



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.30 p.m. – 6.50 p.m.

Gibraltar, Friday, 18th May 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 continued

Clerk: Sitting of Parliament, Friday 18th May, answers to Oral Questions continue.

HEALTH AND ENVIRONMENT

**Debilitating diseases
Sufferers by age band**

Clerk: Question 399, the Hon. J J Netto.

5 **Hon. J J Netto:** Mr Speaker, can the Government state how many persons there are with a debilitating disease, either occupying a bed in St Bernard's Hospital, the Care Agency, in the community, or in the UK, specifying their medical condition (albeit on a confidential basis), broken down by age bands of those under 17 years, between 17 and 59, and over?

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

Minister for Health and Environment (Hon. Dr J E Cortes): Mr Speaker, the following table – I will read it out but, for ease of reference, I have made copies – shows the breakdown of persons suffering from a debilitating disease on the basis of the information available on 16th May 2012:

15 Beds in St Bernard's Hospital: under 17, 1; 17 to 59, 8; over 59, 67; total 76.

Beds in Care Agency residential: under 17, 3; 17 to 59, 2; over 59, 201; total 206.

Community: under 17, 4; 17 to 59, 19; over 59, 211; total 234.

In the UK: 17 to 59, 2.

20 Just as an aside from the prepared answer – I am going to list the diseases – but it has not been possible in the time available to provide a breakdown of medical conditions because of the large number of medical records that would have had to be examined, and that would have taken... The process has been started, but it is rather complicated.

25 However, in order to assist you, I am going to read out the list of illnesses that are included in this breakdown, which are: frailty, Alzheimer's/dementia, arthritis, stroke, cardiac failure, chronic lung disease, complications of diabetes, cancer, long-term congenital illness, Parkinson's, osteoporosis, epilepsy, mental health problems, severe arthritis, cerebral palsy, multiple sclerosis, motor neurone disease, Huntington's Chorea, acquired brain injury, amputees, Menière's disease, chronic renal failure, chronic obstructive pulmonary disease, Paget's disease, hypothyroidism, liver disease, hearing impairment, visual impairment and muscular dystrophy.

30 In some cases, particular patients may have more than one of those, which adds to the difficulty of doing a breakdown by disease, but certainly the figures by ages are given in the table.

Hon. J J Netto: Mr Speaker, I am grateful to the hon. Member for the amount of information he has supplied there.

35 I wonder whether I can ask a supplementary question in relation to the 19 – in the table he has just shown me, in the column of people between the age of 17 and 59 – 19 in the community. I just wonder whether the Hon. Minister for Health or his colleague, the Hon. Mrs Sacramento, would know whether those 19 may have a mild form of illness or an acute form of illness. I know that perhaps she may not have the information readily available, but whether the Care Agency might have it within their own records, or not, because we are dealing with people who are in the community, as opposed to being in specific care, either by the Health Authority or the Care Agency, and I just want to know whether it is possible to gauge whether it is a mild form or an acute form in that regard.

45 **Hon. Dr J E Cortes:** Mr Speaker, I believe it is a range of conditions, but I cannot give you that answer now. However, with 19 it is easier to find the information than with 500, so perhaps if you ask separately we may be able to obtain it for you.

50 **Hon. J J Netto:** Fine. Obviously, it was not anticipated that I was going to ask that question. Perhaps if I had asked the question in the original form, the information would have been there. Perhaps if I write to... I do not know whether to write to the hon. Lady or to the Minister for Health. The hon. Lady might be able to provide that information?

I am obliged, Mr Speaker.

55 **Mr Speaker:** The Hon. Isobel Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, does the Government have any plans to provide a sheltered and supported residential unit for the 17 to 59-year-olds who are not catered for by the psychiatric hospital or the Care Agency facilities that exist at present?

