'We've started the review and it is going to be an ongoing review.' It is a request that we made – that I made specifically – of head teachers to provide me with what those resources, both personnel resources, material resources, building resources, equipment resources – all those resources – were and all that has been provided. All that information has already been collated and is being looked at, at the moment.

1210 And it is being looked at not just for the purposes of saying we are doing a review; it is being looked at with a view to implementing the additional resources which are required which, as the hon. Lady identified, was a manifesto commitment from us. We immediately implemented part of it by identifying a need for Classroom Aides – and further Classroom Aides, I am sure, will be needed and will be engaged – as well as issues relating to buildings – which we are looking at – and specifically also in relation to equipment – not just equipment specifically for special needs, but generally equipment that is required in schools. All that is currently being looked at and will be implemented very soon.

1215 **Hon. D J Bossino:** In relation to the second feature which I identified, in relation to the data collection of children with special needs, can he expand on that?

1220 Am I right in understanding that forms part of the review and, if it is correct, what does it mean by that – by data collection?

1225 **Hon. G H Licudi:** I explained it to a certain extent, before. What I specifically asked was for head
1230 teachers to provide to me a wish list of what it was that they required, in terms of resources, both staffing,
manning, additional Classroom Aides and other kinds of resources and facilities that they require. That is the
data that has been collected, in respect of those wish lists from all the individual schools, which has been put
together with an emphasis, on the one hand, for the purposes of staffing and the 47 teachers which we already
have touched upon; on the other hand, separately, looking at facilities and resources which are required in
respect of special needs, on which we are very interested in implementing as much of that as possible very,
very quickly; and, separately, in relation to buildings, maintenance, refurbishment, those sorts of areas.

So there are distinct areas to the collection of that data, which is in a very advanced stage of having been
looked at.

1235 **Hon. Mrs I M Ellul-Hammond:** And, if I may, Mr Speaker, I think my hon. Friend perhaps was referring
to individual educational action plans for the children with special educational needs and, together with a
continuous assessment, the plan will be changed and adaptations or resources will be required for the children
as necessary. Is that the plan?

1240 **Hon. G H Licudi:** Yes, Mr Speaker, as I said, there is an assessment panel. There are professionals in the
Education Department that deal specifically with these matters and I have given them instructions to
specifically look at all aspects of special educational needs and the plans that are required in respect of the
children, with a view to implementing all of that, as I said, very, very quickly.

1245

Schools maintenance teams Policy

1250 **Clerk:** Question 281, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education explain their schools' 'maintenance teams' policy?

1255 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications
and Justice.

1260 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H
Licudi):** Mr Speaker, the Government's policy is as stated in its manifesto, namely to provide a dedicated
pool of sufficiently resourced maintenance staff for schools. This policy is already in effect, as stated in the
Government press release dated 15th February 2012.

1265 The system put in place consists of a team contracted from GJBS. They comprise an experienced foreman
and eight skilled operatives working exclusively in schools. They are tackling small scale repair jobs
estimated at taking less than five days, and are liaising directly with officers from the Department of
Education.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister say if this service went out to tender or
was it directly given to GJBS?

1270 **Hon. G H Licudi:** This is a matter that was discussed with the Chief Executive and other officers from
GJBS and it was decided that they... or rather they put together a proposal that they *could* put together a
dedicated team for schools, and it was decided that they should be engaged to provide that service.

1275 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister explain how this policy is now different to
the one before, where GJBS staff were called into schools to carry out minor works maintenance projects?

Hon. G H Licudi: Mr Speaker, again, I am being asked to look into the past, and look at the situation
before we came into office.

1280 In this particular case, I happen to know how the position is different. All schools have in the past had access clearly to maintenance facilities and, as I understand it, that was traditionally provided by GJBS. That was on the basis that a requisition form was sent to the Department of Education, then onto GJBS, and GJBS, as and when they had somebody available to do that particular job, would send somebody to the schools.

1285 That is quite different from what we have at the moment, which is a *dedicated* team of GJBS employees and a foreman, dedicated exclusively to schools and who can be called upon. As I understand the position, previously GJBS did act on requisitions, did provide, again, as I understand a good service to schools. They did not have this dedicated facility. Whether it is going to be better or worse, time will tell. What we certainly can say, it is slightly different, and it is a *dedicated* service for schools, which is what we said we would be putting in place and we did so within a couple of months.

1290 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister say if these maintenance costs are to be paid from the different schools' individual maintenance budgets, as per your new manifesto commitment, the new policy, or the costs are taken from the Department of Education's yearly maintenance budget, which was around £1½ million as per the previous administration's maintenance spending?

1295 **Hon. G H Licudi:** Mr Speaker, schools do not have their own individual budget for maintenance.

What we have said in the manifesto is that that is something that we would bring into effect. That has not actually happened yet. What we have done is provide the dedicated maintenance team for schools, but that is being met out of central funds administratively controlled by the Department of Education themselves.

1300 I have discussed the issue of the specific dedicated budget for schools with head teachers. The view that has been taken for now is, 'Let's see how *this* system operates', and although we are certainly committed, to the extent that there is a need for individual budgets, it is something that we will put in place, but not immediately. I wanted to put in place *this* system immediately and see how it works, and then discuss further the maintenance requirements of the schools and how much they needed – having regard to how this system is working, paid for by central funds controlled by the Department of Education; then, having regard to that, see what else would be required by the schools by way of individual and dedicated budgets which each headmaster would control. So that would be looked at following the implementation of the system and after the system has been running for a number of months.

1310 **Hon. Mrs I M Ellul-Hammond:** I am grateful for that. Perhaps that would be a topic for a question at a further date.

Finally, Mr speaker, can the Minister explain how the new maintenance team's policy will fit in with the school refurbishment programme – will there be any link at all?

1315 **Hon. G H Licudi:** Mr Speaker, it is a totally different policy and programme. As I explained in the original answer, this is maintenance in respect of works which are estimated at taking less than five days – five days or less – in other words, very minor works.

1320 There are, in addition, minor works plus refurbishment of schools. What we have said we will do is put together a permanent refurbishment programme for schools. What will actually happen will be seen in the context of the new financial year – the allocation of the specific budget for that, but that will be coming on stream very soon and it will be something very different from this, which is purely maintenance of very small works.

1325 **Director of Education post**
Number of applicants; commencement date of successful applicant

Clerk: Question 282, the Hon. Mrs I M Ellul-Hammond.

1330 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Education tell us how many people applied for the position of Director of Education and when the successful applicant will be in post?

Clerk: Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications

and Justice.

1335 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, two people applied for this position. Interviews were held on Thursday, 8th March 2012. I can confirm that the successful applicant was Mr Joey Britto, who is in post as of 14th March 2012.

1340 Mr Britto was Senior Education Adviser at the Department of Education. He has been acting as Director of Education since 3rd January 2012, when the previous Director of Education commenced his new role on promotion to the post of Chief Secretary.

I take this opportunity, Mr Speaker, to welcome Mr Britto to his new and important job (**A Member:** Hear, hear.) and look forward to working with him. (*Applause*) Certainly, I and the rest of the Government look forward to working with him in relation to the Government's Education Programme.

1345 I also want to take this opportunity, at this stage, of thanking the former Director of Education, Mr Ernest Gomez, for his dedication over many years to education in Gibraltar and, in particular, for the excellent work he carried out over the more than five years that he spent as Director of Education.

1350 **Hon. D A Feetham:** On behalf of the Opposition, certainly the Opposition would associate themselves entirely with the words of the Hon. Minister and congratulate Mr Britto, and also join with the Minister in thanking Mr Ernesto Gomez for the work that he has done as Director of Education when *he* was there.

EQUALITY AND SOCIAL SERVICES

1355

Calpe Ward Running costs

1360 **Clerk:** Question 283, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services state how much it will cost to run the Calpe Ward on an annual basis, broken down by staffing costs, equipment and other costs?

1365 **Clerk:** Answer, the Hon. the Minister for Equality and Social Services.

1370 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the cost of running Calpe Ward for 2012-13 will be £774,842, of which £603,360 is staffing – that is personal emoluments, wages-related allowances and social insurance. The recurrent cost of expenditure for the Unit will be £171,482. The cost of equipment has been £136,445. This has been a one-off expenditure to equip the Unit to its present state.

1375 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister confirm that I am right in assuming that her Department has had to reissue the employment advert for registered nurses at levels 1 and 2, to 'man' the Calpe Ward because of a low level of people applying for the first advert that came out about six weeks ago?

1380 **Hon. Miss S J Sacramento:** No, Mr Speaker, I am not aware and perhaps if I had been given notice of that specific question I would have been able to reply. I am not... as far as I am aware Mr Speaker, there was an advert placed by the GHA, actually, not the Care Agency and people applied to that advert. In fact, that question is asked by the hon. Member later on and I do have the details for that.

I am sorry, Mr Speaker. Actually, it is asked as a written question!

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister advise if all the eight registered nurses and the 18 care workers positions have been filled in order to run the Calpe Ward properly?

1385 **Hon. Miss S J Sacramento:** Yes, Mr Speaker, the date of appointment of the registered nurses is contained in the written answer – in the answer to the written question.

**Facility for the Elderly
Long term plan**

1390 **Clerk:** Question 284, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Social Services explain what the Government's long term plan of 'a made to measure facility for the elderly', is as outlined in their manifesto on the Health page, under additional wards at St Bernard's and facilities for the elderly?

1395 **Clerk:** Answer, the Hon. the Minister for Equality and Social Services.

1400 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, our manifesto commitment for a short term policy of adding beds at St Bernard's and having a made to measure facility for the elderly has already been met. This was achieved on the 26th February 2012, by the opening of Calpe Ward for 18 long stay elderly patients, and thereby releasing this number of acute beds in hospital. We will, of course, strive to provide further made to measure facilities for the elderly, and will do so once the feasibility study as to the need is complete. The Care Agency and the Gibraltar Health Authority will work in close collaboration to achieve this aim.

1405 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, for the sake of clarification, can the Minister explain if this is the same after the review will be conducted, high quality, I quote 'high quality cost efficient nursing homes' which is also stated in the same paragraph in that page 30 of the manifesto.

1410 **Hon. Miss S J Sacramento:** Mr Speaker, as I have said on previous occasions in this Parliament, the starting point will be to identify the need, and that is what we are doing now. Once we are able to identify the need, then we will move on to step 2, as to the need for residential care, domiciliary care, and any other care for the elderly. We are not yet at that stage because the feasibility study is not yet complete.