60 **Hon. Miss S J Sacramento:** Mr Speaker, they would be ordinarily catered for by way of domiciliary care. There has, as far as I am aware, been no indication by any of the people in the community that they have expressed a need for any alternative provision of care, Mr Speaker; but again, if it were, then that would be considered at that juncture.

65 **Hon. Dr J E Cortes:** If I may add, Mr Speaker, the new mental home will have an adolescent unit which would cover youngsters with mental illnesses, so that partly would cover that gap.

70 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, if I could be a little bit more specific perhaps: debilitating diseases such as MS, MND – the neurological diseases that are debilitating and perhaps require more than just domiciliary care.

75 **Hon. Miss S J Sacramento:** Mr Speaker, so far there is no evidence that people suffering from very severe debilitating diseases will require more than domiciliary care. In fact, Mr Speaker, the requests that we have had from people who are suffering from quite severe debilitating diseases is that they would much rather remain at home for the time that they have left.

EQUALITY AND SOCIAL SERVICES

80 **EU Directive 2010/18/EU
Scheme for transposition**

Clerk: Question 400, the Hon. J J Netto.

85 **Hon. J J Netto:** If you will just give me a second; I am getting a note here.

90 Mr Speaker, can the Minister for Social Services state when will the Government be in a position to implement EU Directive 2010/18/EU, which implements the revised Framework Agreement on Parental Leave, and could the Hon. Minister provide a brief outline of the Government scheme for the transposition of the said Directive?

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

95 **Minister for Equality and Social Services (Hon. S J Sacramento):** Mr Speaker, the transposition date for the Directive is 8th March 2013 – and I note that there is a typo in the written answer.

In accordance with Article 3(2) of Directive 2010/18/EU, the UK requested that the Commission provide an additional period of a year to comply with the Directive and the Government plans to transpose the Directive by 8th March 2013.

100 **Hon. J J Netto:** Mr Speaker, I am grateful for that and for the fact that the Government is working towards the date of implementation of 8th March 2013.

105 In continuation, I think part of my question perhaps, sir, has not been answered, and that is whether the Government, in the manner in which it would wish to try and transpose this particular Directive, has given any thought as to how the general scheme would work? Is she in a position to be able to give Parliament, perhaps, a very brief general outline of how the Government intends to transpose the Directive?

Hon. Miss S J Sacramento: Not at this stage, Mr Speaker – the transposition date is almost a year away.

110 **Hon. J J Netto:** Mr Speaker, presumably, given that we are talking about having parental leave being applied throughout Gibraltar – which obviously means the private sector, because obviously civil servants in Government Departments do have parental leave – one of the things that may be of concern to employers in Gibraltar, particularly in the private sector, given that many employers only have very few numbers of employees, is whether the parental leave, once the Directive is transposed into Gibraltar, is going to be a financial burden for employers in the private sector.

115 I say this because when we transposed the maternity directive into Gibraltar, we – the GSD, when we were
in Government – took the view that the Government would pay for this in order not to create a financial
burden on employers in the private sector. So the reason why I am asking this – and I have to translate this
120 into a question – is whether, by the time the Government wishes to transpose this particular Directive, will
consideration be given as to whether the Government will be the one actually paying for the paternity leave,
as opposed to employers in the private sector, which is a kind of analogy with the way we did it in relation to
maternity leave.

Hon. Miss S J Sacramento: Mr Speaker, consideration will be given as to how best to transpose the
requirements of the Directive. It is still early days.

125 **Hon. J J Netto:** Has the hon. Lady – perhaps in conjunction with the Minister for Employment, because
this will have a crossover with employment matters – started a process of discussions with the Employers’
Association, the Chamber of Commerce, the Federation of Small Businesses because, no doubt, they will
have views on these matters; and if they have not started the process, do they intend to start one?