1415 **Hon. Mrs I M Ellul-Hammond:** Yes, I am grateful for that Minister, but it is just for the sake of clarification, because it has been brought up by several people while reading this paragraph in the manifesto, under 'Additional wards at St Bernard's and facility for the elderly', because there is a mention, as you rightly said:

1420 'our short term policy will be to add beds at St Bernard's. We will also provide a made to measure facility for the elderly' –

which you have clarified is the Calpe Ward, but then it goes on to say,

1425 'It is time to provide high quality cost efficient nursing homes in Gibraltar...'

and we would seek clarification if that means a home *in addition* to the new Alzheimer and Dementia Hospital that is being built. And it goes on to say,

1430 'We will do so to complement Mount Alvernia and the new Geriatric Care Ward –'

- which I am assuming is the Calpe and Cochrane Wards –

'and Alzheimer's centres we will provide.'

1435 Now, again, there has been question as to what these Alzheimer's centres are. Is this, again, the daycare centre that was already planned up at the Royal Naval Hospital site, or is this a new... so that paragraph is a little confusing and members of the public are not sure how much more the Government will be providing for Alzheimer's and elderly care.

1440 **Hon. Miss S J Sacramento:** Mr Speaker, for clarification, no day centre at the RNH Unit was planned. What was planned was a very little unit which is not by any stretch of the imagination the type of day centre that would be suitable for the need of Alzheimer and Dementia patients.

Mr Speaker, to clarify once again, before I can answer that question properly, I need to wait for the

1445 outcome of the feasibility study.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, but the manifesto seems to be quite clear of what the Government is pledging. Is the Minister suggesting that you may be renegeing on what is stated in the manifesto?

1450 **Hon. Miss S J Sacramento:** Mr Speaker, I am certainly not renegeing on what is written in the manifesto. However, Mr Speaker, as to the number of facilities or the type of facilities that we build will depend on the need for each individual facility and I will not know the exact need until the feasibility study is complete.

1455 What this Government will do, Mr Speaker, is assess the need and address the need, not the other way around, because then we find ourselves with a situation that we have found ourselves at the Dementia unit at the RNH, which will be that we may have to incur expense in having the layout of the premises fit for purpose. What we will do first is identify the need and we will work from there.

1460 **Hon. D A Feetham:** Yes, expense that the Hon. Minister, having been a Minister now for over 100 days, does not even know what extra expense there will be. She keeps on talking about all these works that need to be done to the Dementia Unit and then, when one asks a very simple question about, 'Well, what's the extra cost?', she does not even know that.

1465 But will the Hon. the Minister, confirm – and I agree with her, that one analyses first need, and then one goes on to effectively meeting those needs – was that equation and that assessment and that analysis not done when you clearly made manifesto commitments that you did, which are clearly making pledges in relation to facilities that you are promising to members of the public? Therefore, you either made those pledges without having done analysis of the need, or you must have done so. Now what is it?

1470 **Hon. Miss S J Sacramento:** Mr Speaker, as we were not in Government more than 100 days ago we could not have undertaken an in-depth analysis as to the needs for the elderly because we did not have access to the information that was required. Now that we are able to access this information, that feasibility study is being undertaken.

1475 Insofar as the costs that the RNH Unit... what I said this morning, Mr Speaker, was that, of course, there will be costs incurred in any changes but I do not know the exact level of those costs because I do not know the exact level of the changes that will be made. And, of course, no architect and no engineer and no builder will make alterations free of charge.

In fact, what I did say was that I have been asking for information of the costs, following on from the four changes that have already been requested to the plans at the RNH Dementia Unit by the previous Government, and I still do not have that, Mr Speaker, so I cannot give any further details.

1480 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, this side of the House was under the impression that the manifesto had been costed.

1485 **Hon. Chief Minister:** Mr Speaker, not only has it been costed, I am very happy to say it has been very *accurately* costed, from the information that is coming across to us from the civil servants who are now looking at some of the commitments and what we can expect to see in respect of the tenders for construction of some of the projects that are in the manifesto.

1490 But that is not to say, Mr Speaker, that in respect of *some* aspects of the manifesto, the hon. Lady is going to be unable to give Members opposite a figure of what the costs will be in undertaking certain works, some of which may only have arisen as a result of her own investigations, having arrived in the Department. It could not be otherwise, Mr Speaker.

Clerk: Question –

1495 **Mr Speaker:** The Hon. Daniel Feetham.

Hon. D A Feetham: Perhaps the Chief Minister can help me with the question that I asked the hon. Lady. The hon. Lady quite rightly says that one has to do an analysis of needs and then see what one has to do, in order to meet those needs. But perhaps, because he was involved in the writing, or he wrote or was the

1500 principal writer of the manifesto, did he, when the manifesto pledge was made of

‘We will also provide made to measure facilities for the elderly’,

1505 and then there is another – a number of other commitments – had he conducted that assessment of needs when he made those pledges in the manifesto? Because she is absolutely right: you make pledges based on needs, but now, when we ask her about, ‘Well, what extra facilities are you doing?’ she now falls back on having to conduct an assessment, which we would have thought would have been done before writing that manifesto.

1510 **Hon. Chief Minister:** Mr Speaker, I had the opportunity of hearing the answer that the Hon. Miss Sacramento gave whilst I was in the ante-chamber and I thought that she answered absolutely perfectly and demonstrating a maturity beyond her years in this Parliament. *(Applause)*

1515 You see, Mr Speaker, what the hon. Gentleman needs to understand is that, from Opposition, one is able to make certain assessments and from Government assessments take, obviously, a different shape when one has the information available to one, that the hon. Members opposite, despite being in Opposition, will themselves have at the time that they come to fight the next General Election and whoever it is who may lead that party. As I have said, I am going to adopt the Douglas-Home guidelines to allow members of the principal parties of Opposition access to senior civil servants so that they can make assessments with information available to the Civil Service when the time comes to write their manifesto, in four years time – something which, he will know, his party did not do when they were in office until the 8th December, despite my public request that that should have been the case.

1520 **Hon. D A Feetham:** Well, thank you very much for that party political broadcast, and, but he has not, with respect, answered the question, and you may every time we ask a question of the hon. Lady, decide to refer to the fact that the hon. Lady has only been Minister for a short period of time, and I accept that, one has to give new Ministers a certain amount of latitude. But one must also accept that we are doing our job and that it is within our job description, of asking questions about commitments that the party opposite made when they were in Opposition. Now can he answer once and for all, what facilities, what, did he have in mind when *they* made the commitments in the manifesto? It’s a very simple question.

1530 **Hon. Chief Minister:** Mr Speaker, I am delighted to get up and refer the hon. Gentleman to date to the short period of time that the hon. Lady has been a Minister, but I fully expect that she will be a Minister for much longer than *he* has been a Minister and, therefore, the time will come when I have to refer to the fact that she has much more ministerial experience than he.

1535 But, anyway, I am delighted for them to come to this House to do their job, to ask us questions, but when it comes to issues of policy and how it is that we are going to implement parts of our manifesto and what it is that we had in mind when we were in Opposition, I will (a) remind him of the debates we have had about me not having to tell him what it is that I have in mind; not having to be answerable for what we did in Opposition; and (c) remind him that he will very soon be seeing statements setting out different parts of our manifesto which are being implemented.

1540 When we come to the point of making a decision to make the announcements of what we have in mind, he will read it in the press.

Hon Dr J E Cortes: Mr Speaker, if I may –

1545 **Hon. D A Feetham:** He obviously doesn’t have a clue what he had in mind when he wrote the manifesto!

Hon. Chief Minister: No, Mr Speaker, I have many clues of many things I have in mind when I did many things including when I wrote the manifesto, not sharing it with him doesn’t mean that my mind is empty, although that may be what happens to him when he doesn’t want to say much more than he has said into the microphone.

1550 **Mr Speaker:** The Hon. Minister for Health.

Hon. Dr J E Cortes: Mr Speaker, if I may come back to the question of assessing the need for the elderly,

1555 I think it is perfectly logical, as my hon. Friend, Mr Feetham, has pointed out, that when coming into Government, a new Government has to assess what the needs are, what is not logical or even acceptable is that the former Government who *had* the information at the time, did not assess the needs, because they have left us with a problem with the elderly, a problem to do with housing, a problem to do with domiciliary care, a problem with the institutionalisation of the elderly, with our hospitals full of elderly people, not allowing acute medicine to take place. We have already started and taken immediate steps to relieve that, I think the shame is that the past Government had not carried out that assessment, had given the false impression that there was a Mental Unit and Dementia Unit that had already been properly designed, when they had not. That is the point that we must not miss, and that is a point that we are going to put right.

1560
1565 **Hon. D A Feetham:** Well, thank you very much for that, but does the hon. Gentleman not agree with me that building 86 flats at Bishop Canilla, 145 flats for the elderly at Albert Risso, when, in fact, in the late 1990's only a third of Mount Alvernia had, in fact, been open, whereas now that has triplicated in capacity, would he not agree with me...

1570 **Hon. Chief Minister:** Mr Speaker, on a point of order... On a point of order, Mr Speaker. This morning, when I was listening to a less than edifying spectacle in this House, one of the rulings that you made was that we should not be referring to things which were decades old. If the hon. Gentleman wants to get up and talk about the record of what he called this morning 'my Government' – namely, his Government, the one that ended on 8th December – that is a matter entirely for him, but I thought that, after your ruling he should not be referring to things older than that.

1575
1580 **Hon. D A Feetham:** Well, Mr Speaker, I am actually asking a question arising out of a statement that the hon. Gentleman has made about the record of the GSD in Government. Now, what's good for the goose is also good for the gander. He says that he was listening to it on the radio: well, the only unedifying spectacle was the fact that the former Leader of the Opposition challenged me to go to the ante-room to have a fisticuff with me. That was the only unedifying spectacle – (*Interjections*)

Mr Speaker: Order! Order! Order!
Now I think we are going back into recent history... The matter was dealt with this morning: I do not think we need to go back into that.

1585 The Hon. Daniel Feetham is right and, having regard to the fact that the Hon. Minister for Health *did* refer to the state of affairs that was left by the previous administration, that can form the basis... but, again, aimed at eliciting information or urging a course of action, not for defending previous Government's policies.

1590 **Hon. Chief Minister:** Mr Speaker if I might just clarify, I am not saying he cannot refer to what his Government – what he called, this morning, 'my Government', he talked of the GSD Government that ended on 8th December as 'my Government'... Of course, he can talk about that, but he was going back to 1993 and Mount Alvernia etc.