130 **Hon. J J Bossano:** Mr Speaker, I imagine that the people in the Chamber of Commerce know that this is a
requirement of the EU that has to be transposed. We have had no indication that they consider it a burden. It
does not seem to me a very wise thing to do to go telling them, ‘Is it a burden and would you like me to give
135 you some money?’ because I can imagine what the answer is going to be. I would expect them to take the first
move if they had a problem.

World Health Organisation Report on Dementia Plan for implementation

140 **Clerk:** Question 401, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, given the Government press release with regard to dementia – that is press
145 release 241/2012 – will the Minister for Social Services state which aspects of the World Health Organisation
Report has the Government introduced already, which ones are envisaged that they will implement in due
course and which ones, if any, they think they will not be in a position to implement at all?

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

150 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the WHO Report
concludes with a list of key messages, among which is that dementia needs to be recognised as a public health
priority.

This Government has, in the short period in which it has been in office, already made dementia a priority.
155 An inter-ministerial committee for the elderly has been formed and the GHA and Social Services have been
working closely together on developing various strategies and strategy groups to deal with dementia. The
working groups are collecting data and studying the impact of dementia locally in order to be able to put in a
national dementia plan in place so that we can look to improve the lives of people with dementia. People can
live for many years after the onset of dementia and this Government wants to enable them to have a good
quality of life.

160 The Report also recommended improving the understanding of dementia. Government is in the process of
formulating an awareness campaign.

The Report further recommends that caregivers be involved in formulating policies. This Government has
involved the Alzheimer’s and Dementia Society and both the GHA and the Care Agency have met with its
caretaker committee on a number of occasions.

165 The Report also recommends that dementia be included in the public health agenda – it certainly is now.

Hon. J J Netto: Mr Speaker, with respect, the hon. Lady seems to be saying, ‘Well, we have had the
World Health Organisation Report and, as a result of this Report, with regard to Alzheimer’s and dementia we

170 have got a committee organised and we are going to work towards the objective.'

This is what the hon. Lady seems to be saying and they are bringing the association which represents the interests of Alzheimer's and dementia patients into the fore, but my question is prompted by the fact that, in their press release – perhaps the Minister for Health might be able to come in here because it has got the logo of the GHA – it says in the fifth paragraph:

175 'The Committee has considered the WHO Report and is pleased that in the short period in which it has been in office it has already put in motion a lot of the matters which the Report highlights...'

180 My question is intended to try and find out which are the things that the... between the Care Agency and the Health Authority have already done, given what they have said in the press release, what is in the pipeline that obviously needs doing, which they are working towards, which is basically what the hon. Lady seems to be saying now, and the thing that, for some good reasons, they might not be able to do.

185 So therefore can the hon. Lady, or perhaps her colleague to her right, be able to tell us or indicate to me which are the things that are already ticked, have been done, which are the things they are working on and which are the things that cannot be done?

Hon. Miss S J Sacramento: Mr Speaker, I think that the answer has been very clearly given.

190 I wonder whether the hon. Member has actually read the WHO Report and the recommendations of the WHO Report. Had the hon. Member read the recommendations of the WHO Report, then he would have realised that I have actually gone through the checklist of the recommendations.

Hon. J J Netto: Mr Speaker, regardless of whether I have read the Report or not, can the hon. Lady in Parliament state the things that they have done already with the WHO Report?

195 **Hon. Miss S J Sacramento:** The question is how this Government has dealt with the recommendations of the WHO Report. Mr Speaker, I have been through the WHO Report and I have listed the things that this Government has done.

200 **Hon. D A Feetham:** Mr Speaker, with respect to the hon. Lady – and I do not want to get embroiled with any controversy so early in the afternoon! – but the question, with respect, goes further than that.

The question is not only as the hon. Lady has rightly just pointed out, but then it says 'and the ones which, if any, they think they will not be in a position to implement'. Now, I do not think that she has actually dealt with that aspect of the question.

205 If the answer is 'No, no, we are going to be implementing the entirety of the Report', then fine, that is the answer. But if the answer is 'some of those'... well, with respect, you have not answered the entirety of the question.