1595 **Mr Speaker:** No, exactly, I have ruled that, in the context of remarks made by the Hon. Minister, which was on the state of affairs left by the previous administration, that can form the basis of a question, not –

Hon. D A Feetham: I would not have asked the question had he not made the statement. But, Mr Speaker, I have already made the point I think that I want to make.

1600 **Mr Speaker:** Then we can move on.

Hon. Miss S J Sacramento: Mr Speaker, I would like to make a final point on that statement regarding the state of affairs of the elderly on 9th December, being that this Government inherited a waiting list for Mount Alvernia that exceeded 500 people, a waiting list of people on domiciliary care that exceeded 400 people, over 80 elderly people in surgical beds in the GHA, which resulted in over 100 operations being cancelled a year... (**A Member:** Shame!)

If we are going to talk about the state of affairs, Mr Speaker, those are the facts on 9th December.

1610 **Hon. Dr J E Cortes:** I would like to add, Mr Speaker, the fact that we have had to assess numerous flats in Albert Risso House because they were not suitable for the elderly.

Mr Speaker: Well, I must allow a question on this side, if it is a question? Then we shall move on. Next Question.

1615

**Children with severe challenging behaviour
Plans for secure unit**

1620 **Clerk:** Question 285, the Hon. J J Netto.

1625 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Service say if any Government property or properties has been, or is in the process of being, prepared and refurbished for the purpose of having a secure unit in the short term, prior to having a substantial property in the long term for children with severe challenging behaviour?

Clerk: Answer, the Hon. the Minister for Equality and Social Services.

1630 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, options are being considered with regard to identifying an appropriate property to be used as a secure unit in the short term, prior to establishing a property in the long term for children who display severe challenging behaviour, which would require a secure unit.

1635 **Hon. J J Netto:** If I understood the hon. Lady correctly, she seems to be saying that a property is being identified for the purpose, in the short term, to provide a secure unit.

1640 I understood, from the question from the last month, that some flats have already been identified and some works were in the process of being carried through in order to refurbish those flats, hence the reason why this has triggered my question today. So, let me see if we can get this right: do we have some flats, in the short term, in the private sector... I'm sorry, in Government housing stock, being refurbished, as a short term measure, for the purpose of a secure unit? Is that the case?

Hon. Miss S J Sacramento: Mr Speaker, I said that flats have been identified, not that they have been refurbished.

1645 We are looking at identifying flats... not flats, premises, for it to be refurbished for the long term. Any short term flats are being identified but do not necessarily require refurbishment, Mr Speaker.

That is what I believe I said on the last occasion and the occasion before that.

1650 **Hon. J J Netto:** Perhaps, then, Mr Speaker, *Hansard* will say whether it was 'properties' or 'flats' but, anyway, that is a minor point which I don't want to dwell on.

Can the hon. Lady say whether they will be in a position within, perhaps, the next three months, of knowing whether there are some properties which can be used – notwithstanding the fact that some refurbishment may have to take place – and thereby use these properties as a short term basis for placing some looked-after children with severe challenging behaviour?

1655 **Hon. Miss S J Sacramento:** Yes, Mr Speaker, in fact probably earlier, but certainly within three months.

1660 **Hon. J J Netto:** Could we also ask the hon. Lady, in terms of preparing for a situation where, hopefully, there will be a property in three months, notwithstanding any refurbishment works, whether some consideration has been given by, perhaps, the senior management, in this case, of the Care Agency, as to what the needs or the package that would need to be put together, in order to deal with the necessities and the circumstances of these looked-after children with severe challenging behaviour?

Hon. Miss S J Sacramento: Yes, Mr Speaker that is something that we have already looked at.

1665 Predominantly the most urgent thing in that respect is training, and DCRT training has already commenced. I explained that in the first meeting of this House, Mr Speaker. I am sure that the hon. Member may recall, because I was asked questions specifically on that training.

1670 **Hon. J J Netto:** By all means, of course, training is a most important necessity in the equation but, given that we are considering looked-after children with severe challenging behaviour, which presumably, in addition to having severe challenging behaviour, may have emotional problems, social problems, is the Care Agency giving thought that these particular children may need, perhaps, a ratio of carers much bigger than the other one? If so, have they considered the number of carers, notwithstanding the training and the level of training that may have been obtained so far, for this purpose?

1675 **Hon. Miss S J Sacramento:** Yes, Mr Speaker, and the complement is actually being reviewed specifically for this purpose.

1680 **Hon. J J Netto:** Could I also ask what specialist provision will be provided for these particular looked-after children as a package?

1685 **Hon. Miss S J Sacramento:** Sorry, Mr Speaker, I do not really understand the question, but I think that... Well, anyway, the answer is that the whole secure accommodation arrangements are being reviewed, both in terms of the accommodation itself, the legislation that is required and anything else that may be relevant, for Gibraltar to be able to provide secure accommodation.

Hon. J J Netto: I was not referring, Mr Speaker, in relation to any possible amendment to the Children Act for the purpose of having a secure unit because, obviously, I understand that that would be a necessity.

1690 What I meant by a specialist provision of care provision, given the nature of these particular children, whether a programme would be put in place, in terms of having educational psychologists, in terms of anger management, a whole range of different facilities that would be targeted for these particular children. That is what I meant by special care provisions, as opposed to the training, as opposed to the changes of legislation. Could the hon. Member please expand on that area?

1695 **Hon. Miss S J Sacramento:** Yes, Mr Speaker, because all those things that the hon. Member has just mentioned are already provided for, in any event, and it would be a question of enhancing those and making those facilities available to the secure accommodation.

1700 **Hon. J J Netto:** Mr Speaker, I understand that those services are already there because it developed as I was there. But, given the fact that we are talking about removing some of these children – and I assume some of these children are in Tangier View right now and, hopefully, will be moving on to a property out there – there will be, perhaps, a question of resources that need to be thought through because, if you have, for instance, one support of an educational psychologist attending there or some particular psychologist attending to the other premises, they may not be able to duplicate that in a different area.

1705 One of the logical reasons behind Tangier View was that the facilities would be available in one particular place but, by having different facilities which, as I expressed before, I am not against the idea – in fact, I see it as a positive move, actually – will that mean that there will be extra resources over and above to the ones that already exist?

1710 **Hon. Miss S J Sacramento:** Mr Speaker, as I have said *ad nauseam* already, in the light of this question, the whole situation is under review, so if resources need to be provided then resources will be provided.

1715 **Hon. J J Netto:** Well, Mr Speaker, with respect to the hon. Lady, I mean, the whole question may be under review but what I am trying to ask the hon. Lady – which I think is a fair and sensible and reasonable question – is whether *she* thinks, regardless of what the review would say, whether extra resources will be needed as a result of this?

Mr Speaker: She is being asked to pre-judge the review?

1720 **Hon. G H Licudi:** The hon. Member is asking specifically for that, for a pre-judging of the review, also asking for an opinion by the hon. Lady. The matter is currently being investigated, it is not appropriate to ask for an opinion from Government Ministers, the Government is currently looking into the whole question of resources and, as *soon* as we are able to identify what is needed then that will be announced.

1725 **Hon. J J Netto:** Okay, Mr Speaker, fair enough, on and in relation to that, can I also ask in a slightly different supplementary question, are we still talking about, I think it was the figure that you provided in a different session, of five looked-after children are we still talking about that number? Or has the number decreased or increased, which is something that is likely to happen in areas of this issue.

1730 **Hon. Miss S J Sacramento:** Mr Speaker, I don't think that we have ever said that any secure accommodation would provide for five or four. We have never said the number. That was a reply to a specific question of how many children are at present in care, who manifest this severely challenging behaviour.

1735 The unit, obviously, would have to cater for a certain minimum looked-after children but, again, Mr Speaker, that is part of the review, because the review would establish the pattern of the need. We cannot just go by the figures that we have given – the children in care right now – we would have to see the pattern and see whether that pattern shows a consistent figure in the past, so that we are able to cater for enough children in the future.

1740 **Care Agency residential homes
Recordable acts of violence**

Clerk: Question 286, the Hon. J J Netto.

1745 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state if there have been any recordable acts of violence in any of the Care Agency Residential Homes, since this question was asked in Question No. 169/2012 to date and, if so, could the Minister provide a breakdown showing the date of the incident or incidents, whether the incident or incidents were between children or between children and staff and whether, as a result of the incident, medical attention was required either at the Home or in the Hospital and for what purpose?

1750 **Clerk:** Answer, the Hon. the Minister for Equality and Social Services.

1755 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Yes, Mr Speaker, there has been one incident of recordable acts of violence in Care Agency Residential Homes since this question was asked in Question No 169/2012. On 2nd March 2012 there was one incident between a child and a member of staff. No medical attention was required for the incident.

1760 **Hon. J J Netto:** Okay, Mr Speaker.

**Care Agency Residential Homes
Absconding Children**

1765 **Clerk:** Question 287, the Hon. J J Netto.

1770 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services say if there have been any looked-after children in the care of the Care Agency in any of their Residential Homes who have been absconding since 9th December 2011 and, if so, could the information be provided on a monthly basis, and stating how long the absconding lasted, whether any of them may have been engaged in acts of violence against other looked-after children or staff members?

1775 **Clerk:** Answer, the Hon. the Minister for Equality and Social Services.

Hon. the Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker there have been a total of 23 incidents of children absconding since 9th December 2011, 16 of which involved the same child.

1780 I am now handing out a table with the dates of the absconding, the time the absconding lasted, and whether any of them had been engaged in acts of violence against other looked-after children or staff members.

ANSWER TO QUESTION 287 OF 2012

Date	Length of time LAC absconded	Violence to LAC or Staff?	Home or hospital treatment
13/12/11	1 hour	No	
19/12/11	1 Hour	Staff	Hospital, attention to nose.
24/12/11	3 hours 15 minutes	Staff	Hospital attention to shoulder (LAC)
01/01/12	8 hours	Staff	None required
03/01/12	7 hours 5 minutes	No	
04/01/12	7 hours 15 minutes	Staff	None required
05/01/12	9 hours 15 minutes	No	
06/01/12	7 hours 35 minutes	No	
07/01/12	10 hours 30 minutes	No	
08/01/12	22hours 30 minutes	No	
14/01/12	8 hours 30 minutes	Staff	Hospital attention to leg pain (LAC)
18/01/12	10 minutes	Staff	None required
23/01/12	6 hours 10 minutes	No	
24/01/12	15 hours 20 minutes	No	Hospital attention to wrist. (LAC)
26/01/12	7 hours 30 minutes	staff	Tetanus for a bite, and anti biotic.
06/02/12	4 hours 7 minutes	No	
07/02/12	27 hours 45 minutes	No	
12/02/12	7 hours 30 minutes	No	
12/02/12	7 hours 30 minutes	No	
12/02/12	9 hours 15 minutes	No	
13/02/12	35 minutes	No	
16/02/12	6 hours	No	
16/02/12	6 hours	No	

Hon. J J Netto: Mr Speaker, I am grateful.