210 **Hon. Miss S J Sacramento:** With respect to the hon. Member opposite, I would suggest that he may look at the WHO Report and he will see that the WHO Report does not actually have recommendations as such. What it has is key messages. Basically, it is a running theme of things that need to be done. Now, as such, there is nothing in the messages where we can categorically say, 'No we cannot do that', or 'No, we will not do that', because all it is is general guidelines that countries need to follow.

215 To cut a long story short, then, at the moment we do not envisage that there is anything that we *cannot* do. We do not intend *not* to do anything, but to be clear, the WHO Report does not actually have a schedule of recommendations.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, when will the Government be in a position to publish the national strategy for the treatment of care of people with Alzheimer's and dementia?

220 **Hon. Dr J E Cortes:** Mr Speaker, it was a question relating to *our* Dementia Strategy. We have a working group on it. I think I may have mentioned it at the last meeting, that I think that July comes to mind, but it is certainly in months rather than any longer.

There is a working group on it. There is, I think, a fifth draft which I received just the other day, so we are on target. I think it should be sometime in the summer, but it is from memory and I would need to confirm

that.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, will the Government be ringfencing funding to provide resources and facilities for dementia care?

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Hon. Dr J E Cortes: That is one of the considerations that may come up in the report, but I think it is early days yet.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, will the Government be providing a dedicated medical team of a consultant psychiatrist specialising in old age psychiatry, community psychiatric nurses specialising in old age psychiatry, physiotherapists, psychologists and home carers, all specialising in old age psychiatry?

Hon. Dr J E Cortes: Mr Speaker, the hon. Lady is doing it again: she is trying to dictate Government policy from the Opposition bench.

Thank you very much for those suggestions.

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Hon. Mrs I M Ellul-Hammond: I am just referring to the wishlist of the support group that you are working closely with.

Hon. Dr J E Cortes: That is fine. Those suggestions will obviously all be borne in mind, but we have to wait for the report to be ready.

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As I say, I only received the fifth draft a few days ago. I have not read it yet, so I am not able to answer that but, no doubt, we will bear that wishlist in mind.

Hon. Mrs I M Ellul-Hammond: Yes, no doubt Mr Speaker, I was just wondering, in the last five months that he has been working so closely together to put a strategy together, whether you have committed to the wishlist that they have asked for.

250

Mr Speaker, will the Government be investing also heavily in the training of professionals, nurses and carers specialising in dementia?

Hon. Dr J E Cortes: Mr Speaker, the Health Authority and the Care Agency have been working very closely together with the Dementia Support Group, but the Ministers themselves have not been involved in the working group. The Ministers receive the Reports, the drafts and then may be able to make comments on it, but I have not been individually and personally involved in that. Other people have been working on that, particularly clinicians.

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But as I said before, all the components of the Society's wishlist will be considered as we develop the Dementia Strategy.

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

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Clerk: Question 404, the Hon. J J Netto. Sorry, I beg your pardon – Question 402.

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. 286/2012 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 in the home or in the hospital, and for what purpose?

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, there has been

280 one recordable incident of violence in the Care Agency residential homes since the question was asked in 286/2012.

The incident took place on 16th March 2012. It was between two looked-after children. No medical attention was required.

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**Care Agency looked-after children
Number absconding to Spain; review of Care Plan**

290 **Clerk:** Question 403, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Social Services say if any of the looked-after children in the care of the Care Agency who absconded, as provided in answer to Question No. 286/2012, had absconded in Spain, and in relation to the one child who had absconded 16 times, how many times, if at all, had the Care Plan for this child been reviewed and changed to reflect this constant situation?

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, Question 286/2012 was in relation to recordable acts of violence. I am assuming that the hon. Member is referring to Question 287/2012.

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Hon. J J Netto: Sorry, which number?

Hon. Miss S J Sacramento: No. 287.