1785 Whilst the information is coming through, perhaps, I do not know whether it will be contained in the information coming, but can the hon. Member say whether all these incidents of absconding have been within Gibraltar or perhaps some of these looked-after children have even absconded and gone in to Spain?

1790 **Hon. Miss S J Sacramento:** Mr Speaker, I cannot answer that question for certain but I can say that I have not been advised that anyone has absconded across the border. I cannot confirm that for certain but, certainly, I am usually advised when a child absconds and usually given the background, and I have not been informed that anyone has been absconding in Spain.

Hon. J J Netto: Okay, Mr Speaker, we can move on to the next one.

1795

**Elderly Persons
Domiciliary Care**

1800 **Clerk:** Question 288, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Social Services say, what is the total number of elderly persons receiving domiciliary care as at the end of February 2012?

1805 **Clerk:** Answer, the Hon. the Minister for Equality and Social Services.

Hon. the Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, the number of elderly persons receiving domiciliary care as at the end of February 2012 is 88.

1810 **Hon. J J Netto:** I'm sorry I missed the... How many?

Hon. Miss S J Sacramento: 88.

1815 **Hon. J J Netto:** 88...

Mr Speaker, obviously the figure of 88, which the hon. Lady has just given us, is a figure which is less than the figure than we left of 91 people receiving domiciliary care, as provided by the senior management of the Care Agency to me was 91.

1820 Now, leaving that aside, what I would like to ask the hon. Lady, which is I think much more important than that, is that, given that we have 88 persons who are receiving domiciliary care and given that, last month, the hon. Lady – I think it was last month – was saying in one of her answers to one of my questions that there are elderly people in the community who, I think, were not receiving any help either from the family or from the Care Agency... Shall I give way to the hon. Lady and clarify that before I proceed?

1825 **Hon. Miss S J Sacramento:** Mr Speaker, I do not have the answer to that question before me but, as I recall, there were no people in the community, according to our records, receiving no domiciliary care or no help from their family. I am happy to, perhaps, go back and check that but, as I recall the table, there were people who were either assisted by way of domiciliary care, assisted by way of help from their family, or by both – not by neither.

1830 **Hon. J J Netto:** Well, perhaps we would have to look at *Hansard*, but I do think to recall that there were a group of people, that they were not receiving any help, either from the extended family or from the Care Agency...

1835 Given that there has been no increase, perhaps a decrease, as I would think, in the number of people receiving domiciliary care, would it not be the case, perhaps, Mr Speaker, that the Government – obviously she does not hold the financial purse strings – but if, as the hon. Lady said just a while ago, there are so many people waiting for domiciliary care, would she not, having a collegiate Government, as they have, not inform one of her colleagues who has got the purse strings, perhaps, to ask for a bit of more money in order to allow more people to have domiciliary care?

1840 Because, at the end of the day, if there is no spare capacity to attend the needs of these people, either because Mount Alvernia is full right, perhaps help could be given in the community in order to try and give some domiciliary care. So can they undertake that?

Hon. Chief Minister: Mr Speaker, if she does, she'll be pushing at an open door.

1845 **Hon. J J Netto:** I'm sorry, Mr Speaker, I missed that. Will the Hon. Chief Minister repeat that?

Hon. Chief Minister: If she does, Mr Speaker, she will be pushing at an open door.

1850 **Hon. Miss S J Sacramento:** Mr Speaker, in response to the question, first of all, I want to clarify that I am not aware when senior management informed the hon. Member as to the number of people who were receiving domiciliary care previously but, certainly, my information for the purpose of this question is that, before 9th December 2011, the number of people receiving domiciliary care was 79. That is less than the number of people receiving domiciliary care today.

1855 Obviously, Mr Speaker, I have to rely on the information that is provided to me by my senior management, but certainly that is the information that I have received.

What is significant to note, Mr Speaker, is that not only has this new Government increased the number of

people who are now receiving domiciliary care in the last 100 days, but we have also increased the number of hours that are afforded to the elderly, (**A Member:** Hear, hear.) following individual assessment of their needs.

1860 In addition Mr Speaker, elderly people already receiving domiciliary care hours in the community, of which the maximum under the previous administration was only 2 hours a day, have also had their hours reviewed and increased, if necessary, following individual assessment of their needs.

1865 Now, to put this into context, Mr Speaker, the total number of recipients of domiciliary care prior to 9th December 2011 was 79: they were receiving a total of 420.5 hours a week. From the end of February to date, there are now 88 recipients receiving domiciliary care and they are receiving a total number of 530.5 hours a week. Thus, this is an increase of 110 hours per week, a 26.2% increase to what the previous Government was affording. (*Applause*)

1870 **Hon. J J Netto:** Well, Mr Speaker, in relation to that particular point, let me tell the hon. Lady that the same senior management that is giving her the figures gave me the figures that there were 91 persons receiving domiciliary care, but that is not the issue here for debate.

Will the hon. Lady, therefore, not provide me a breakdown of the number of people who are now getting more hours than the 2 hours that was previously the case?

1875 **Hon. S J Sacramento:** Mr Speaker, I fail to see the relevance of that question. I do not have the exact figures of who is receiving more hours and who is receiving domiciliary care that they were not receiving before. I do not have that specific breakdown, Mr Speaker, therefore I am unable to provide it.

1880 **Mr Speaker:** The hon. Lady may not be in a position to provide that specific information but it does have relevance, because it is the point made by the hon. Lady... (*Interjection*) No, the answer was she has not got the information *at hand*, but I have ruled that it is relevant because she did mention the amount of hours.

Hon J J Netto: Therefore –

1885 **Hon. Miss S J Sacramento:** Can you be more specific.

1890 **Hon. J J Netto:** Therefore, I presume she has not got the information there available in front of her, inasmuch as to how many people now are getting more than two hours domiciliary care – I mean, does she have the information there available? No, you have not. Therefore, if I write to her, will she provide me with that information, Mr Speaker?

Hon. Miss S J Sacramento: Yes, absolutely, Mr Speaker. I understood the question as the hon. Member wanting to know who the people were, not the number of people. That is why I questioned the relevance.

1895 Certainly, in terms of the figures, if the hon. Member were to write to me, yes, I am happy to give him a breakdown.

1900 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, just for the sake of clarification, can the hon. Member opposite just clarify, if it has increased from 79 to 88 patients receiving domiciliary care, with an extra 120 hours per week on average, what has been done in order to enhance the service? Have more staff been employed?

Hon. Miss S J Sacramento: Mr Speaker, it is a combination of more people receiving domiciliary care and people who were previously receiving domiciliary care receiving more hours of domiciliary care.

1905 Perhaps I can inform the hon. Member opposite that domiciliary care is sub-contracted to a company in the private sector and these hours are then sub-contracted. There is a contract with a company in the private sector; these hours are sub-contracted to them.

1910 **Hon. J J Netto:** Could I ask in relation to the context of what she has just said, whether it is just the continuation of *one* contractor providing that particular service or there are more than one.

Hon. Miss S J Sacramento: At present, Mr Speaker, as I am sure the hon. Member recalls, Government

is tied into a contract with a particular provider in the private sector and it is that contract under which we are working.

1915 **Hon. J J Netto:** Does the hon. Lady know until when the contract lapses?

Hon. Miss S J Sacramento: Yes, Mr Speaker, I do. (*Laughter*)

1920 **Hon. J J Netto:** And would the hon. Lady, perhaps, volunteer, without me having to stand up every 5 seconds, as to when?

Hon. Miss S J Sacramento: Well, Mr Speaker. the contract that the hon. Member entered into with this company expires in 2013.

1925 **Mr Speaker:** The Hon. Damon Bossino.

Hon. Mr D J Bossino: Does the increase in hours result in extra costs to the Government?

1930 **Hon. Miss S J Sacramento:** Yes, Mr Speaker, they have to be paid for.

Hon. D J Bossino: Yes, of course they have to be paid and maybe she can confirm this point. And does she have any information available to announce what that cost amounts to?

1935 **Hon. Miss S J Sacramento:** Well, the hourly rate remains the same, so the number of hours would have to be multiplied by the cost of the service. And the price, under the contract is, I think £12.40-something – it is just over £12, I think.

1940 **Care Agency Board
Meetings since 9th December 2011**

Clerk: Question 289, the Hon. J J Netto.

1945 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state on how many occasions has the Care Agency Board met since 9th December 2011?

Clerk: Answer, the Hon. the Minister for Equality and Social Services.

1950 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, there have been no Care Agency Board meetings since 9th December. One is being arranged for 28th March 2012.

1955 **Hon. J J Netto:** Mr Speaker, is the hon. Lady aware that the Care Agency Act, clause 5.2, states the Agency shall meet at least once in every three months?

Hon. Miss S J Sacramento: Yes, Mr Speaker, and I am sure that the hon. Member was also aware of that provision when the last meeting of the Care Agency Board was on 11th April 2011, Mr Speaker. (*Laughter*) There was no meeting in September 2011, nor in December 2011, Mr Speaker.

1960 **Hon. J J Netto:** I certainly don't recall that. I do recall the fact that there was one particular meeting which I could not attend but, obviously, I designated the Chief Executive of the Care Agency to take the meeting for my purposes. I do not know whether she is referring to that particular meeting or not.

1965 **Hon. Miss S J Sacramento:** No, Mr Speaker, the meeting that the hon. Member is referring to – the one that was convened but he did not attend as Chair – was that of April 2011. So, in effect, Mr Speaker, the hon. Member did not attend (*Laughter*) a meeting of the Care Agency Board since 26th January 2011.

Hon. J J Netto: Mr Speaker, can I ask the hon. Lady whether she intends to make the meetings of the Board public, as some of her colleagues have stated?

1970

Hon. Miss S J Sacramento: Mr Speaker, that will be a matter for the Board.

Hon. D A Feetham: Does the hon. Lady not agree with me that, and I don't know what the position was in the time of 'my Government', (*Laughter*) but (*Interjections and laughter*) a little light humour in a sea of...

1975

But does she not agree with me that, to have not done something not in accordance with the Children Act when *we* were in Government does not justify the continuation of the practice now that *they* are in Government?

Hon. Miss S J Sacramento: Mr Speaker, the Children Act does not dictate the meetings of the Care Agency Board.