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With reference to Question 287/2012, the Care Agency has no knowledge of any absconding taking place in Spain.

In relation to the child who absconded 16 times, the Care Plan changed for this child on numerous occasions, each time to reflect their current situation.

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In addition to this, the Residential Plan was updated on a monthly basis, to outline tasks that Agencies were required to complete. This also filtered into the child's Daily Plan, which was reviewed each day by a member of management to risk assess the current situation and make any necessary arrangements.

The Plan around this child is under constant assessment, remains robust with continued working together, and the last incident for absconding for this child was 13th February 2012, and has not absconded since.

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**Care Agency looked-after children
Number absconding; track record of violence**

320 **Clerk:** Question 404, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Social Services state if there have been any looked-after children in the care of the Care Agency in any of their residential homes who have absconded since this question was asked in Question No. 287/2012 and, if so, could the information be provided on a monthly basis and stating how long the absconding lasted, whether the absconding was in Gibraltar or Spain, and whether any of these children have a track record of engaging in acts of violence against any other looked-after children or staff members?

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

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Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, there have been six incidents involving three looked-after children who absconded since the question was asked in 287/2012.

One of these looked-after children has a track record of engaging in acts of violence against other looked-

335 after children and staff.
I will now hand the hon. Member the requested information.

ANSWER TO QUESTION 404 OF 2012

Date	Length of time absconded	Was the absconding in Gibraltar or Spain?	Does the LAC have a track record of engaging in acts of violence against other LAC or Staff?
21/03/12	11 hours 30 minutes	Gibraltar	No
20/03/2012	7 hours 45 minutes	Gibraltar	Yes
21/03/12	11 hours 30 Minutes	Gibraltar	No
13/04/2012	17 hours 45 minutes	Gibraltar	Yes
28/04/12	7 hours 5 minutes	Gibraltar	No
29/04/2012	8 hours 10 minutes	Gibraltar	No

340 In addition to the looked-after children, a 17-year-old from the Republic of Guinea was charged for being in Gibraltar without proper documentation. He was bailed by the Magistrates' Court to the care of Social Services on 26th March 2012. In keeping with good practice, Social Services held a LAC review and he absconded from care on 14th April 2012, and his whereabouts are unknown.

It is thought that he is not in Gibraltar, and the Royal Gibraltar Police and Spanish authorities were notified.

345 **Hon. J J Netto:** I am grateful for that, Mr Speaker, but could I ask the hon. Lady in relation to this one particular looked-after child who seems to be part of the group of six who are always absconding, but has also had some act of violence in relation to some other people, is in relation to this particular child a case where perhaps there is a greater need of more effort being placed in relation to the needs of this particular child, either by some specialised professional bodies, or is it perhaps as well a question that the ratio of people working for the particular child needs to be increased as a result of that?

350 **Hon. Miss S J Sacramento:** Mr Speaker, as I mentioned in answer to the previous question, the Care Plans and Daily Plans are reviewed constantly on a daily basis, on a weekly basis and on a monthly basis. As a result of that, staffing issues are taken into account and staffing levels are increased where necessary and where appropriate.

355 **Hon. J J Netto:** Mr Speaker, I accept that the Care Plans will be reviewed, sometimes even on a daily basis, if not a weekly basis, but what I am asking is, in relation to this particular child, where there seems to be a bit of a history in the sense of absconding and in relation to acts of violence, does the Care Agency feel that this particular child is in need of perhaps greater specialised professional services to tackle some underlying issue that there is within the child?

360 **Hon. Miss S J Sacramento:** Mr Speaker, I am loath once again to engage in details of particular children. Having said that, I do not think that the hon. Member has understood the answer to the question, because there have been six incidents involving three looked-after children. None of these three looked-after children

365 are the child who used to continually abscond. As I said in the answer to the previous question, that child has not absconded since February, so we are not talking about one child who continuously absconds.
Now, in that context, I am reluctant to go into further details in relation to children in care.