1980

Hon. D A Feetham: The relevant statute, Mr Speaker. (*Laughter*)

Mr Speaker, the Lady knows exactly what I am referring to. If she wants to give an answer, she can, if she does not want to give the answer, she does not have to.

1985

The question is a serious question. My friend, Mr Netto, has asked her whether there have been any meetings, she has said no, my friend, Mr Netto, has then said, 'Well, are you aware of the fact that the statutory obligation is three months?' She has said 'Yes, and when you were the Minister, there weren't any meetings since April!'

1990

I think it is a serious state of affairs if we are all going to be accepting that we are not going to be compliant with our statutory obligations because of what was past practice. Now I ask her again, does she not agree with me that it is not an excuse not to comply with your statutory obligations simply because there has been non compliance by a previous administration?

1995

Hon. Miss S J Sacramento: Mr Speaker, can I please remind the hon. Member of my original answer, which said that one is being arranged for 28th March 2012. That is within the first quarter of this Government, Mr Speaker, in compliance with the statute.

The fact that the previous administration did *not* comply with its obligations under statute is a matter for them, Mr Speaker, not a matter for this Government. This Government is complying with its statutory obligations and, of course, I agree with the hon. Member that it is important to comply with statutory obligations. (*Applause*)

2000

Hon. D A Feetham: Well, Mr Speaker, unless my maths has really gone awry – and I know that it is quite late on a Friday afternoon – if it is three months, then it should have been done by 9th March not by 28th March.

2005

Hon. G H Licudi: Mr Speaker, there isn't any statutory obligation to have a meeting within three months of a new Government *coming in*. Every three months usually means every quarter of the year, and that is precisely what my Government is doing. (*Prolonged cheering and applause*)

2010

Given that the hon. Member was the Minister for Justice and he refers to it as 'my Government', (*Laughter*) I am the Minister for Justice and other things and, therefore, I believe I have the privilege of calling it my Government as well. (*Laughter*) In those circumstances we are compliant with the statutory obligations.

2015

The hon. Member should be asking *his* colleague why it was that, in the last quarter of last year, before they retired from office – before they were *sacked from office* by Gibraltar – why *they* did not comply with the legislation. (*Applause*)

Hon. D A Feetham: Well, you see, the hon. Gentleman is wrong, I'm afraid. He has intervened and he is wrong.

2020

There is a serious point here, and we will accept, certainly, whatever justifiable criticisms are levelled our way. The statute actually provides, according to my friend, Mr Netto, that it shall be held every three months. Now, if that is the position and the last one was in April, then, of course, there was an obligation to hold one as quickly as possible into your term of Office, not on the 28th! That's not what the statute says.

2025 **Hon. G H Licudi:** Mr Speaker, that is *his* interpretation of the statue, which is wrong, because the statute does not say ‘as quickly as possible as you come into office. (*Interjection by Hon. D A Feetham*) Yes, and had we had a meeting on the 9th December, there would still have been a default of the legislation, because the Act says ‘every 3 months’, the previous meeting was in April of 2011, even if we had had one on the first day in office (**A Member:** Absolutely.) there would still have been a default.

2030 What we have done is decided that there should be – or, rather, the Care Agency has decided that there should be – a meeting every quarter, and the first quarter’s meeting is happening this month, which is within the first three months of this year. That is what is happening.

Hon. D A Feetham: Yes, well, I do not agree with that interpretation, but we’ll leave it there.

Hon. J J Netto: Mr Speaker, can I ask just one more supplementary to the hon. Lady.

2035 The hon. Lady, when I asked her whether she is considering the fact of making the meetings of the Board public, said that would be a matter for the Board. Will she, therefore, take that particular question to the Board, to the next meeting, in order to decide whether they will be making the meeting public or not?

2040 **Hon. Miss S J Sacramento:** Yes, Mr Speaker, as is the policy of this Government and the policy of transparency, which we say did not hitherto exist, not before the 9th December, this is a matter I am happy to take to the Board. However, Mr Speaker, it is a decision that needs to be taken by the Board. It is not a decision that I can take.

Hon. G H Licudi: Mr Speaker, can I add to that.

2045 The hon. Member will be aware that, clearly, the Board will be dealing with sensitive issues, issues relating to care proceedings, issues relating to children and there will be sensitive issues that perhaps ought not to be made public. So, in the consideration of that, those matters will have to be taken into account.

2050 We do not want to make the Board unworkable, but there are sensitive issues that *this* particular Board will have to deal with, which may make the position different to other Boards, but we take on board what the hon. Member has said and, as the hon. Lady has indicated, the matter will be taken to the Board for a decision.

Hon. J J Netto: Yes, I want to –

2055 **Hon. G H Licudi:** Mr Speaker, but I want the hon. Member to understand the sensitivities with this particular Board.

Hon. J J Netto: Yes, Mr Speaker, I do take that into account, in a similar way as it happens with the Health Authority Board.

2060 **Hon. G H Licudi:** This one is generally dealing with children and more sensitivities.

Hon. D A Feetham: We certainly agree that that must be the position, and that must be right.

2065 There are possibly ways of dealing with it, by redacting names, by redacting references to circumstances but, certainly, on this side of the House, if the Government were to decide *not* to publish those minutes, we would not be criticising the Government for not doing so.

2070 **Hon. G H Licudi:** Mr Speaker, I am certainly grateful for that, let me just point out also, it’s not just a question of redacting names in published documents. If the meetings are *in public*, as has been suggested, then the issue of redactions does not apply, the information becomes public and those are sensitivities. I acknowledge that the hon. Member has agreed with those sensitivities.

TRAFFIC, HEALTH AND SAFETY AND TECHNICAL SERVICES

2075

**Overnight parking provision
Identification of additional areas**

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Clerk: Question 304, the Hon. D J Bossino.

Hon. D J Bossino: Can the Minister for Traffic, Health and Safety and Technical Services advise whether the Government has identified other areas to make available for free overnight parking, other than those provided at the Europort Avenue and Bayside Road car parks?

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Clerk: Answer, the Hon. the Minister for Traffic, Health and Safety and Technical Services.

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Minister for Traffic, Health and Safety and Technical Services (Hon. P J Balban): Mr Speaker, the Government is presently looking into all parking areas in Gibraltar which are presently being used during the day for a specific purpose, with a view of the possibility of allowing their use by the general public overnight, as was the case with Europa – sorry, with Europort Avenue and Bayside Road car parks: these areas in question were reserved for the specific use of school teachers.

The Government will make this information public if and when areas are found to be suitable.

2095

Hon. D J Bossino: So, presumably at this stage, the answer from the Minister is no.

Hon. P J Balban: Mr Speaker, the answer is that we are actually looking into other areas in Gibraltar. In fact, there are three areas that we are specifically looking into, and until we are sure that they can be used for that purpose, we prefer not to make this information public.

2100

Hon. D J Bossino: The reason why I asked this question, Mr Speaker, is because I have received representations in relation to a specific area in Gibraltar, and there is an interest that a certain location be made available, using a similar regime – nobody wants to consult a regime – which has been implemented in relation to the car parks which have already been freely made available, or released, to the general public during certain hours. This is why I ask the question.

2105

Hon. P J Balban: Mr Speaker, we would be, actually, very grateful if he could have that information and refer it to us so that we actually take that car park area into account as part of the public consultation exercise. That is what it is, public consultation, and if Members across the floor have any suggestions then, by all means, we are happy to take them on board.

2110

Hon. D J Bossino: Now, in relation to the public consultation exercise, once again, I think I have made this point in previous sessions of this House to the Hon. Minister. Can he confirm that it is the consultation exercise which is being carried out by the Government in relation to the major review of traffic?

2115

Hon. P J Balban: That is correct. That is the review of the traffic plan, yes.

Hon. D J Bossino: And given that we are now on 16th March, can the Minister give me an indication as to when he envisages that he will be able to reach a final decision in relation to the various locations?

2120

Hon. P J Balban: I believe there is a Question further on that actually asks about the Traffic Plan and what stage we are at at the moment.

2125

**Devil's Tower Road multi-storey car park
Car exporting businesses**

Clerk: Question 305, the Hon. D J Bossino.

2130 **Hon. D J Bossino:** Can the Minister for Traffic, Health and Safety and Technical Services provide the House with details of the arrangements the Government has entered into with car exporting businesses, in connection with the offer of car parking facilities at the Devils Tower Road multi-storey car park?

Clerk: Answer, the Hon. the Minister for Traffic, Health and Safety and Technical Services.

2135 **Hon. Minister for Traffic, Health and Safety and Technical Services (Hon. P J Balban):** Mr Speaker, the Government has reached an agreement with Gibraltar based motor car exporters to provide them with space in which to park their vehicles. This is in line with the policy of the new Government to generate revenue from assets which were not producing income before.

2140 Following a study carried out, it was confirmed that the car park at Devil's Tower Road was being under-utilised and it was also confirmed that there was no waiting list for residents of the area wanting to park their cars there. The decision was taken to offer space in the said car park to the Bassadone Group of companies in which to park vehicles destined for export.

2145 This should be seen in the context of both the need to generate income for the Government and also of the delay to the planned Western Beach reclamation progressed under the previous GSD administration in which the Bassadone Group were earmarked a section where their export business could be consolidated, including an area where the company could park their export vehicles. The consequences of the considerable delay in the provision of this parking base at Western Beach is an important factor that the GSLP/Liberal Administration has taken into account throughout the discussions with the company.

2150 The Bassadone Group will make a payment of £150,000 per year for the car parking arrangements. This directly releases land in other parts of Gibraltar which will now be available to the Government for development or for other purposes.

2155 At the same time, the AM Capurro Group contacted the Government in view of also looking for space to park their export vehicles. As a result of the Bassadone Group reducing the space that it occupied in Regal House car park, it was agreed that the AM Capurro Group would occupy an area of this car park in Regal House for their own export parking requirements. They would pay the Government £70,000 per annum in return for this parking facility.

2160 It is important that the Government provides assistance to the companies which are bringing in new business and employing in Gibraltar. It is also particularly important that Gibraltar Car Parks Limited, which is a huge loss-making operation set up by the previous Administration, receives some very much needed income from previously empty car parking space. The deal is, therefore, good for the taxpayer and good for Gibraltar.

2165 **Hon. D J Bossino:** Much of what the Minister has said was previously set out in a press statement, the Government press statement of 154/2012.

Now, what I was getting at, or driving at, in asking this question is more particulars of what specific arrangements have been entered into with the Bassadone Group. Is it a lease arrangement? Is it a licence arrangement? For how long is it expected that the Bassadone Group will be occupying the area at the multi-storey car park? Things of that nature.

2170 **Hon. P J Balban:** Mr Speaker, this is a licence arrangement and it is on a monthly basis.

2175 **Hon. D J Bossino:** I am not too sure how much space is now left in the Devil's Tower Road multi-storey car park, but what is the Government's intention in relation to the usage of that car park in the future? Will it still be used as a park-and-ride, which was *my* Government's intention, (*Laughter*) when it built that construction, or does the Minister envisage that it will be used for different purposes now?

Hon. P J Balban: Well, the car park in question was never used as a park-and-ride facility. It was never up and running, that was the intention but it was never used, it never came to fruition.

2180 As I said, as part of the review we are actually looking at, where we progress... One of our manifesto commitments was, actually, to look at the possibility of building park-and-ride facilities closer to the point of entry to avoid having cars actually come into Gibraltar, and absolutely avoids the problematic Sundial roundabout. It is trying to keep them closer to the frontier area.

2185 **Hon. D J Bossino:** It was the GSD party's intention to use it as a park-and-ride facility – that is why it was built, so that is the whole reason for it.

Now, in terms of progression, can the Minister – I don't think he has answered the question – can he identify whether *that* building is now going to be used as the park-and-ride, or are they going to abandon the former Government's policy in relation to that, in relation to the multi-storey car park?

2190 **Hon. P J Balban:** It is, actually, too early to know, for us to be sure what the final purpose of that car park will be as, again, we are reviewing the whole traffic parking situation in Gibraltar, especially the district parking schemes. Based on that, then we will see whether this will be used as a park-and-ride or not. We still have no concrete plans at the moment.

2195 **Hon. D J Bossino:** Again, in terms of time, does he know when he will have those concrete plans available?

2200 **Hon. P J Balban:** The consultation process and, obviously, the review will take a considerable amount of time. Again, I am not sure how long this will take, but until all that process is finished, I will not be in a position to be able to tell you ideas of timescale.

2205 **Hon. D J Bossino:** With respect, I think the Minister may not have answered accurately. The consultation, as I understand it from his replies in this House on previous occasions, is that the consultation process has, in fact, completed, and what he is now reviewing is the data. So, can he clarify the answer?

Hon. P J Balban: In fact, in my reply to your next question I will be clarifying all these points. It features in our next question.

2210 **Hon. D J Bossino:** Presumably, the reason why the Government has entered into licence arrangements, as opposed to lease arrangements, with the Bassadone Group is that the licence arrangements can be determined, on a monthly basis, at the Government's will?

2215 **Hon. P J Balban:** Yes, obviously, it gives us – and them – enough leeway to be able to continue, or discontinue, the arrangement because, if as part of the traffic plan, we find that the car park needs to be used for another purpose then, obviously, we can discontinue the arrangements and continue to use it for what we intend its use to be.

2220 **Hon. S M Figueras:** Sorry Mr Speaker, staying firmly on the subject of, in respect of the area of, thank you very much.

In respect of the areas relinquished by Bassadone Group, is the Hon. Minister able to provide us with details of those areas?

2225 **Hon. P J Balban:** Yes, the areas which have actually been, have remained vacant is the ex-MOD trailer park, and an area up by the Bufadero.

Hon. S M Figueras: An area up by the Bufadero.

Hon. P J Balban: Yes, up by the Bufadero, where the band... it's the parade area.

2230 **Hon. S M Figueras:** Yes, Mr Speaker, presumably there is an element of leeway in this arrangement obviously because it is a monthly licence but, one would also presume that if, Bassadone in particular, are relinquishing the use of the two areas specified by the Hon. Minister, in the event that the Government should decide that the multi-storey car park should be used for the purpose for which it was originally built, that Bassadone will have a new need for an area in which to store those vehicles which are now in the multi-storey car park. Has there been any discussion with Bassadone in respect of the potential for that difficulty in the future?

2235 **Hon. P J Balban:** Well, our immediate plans for the car park... As I said, because of the review and the

2240 time it will take, we do not believe that we are going to have an immediate need to use that car park. So our idea was to capitalise on the fact that we have a car park that is not being used much and generate some income from it. Obviously in time, in the, hopefully, not too distant future, the area assigned for Bassadone, which is the Western Beach Reclamation, will be, hopefully, up and running, ready for them to move into. That is the plan.

2245 **Hon. S M Figueras:** Therefore, Mr Speaker, it is not a quantum leap to assume that the Government has no imminent plans for the use of the ex-MOD trailer park or, indeed, that particular area by the Bufadero?

2250 **Hon. P J Balban:** The Government, at the moment, is actually looking at the areas in question, and because land is not something we have a lot of, there are quite a few ideas for the areas in question.

Hon. S M Figueras: I am grateful.

2255 **Traffic Plan public consultation
Findings**

Clerk: Question 306, the Hon D J Bossino.

2260 **Hon. D J Bossino:** Can the Minister for Traffic, Health and Safety and Technical Services now provide details of the findings arising from the public consultation exercise the Government has carried out in relation to the Traffic Plan?

2265 **Clerk:** Answer, the Hon. the Minister for Traffic, Health and Safety and Technical Services.

Hon. the Minister for Traffic, Health and Safety and Technical Services (Hon. P J Balban): Mr Speaker the Government has now completed the first stage of the public consultation process, although it must be noted that any feedback received at any point during the review, even after said public consultation period, will still be considered.

2270 It is the Government's opinion that the process of consultation needs to be fluid in this respect. All the information collected to date has now been catalogued and, once the full consultation is completed, including feedback, suggestions and comments derived from a user and trip survey, the Government will be in a better position to provide details of the findings.

2275 **Hon. D J Bossino:** I do not quite follow, unless this is some sort of technical jargon, and I have completely missed it... What is the Minister referring to by a user-and-what survey?

2280 **Hon. P J Balban:** Well, as part of the consultation process we will be actually surveying users as to what trips they regularly take, so it's a consultation exercise whereby people are actually surveyed on 'where are you going?', 'for what purpose you have got your mode of transport?', that sort of question. It is a user survey, a transport user survey.

2285 **Hon. D J Bossino:** I see, so you are going to be carrying out some sort of questionnaire which is going to be made available to the public at large? Yes? Is that what the Minister is referring by the 'users'?

2290 **Hon. P J Balban:** That's right, actually see whether we can ascertain why people choose to drive their own cars to work, as opposed to getting public transport or their bicycles, or whatever. It is to see what their customs are, how many people travel in one vehicle. I mean, do they drive with kids to school, even though it is just a ten minute walk away? Really, just to see what people's behaviour is in terms of their transport.

Hon. D J Bossino: Would he describe that as the second stage of the consultation process? The first stage, presumably, was the one that was announced in the press statement issued in January, which allowed a very small window of about two weeks, I think, up to the 30th January, within which people, interested parties –

2295 the Minister will recall the rather controversial issues that arose in the first session of this House, also very late on a Friday afternoon, in fact I think it was almost a Friday night, in relation to that, in relation to the use of that wording by the Minister.

So that would be the first stage. Now the second stage is this questionnaire which is going to be issued by his Department. Would the Minister concur with me that that is a correct analysis of the consultation process?

2300 **Hon. P J Balban:** The actual public consultation exercise is broken down in different stages. Initially, it was a public consultation exercise, which we launched a press release, and obviously people, anyone, could just come in and participate, inclusive of whether they were part of tenants' associations etc. So that was just a general feedback on the public.

2305 After that now, apart from the user trip survey that we are going to be carrying out as well, we are also homing in on more specific organisations, for example we are homing in on tenants' associations, management companies, we will be talking to the Chamber of Commerce, Emergency Services, and other commercial entities that actually use, or have a need to use, our roads for their business. This survey, or this consultation exercise, will cover as many across the board as it is possible to get – a true idea as to what people's requirements are and needs are, before we finally make a decision as to where we are going.

2310 **Hon. D J Bossino:** At what stage does the Minister intend, or does he think he will be able, to consult the entities he has just listed by way of example?

2315 **Hon. P J Balban:** Well as I said at the moment we have actually, we are almost through the different tenants associations. So we have actually seen most of the different tenants associations around Gibraltar, and the management boards of the managing committees, we still have a few more to meet with. Our next stage will be talking to as I said people like the Chamber of Commerce, we have also, the Bus Company, there is obviously bus rides to be included, the Taxi Association, Emergency Services, I have mentioned Emergency Services already, and also Disability Groups because we also want to get an idea as to what other people with different requirements are in need of.

2320 **Hon. D J Bossino:** So if I took a snapshot of the consultation exercise at the moment, you would be saying that it is in train? You are in train, you are actually carrying out the consultation at this present moment in your department.

2325 **Hon. P J Balban:** That is right. The consultation process is very wide and far and, obviously, it is not specific to a certain sector of the community. We want to get as wide a picture as possible, to take most people's accounts into consideration. Obviously not everyone's opinions we will be able to take those into account but we want to get at least as much feedback as possible before we actually launch what will be our traffic and parking and transport plan.

2330 **Hon. D J Bossino:** The Minister, in the last session of the House said, and I quote – and this is really what informed the posing of the question in the terms that it was posed – said:

2335 'Mr Speaker, the data has actually been collated by members of staff',

this is the data collated as a result of, if I can, presumably, call it the first stage of the consultation process

2340 'they are actually preparing a summary spreadsheet of all the findings and once that is finished, which I hope they will be finishing shortly, that will be handed back to me and then I will be in a position to be able to give more specific details of the outcome'

Now, is the Minister at this stage able to provide those specific details – at this stage?

2345 **Hon. P J Balban:** The sheer amount of comments of people that we are receiving would make it impossible for me to actually share all that... Well, I mean I am willing to share a few things, as I said, so you can understand what the comments are because, obviously, there are an immense amount of comments, in all stages. But, in the interim, a few salient comments, as I said, have arisen from the consultation exercise so far, which I am happy to share with Members across the floor.

For example, one of the key problems faced by the general public is the lack of provision of visitor car

2350 parking space within the North District, especially for visitors who need to go and see family members or, even worse still, need to deliver food or even help elderly members of their family. So that is one of the biggest problems that we have, something which has kept on coming back to us. You know, 'I'm going to drop my Mum off at home. I can't stop the car anywhere, and if I do stop my car there, we can get a fine for it!' So that's one of the biggest issues we have seen so far.

2355 Another comment which has been very, very common – a very popular comment – has been the complaints of the lack of regard there has been to the pedestrian, especially along the west pavements in the vicinity of the Trafalgar Interchange because, in the Trafalgar Interchange, if you think about what the traffic interchange is, it might alleviate the flow of traffic but, in terms of pedestrian flow, anyone walking along the west pavement finds it is not a suitable area to cross. You will see people crossing anywhere on the road and there have been lots of complaints regarding that. There is actually no zebra crossing between Ragged Staff Gates all the way up to the Piccadilly Garden Bar.

2360 So these are just some of the comments that we have received. There is loads of feedback and, as I said, this has all been collated now, in spreadsheet format, for us to actually analyse in due course.

2365 **Hon. D J Bossino:** Will the Minister undertake to disclose the information once it is in digestible, if I can put it in those terms, format?

Hon. P J Balban: We won't undertake but we will agree to do so.

2370 **Hon. D J Bossino:** I am grateful for that.

Hon. S M Figueras: Mr Speaker, I would hazard a guess that at least 48% of the users polled, receiving the questionnaire, living outside the city limits, will be rubbing their hands with glee at the prospect of having double the number of car parking spaces at what his Government will hope will be the spectacular Commonwealth Parade Park, for which I will congratulate the Minister for the Environment if it ever comes to fruition.

2375 **A Member:** In due course.

2380 **Hon. S M Figueras:** In due course as I'm sure [*inaudible*], subject of course, Mr Speaker, to geotechnical surveys which have not yet been carried out. (*Laughter*) Unless, of course, the geotechnical surveys have: it doesn't really matter, I am not going to digress any further than that from the point. However, what I would like to ask the Minister... (**A Member:** Question.)

2385 I have been absorbing far too much of preambles in the last few sessions and I am afraid it is rubbing off on me.

Mr Speaker: I hope not! (*Laughter*)

2390 **Hon. D J Bossino:** One question I would ask of the Minister is whether, despite the observations that may be represented to the Government during the consultation process, whether the Government itself has clear views as to what measures or as to a number or examples of measures that it will be taking to alleviate the historic problem of the school run, the first thing in the morning, and all those other perennial issues that the community has faced, despite the huge investment by *my* Government during its time. (*Interjections and laughter*)

2395 **Hon. P J Balban:** Of course we have. We have great ideas for what we want to do and these will be announced. (*Interjection*)

Of course, and we will announce these in due course.

2400 **Hon. D J Bossino:** So the Minister is unable to provide us with any examples of the ideas that you are thinking about at this time.

Hon. P J Balban: That is correct: not at the present.

2405 **Clerk:** Question 307 –

Hon. D J Bossino: Just one final supplementary, if I may, just to confirm a point which I think he dealt with in one of his initial replies. If I, using myself as an example, have or Joe Bloggs out there, has an interest in making further representations and participates in the consultation process, which was open for that window, two weeks, in January 2012, and he wishes to make further representations, given the ‘fluidity’, using his word, of the process, can that individual still make submissions to his Department?

Hon. P J Balban: By all means, it is happening constantly. I mean, just because the consultation period, as such, ended, it does not mean that I don’t receive comments and feedback on a daily basis at the office – by e-mail or even by regular mail.

Hon. D J Bossino: Yes, but can he assure this House, in order to have finality to this process, can he assure this House that work is truly underway in relation to the production of the digestible information, like the spreadsheet information which he agreed to make available to me, which will show the results of, as I understand it, the first stage of that consultation process.

Mr Speaker: I think the Minister did say what the hon. Member is asking. He asked for assurance and ‘truly’ I think is rather pushing it more than need be.

2425 **Hon. D J Bossino:** Well, Mr Speaker –

Mr Speaker: As opposed to ‘not truly’?

2430 **Hon. D J Bossino:** Well, well no. Fine, I will withdraw that if it suggests that he was in any way being mendacious previously. I am not suggesting that.

Mr Speaker: No, no, I know, but I was suggesting that the question need not be put, as it is pushing at the same point.

2435 **Hon. D J Bossino:** I just do not understand... There has to come a point where there has to be finality in terms of receipt of representations from the general public and, in fact, the Government was very clear in its first press statement when they said that they would allow a period of, from issue of the press statement – which, from memory, I think was 15th January – to 30th January, within which representations would be welcomed and received from the public as part of what is *now* being described as the first stage of that public consultation exercise.

2440 What one would expect is that, after 30th January deadline that would be closed and his Department would be carrying out the necessary administrative work in order to produce the summaries spreadsheet which the Government is, at this stage, not able to provide this House or me with. So I am just slightly concerned that the Government is still in receipt of the *data*, if you like, which will result in the spreadsheet information, given the fluidity of which the Minister referred to earlier.

2445 So, all I want is the Minister’s assurance that there will be finality to this and that, at some stage in the not too distant future, which is what he said in the session on 15th February, he *will* be in a position to say ‘Look, my Department has finished the spreadsheet information, the collation, and therefore the production of the spreadsheet information, and it is available.’

2450 **Hon. P J Balban:** It appears as if he is making... there is actually implicit criticism of the civil servants, that they are actually taking too long in doing this. I mean, this is something –

2455 **Hon. D J Bossino:** Will the hon. Gentleman give way? No, it is neither, certainly not explicit – and neither was it intended to be implicit – criticism of anybody. I am just simply trying to address the issue that this cannot continue *ad nauseam* and there has to be finality to this. I just sensed that, given the fact that there was initially finality and now there is fluidity, and collation on the spreadsheet – (*Interjection by Hon. Chief Minister*)

2460 **Hon. P J Balban:** There will be finality on this issue, obviously. When we actually have finalised this then we will give you more information on it. But, I mean, we cannot be pushed to finalise this sooner. What we want to ensure is that this public consultation exercise is what we intend it to be, which is thorough, and takes the time that it needs before we actually take a final decision.

2465 We don't want to rush things, or have to rush things, just in order to be able to present findings.

Hon. S M Figueras: Mr Speaker, on the Hon. the Chief Minister's recommendation, which I refuse to let pass by: in an attempt to define 'soon', are you able to commit to a timeframe within which you expect the process will be finalised and you will be able to publish the findings?

2470 **Hon. Chief Minister:** Mr Speaker the word 'soon' is a word which is to be found in the English Dictionary and has a natural and ordinary meaning. I refer him to the definitions provided by the previous incumbent of the post of Chief Minister, in the past four years. He will find many exchanges in *Hansard* as to what that word means.

2475 **Hon. S M Figueras:** And for the avoidance of doubt, Mr Speaker, is the Hon. the Chief Minister saying that he intends to conduct the business of Chief Minister in the same way as our leader did in his time.

Hon. Chief Minister: No, Mr Speaker, but I intend to continue speaking the same language, which is the one that the hon. Gentleman has asked about.

2480 He has asked for the definition of the word 'soon', and the definition of the word 'soon' is in the dictionary. It is, in fact, a question he therefore cannot ask because there is a published definition and there is, in the lexicon of his party, a definition which I am sure is the one that he believes is the correct one – or is it he is saying that his party defined the word 'soon' in the wrong way?

2485 **Hon. S M Figueras:** Mr Speaker, struggling though the Hon. the Chief Minister may be at this time on a Friday afternoon to understand the context of the question that I asked, to clarify just a little bit further, Mr Speaker, all I wanted to do was to try and define, for the purposes of *this* exercise and in *this* House in *this* particular context what meaning we are going to give to the word 'soon', be it end of March, end of April, end of... If you are unable to do so, Mr Speaker, then you are unable to do so.

2490 **Hon. Chief Minister:** Well, Mr Speaker the word 'soon' has a definition, the words 'end of March' have a definition, 'end of April' have a definition etc. If it had been 'end of March' or 'end of April' then that would have been the answer. The answer is 'soon' and the hon. Gentleman can make up his mind for himself of what that will mean, in effect, in the context of what is happening here this afternoon.

2495 **Hon. S M Figueras:** Mr Speaker, I have the benefit of being one of the newest faces in this House and I am not prone to pushing the matter. I am not prone to pushing the matter any further unnecessarily.

2500 **Mr Speaker:** Thank you

Hon. S M Figueras: It is obvious that the Hon. the Chief Minister does not want to commit his Government to a specific timeframe, but it would be far more helpful for him just to say so.

2505 **Hon. G H Licudi:** Neither did your Government for sixteen years, Mr Speaker.

Hon. Chief Minister: The Hon. the Chief Minister does not want to commit his Government to a different definition of the word 'soon', other than that which is published in the Oxford English Dictionary, which is the one I am happy to adopt.

2510 **Mr Speaker:** I think that – Order! I think we are ready to move to the next Question.

Clerk: Question 307 – (*Interjections*)

Mr Speaker: Order! Order!

2515 The Hon. Damon Bossino.

Hon. D J Bossino: Point of clarification. The word used was 'finish' – or words used were 'finishing shortly'. I don't know whether that changes matters? (*Laughter*)

2520 **Mr Speaker:** Is that any sooner than soon? Next Question, please.

2525 **Traffic network faults and vandalism**
Technical Services audit systems

Clerk: Question 307, the Hon. S M Figueras.

2530 **Hon. S M Figueras:** Can the Minister for Technical Services confirm whether there are any audit systems in place at Technical Services with the purpose of identifying vandalism of, and faults developing throughout, the traffic network?

Clerk: Answer, the Hon. the Minister for Traffic, Health and Safety and Technical Services.

2535 **Minister for Traffic, Health and Safety and Technical Services (Hon. P J Balban):** Mr Speaker, Technical Services has a highways inspection system in place that involves scheduled inspections of our entire road network for any defects and faults. This includes not only roads but also passageways, lanes, footways, as well as bridges, tunnels and any other structures that could be of concern to users of our roads. There is no system, as such, exclusively for vandalism, but any issues arising from this are also picked up as part of the safety inspections.

2540

Hon. D J Bossino: I am grateful to the Hon. Minister. Is he satisfied that the current system of the highways inspections system is appropriate and adequate?

2545 **Hon. P J Balban:** This system is actually what we have inherited at the time. I mean, I have actually been in consultation with the Department: we might have to tweak it slightly but, for the moment in time, I am satisfied – reasonably satisfied – that it can progress.

2550 **Hon. D J Bossino:** I am grateful.

2555 **Factories Inspectors**
Inspections during February 2012 and findings

Clerk: Question 308, the Hon. J J Netto.

2560 **Hon. J J Netto:** Mr Speaker, can the Minister for Health and Safety state how many inspections during February 2012 did the Factories Inspectors conduct, showing the industry group targeted, whether any possible contravention has been incurred to the Factories Act or any subsidiary legislation by any private company, a Gibraltar Government workplace or of the MOD and whether legal advice is being sought??

Clerk: Answer, the Hon. the Minister for Traffic, Health and Safety, and Technical Services.

2565 **Minister for Traffic, Health and Safety and Technical Services (Hon. P J Balban):** Mr Speaker, two inspections on private companies were carried out during the requested period, and both were construction related. No major contraventions to the Factories Act or its subsidiary legislation were identified, and no legal advice had, or has been, sought.

2570 **Hon. J J Netto:** Thank you, Mr Speaker.

2575 **Factories Inspectors**
Investigations of accidents at work during February 2012 and results

Clerk: Question 309, the Hon. J J Netto.

2580 **Hon. J J Netto:** Mr Speaker, can the Minister for Health and Safety state if any investigation of accidents at work has been carried out in February 2012 by the Factory Inspector, showing the industry group involved, and whether such investigation may have lead to prosecution or to changes to the workplace involved?

Clerk: Answer, the Hon. the Minister for Traffic, Health and Safety, and Technical Services.

2585 **Hon. the Minister for Traffic, Health and Safety and Technical Services (Hon. P J Balban):** No, Mr Speaker, no accident investigation has been carried out during the requested period.

2590 **Accidents at work**
Reports during February 2012

Clerk: Question 310, the Hon. J J Netto.

2595 **Hon. J J Netto:** Mr Speaker, can the Minister for Health and Safety state if there have been any reported accidents at work during February 2012, showing the industry group involved and stating which ones were reportable, major and fatal, if any?

2600 **Clerk:** Answer, the Hon. the Minister for Traffic, Health and Safety, and Technical Services.

Minister for Traffic, Health and Safety and Technical Services (Hon. P J Balban): Mr Speaker, it is premature to provide an answer to this question, as the collating of the notification of accident reports for the month of February has not been completed.

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Factories Inspectors
Site Meetings and advice given during January/February 2012

2610 **Clerk:** Question 311, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Health and Safety state how many site meetings and advice were given to the Factory Inspectors during the months of January and February 2012, broken down by month and by industry group?

2615

Clerk: Answer, the Hon. the Minister for Traffic, Health and Safety and Technical Services.

Hon. Minister for Traffic, Health and Safety and Technical Services (Hon. P J Balban): Mr Speaker, the information requested by the hon. Member is contained in the schedule which I now hand over to him.

ANSWER TO QUESTION 311

Month	Site Meetings/Advice	Industry
January	1	Sea Transport and related activities
Total	1	
February	2	Retail
	1	Manufacturer
	2	Sea Transport and related activities
	1	Public Administration
Total	6	

2620

**Prohibition and Improvement Notices
Number issued and reasons during January/February 2012**

Clerk: Question 312, the Hon. J J Netto.

2625

Hon. J J Netto: Mr Speaker, can the Minister for Health and Safety state how many Prohibition and Improvement Notices were issued in the month of January and February 2012, if any, broken down by month and industry group, and specifying the reason, or reasons, for issuing the notice in the period which may have brought operations to a halt, until the Inspector was satisfied that the correct standard had been duly complied with?

2630

Clerk: Answer, the Hon. Minister for Traffic, Health and Safety and Technical Services.

2635

Hon. P J Balban: Mr Speaker, the information requested by the hon. Member is contained in the schedule which I now hand over to him.

ANSWER TO QUESTION 312

Month	Prohibition Notice	Improvement	Industry
January	1	0	Construction
Total	1	0	
February			
Total	0	0	

The Prohibition Notice in January was served for not complying with certain provisions of the Control of Asbestos at Work Regulations, the Construction (Design, Management, Health, Safety & Welfare) Regulations and the Management of Health & Safety at Work Regulations.

The operations were halted for 3 Days.

2640

Hon. J J Netto: Mr Speaker, at face value at least, what seems to be emerging here is that there is a preponderance by the Factory Inspector to inspect or to carry out most of the work, if not all their time, in terms of the construction industry.

2645

There is very little information that I have been able to gather so far whether time is made available by the Factory Inspector to look to any other industry group or, indeed, in the Government workplace – because it comes under the definition of their involvement – or, indeed, any work place under the Ministry of Defence. Therefore, could the Hon. Minister mention whether, in the nature of the work that the Factory Inspectors are conducting, there is a preponderance just to look at the construction industry or to look at every single industry, including Gibraltar Government and the Ministry of Defence?

2650 **Hon. P J Balban:** The Factories Inspectorate... the problems we have with the Factories Inspectorate, with the Department, is that there are two members of staff, and because of the amount of work required every time there is an accident at work or what have you – especially what happened in the North Mole – a vast amount of their time is actually channelled towards preparing for the case.

Hence this is the problem we have with them but, yes, they do tend to be quite strong in terms of the construction but they also get involved... we have involved them in other aspects... We involved them in the GSLA swimming pool to give us a – (*Interjection*) That was also the other part. They actually went to look at whether it was as a result of an accident. There was no accident involving persons and there was a collapse of the duct system, and they were involved in that, too.

2660 **Hon. J J Netto:** I accept, Mr Speaker, that, obviously, if there is an accident the Factory Inspector, by necessity, they will attend and conduct an investigation, and I am sure they will even have some advice to give to the particular authority and management in that particular place.

I also accept the fact that, by tradition, the Factory Inspector will probably use *most* of their time to the construction industry, which is one of the industries which tends to have, perhaps, more accidents, and their employers seem to cut corners more than other industries.

2665 Having accepted all of that, and acknowledging all of that, nevertheless the picture that seems to be emanating is that there is very little time that the Factory Inspector is dedicating to all the other industry groups and very little time even to workplaces of the Government and the MOD. Is that the case?

Hon. P J Balban: Well, it is even worse than that because of what we inherited... In fact, what the Factory Inspectorate do is they are just a reactive group. They just respond to accidents and reports.

2670 What is completely lacking is the proactive side of things and this is, unfortunately, something which we inherited and also we will be reviewing.

What is another very important part of health and safety is actually by way of education, and practically getting involved with companies, as they set up, to give them advice. That part of things is also missing: this is what we have actually come to discover when we took office.

2675 **Hon. J J Netto:** Mr Speaker, I accept that, but given that in the month of February there were two inspections of the construction industry *only*, and if I remember correctly in the month of January it was a similar situation that the inspection carried was also on the construction industry. Is there not a picture emerging where the only inspection being carried out month after month, after month, after month, despite there being only two Factory Inspectors, is only the construction industry? The point I am making is do they have in their sight, in the months of March, April, May, June, July, as far as inspections are concerned, targeting other industry groups, other workplaces in the Government, other workplaces in the MOD?

2680 In fact, in a very similar vein, in the sense that the construction industry tends to have one of the highest levels of accidents, *probably* – and I am talking from memory now – the second one that has the highest rate of accidents in the workplace is the dry docks. I cannot remember now the companies working down there – dry docks, no, Gibdock... By the very nature of the activity that goes on, it would seem to me, at face value, that they would bring their inspections into that industry group because, by necessity, that is another industry group that requires inspection, so are we going to have a situation emerging where only the construction industry will be inspected?

2690 **Hon. G H Licudi:** Mr Speaker, the practical aspects of the work that is being done at the moment has not changed since 9th December.

2695 The hon. Member has indicated that that is an aspect that is being looked at – and there may be merits in what the hon. Member opposite is saying – that is a matter that has been looked at. But it has not changed since 9th December, so it is exactly the same practice that *his* Government was implementing. It is unfortunate, perhaps, that his Government did not give the same level of importance to Health and Safety issues as *we* were urging when we were in Opposition and which we will provide now that *we* are in Government.

2700 The hon. Member will recall that one of the issues I raised while I was in Opposition was the fact that a vacancy for a Health and Safety Inspector during the course of his Government had been advertised and then removed, as a result of somebody who had retired. On numerous occasions I asked in this House what was happening and, constantly, for many months, possibly even years, I was told the whole position was under

review. The fact is that the practice continues; the fact is that the department was undermanned; and the fact is that the matter is being looked at at the moment, with a view to redressing the situation.

2705 We have been in office... 100 days? 99 days? On Sunday: 100 days. We have done more in 100 days than the previous Government had done in 16 years (*Interjections*) on many matters!

2710 In fact, Mr Speaker, I am very proud to form part of this Government – this young and energetic Government – and hon. Members will have seen (*Applause*) only yesterday that we published a list of all the manifesto commitments that we have done in 100 days. (*Interjections*) Seventy one commitments already carried out! it is the result of tireless, day in, week in, week out, work by this effective and energetic Government. We will continue as we have started and the results will bear fruit. Not only will we see the fruits of these three months, Gibraltar will see the fruits of the next four years and the hon. Members will thank us for it. (*Applause*)

2715 **Hon. J J Netto:** Mr Speaker, I fear that the contribution the Hon. Minister for Justice has just made is a simple smokescreen not to answer my question. My question is a very simple question, which he has not addressed, and the question is whether it is the policy of his Government, in subsequent months to come, that inspection will only be carried out on the construction industry?

2720 That has got nothing to do about vacancies and whether they have done so much in 100 days. The question is, if he wants to address it, or the Minister himself: whether, in months to come, inspections will be just of the construction industry, yes or no?

Hon. P J Balban: No, that is not the policy of the Government.

2725 **Clerk:** That brings us to the end of answers to Oral Questions, and now Answers to Written Questions, the hon. the Chief Minister.

Questions for Written Answer

2730

Hon. Chief Minister: Mr Speaker I have the honour to table the answers to Written Questions numbers W71 to W77/2012, inclusive.

2735

Order of the Day

First and Second Readings

2740

Clerk: Bills: First and Second Readings.

A Bill for an Act to appropriate further sums of money to the service of the year ending on the 31st day of March 2011, the Hon. the Chief Minister.

2745

Hon. Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move that a Bill for an Act to appropriate further sums of money to the service of the year ending on the 31st day of March 2011 be read a first time.

2750

Mr Speaker: I now put the question, which is that a Bill for an Act to appropriate further sums of money to the service of the year ending on the 31st day of March 2011 be read a first time.

Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Supplementary Appropriation (2010/2011) Act 2012... Adjourn? Yes.

Hon. Chief Minister: Mr Speaker, those listening will forgive me – this is the first time that we do this on

2755 this side of the House. I have the honour to move that the House do now adjourn to Thursday, 29th March, at 9.15 a.m.

Mr Speaker: I now propose the question, which is that this House do now adjourn to Thursday, 29th March 2012 at 9.15 a.m.

2760 I now put the question, which is that this House do now adjourn to Thursday, 29th March 2012 at 9.15 a.m.

Those in favour? (**Members:** Aye.) Those against? Passed.

This House will now adjourn to Thursday, 29th March 2012 at 9.15 a.m.

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The House adjourned at 7.00 p.m.