370 **Care Agency residential homes**
Incidents of violence

Clerk: Question 405, the Hon. J J Netto.

375 **Hon. J J Netto:** Mr Speaker, is the Minister for Social Services now in a position to answer the supplementary to Question No. 169/2012 which sought to know if the incidents of violence stated in the February session of Parliament are the same of those stated in the January session of Parliament?
Also, if the same is true for the figures given in the March session of Parliament?

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, I am happy to provide this information only on a confidential basis, given that the children may be identified, and I will pass this information to the hon. Member opposite on a confidential basis.

385 **Hon. J J Netto:** Mr Speaker, while the information is coming through and I have a chance to have a look at it, could the hon. Lady say why she has not answered my letter of 29th February, in which I sought to provide an answer to this information which obviously, if she had answered my letter, I would not have had the need to ask the question in the first place?

390 **Hon. Miss S J Sacramento:** Yes, Mr Speaker, and for that I have to apologise, in that my office did not provide the answer, but the answer is now provided.
What I have provided in the letter has now been provided to the hon. Member on a confidential basis.

395 **Hon. J J Netto:** Does this also apply to the other two letters which have not been answered? (**A Member:** Ooh!)

Hon. Miss S J Sacramento: Yes, Mr Speaker.
One of the others also formed part of another question in this House, which was actually subsequently withdrawn. So I am assuming that the hon. Member no longer requests a reply. (*Interjections*)

405 **Looked-after children**
Training programmes

Clerk: Question 406, the Hon. J J Netto.

410 **Hon. J J Netto:** Mr Speaker, is the Minister for Social Services now in a position to state if the six looked-after children referred to in Question No. 171/2012 are now being provided with training programmes; and, if so, what will the training consist of, what was the start date in which the training began, and who will be providing such training?

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, with regard to the six looked-after children referred to in Question 171/2012, one of them has now been employed through ETCL. The placement commenced on 7th May 2012, details of which I am providing to the Opposition on a

420 confidential basis. The other looked-after children remain unemployed and are being assisted in finding other employment.

Hon. J J Netto: Mr Speaker, in trying to get the mathematics correct, I think we were dealing originally with a figure of six, one of which went to the UK, so we have got a remainder of five, of which one of them...
425 Ah, the one in the UK has come back. So, okay, we have got six, out of which one is in some kind of training or employment prospect, which means that we have five who have not been placed in any form of training or employment.

When I first asked this question, way back in January at the commencement of this year, the answer in a supplementary that the Minister for Employment said that at the time there had been confusion between officials of the Care Agency and officials of the Employment Service in passing the paperwork, so to speak,
430 in relation to these five children; hence the reason why the five had not been allocated a training place.

The fact remains that, as a result then of that lack of communication between officials of both Departments, we have five children who are in the care of the Care Agency who are not being provided with any form of training or at least employment training – there could be another form of training, of course – but at least no employment training and no job prospect.

435 It does not look well on the basis of the Care Agency, given that we are talking about looked-after children in the care of the Care Agency for which it does not seem that a lot of priority has been given to try and find a suitable place for the children. What is being done by the Care Agency and the Employment Services in order to deal with this situation?

440 **Hon. Miss S J Sacramento:** Mr Speaker, again, I am loath to go into detail in relation to looked-after children. There is a pathway that has been established (*Interjection*) –

A Member: It is not political. It is not a political question.

445 **Hon. Miss S J Sacramento:** There has been a pathway (*Interjection*) that has been established between Social Services and ETB and the ETCL. What we cannot do is force children to accept jobs that are available, which they may not at the time wish to take, but I can tell the hon. Member opposite that he can rest assured that everything that can be done for these children is being done and I am sure that he can congratulate the work of both Social Services and the ETB, in that they have now secured a placement for at least one of them.
450 (*Applause*)

Hon. J J Netto: I will certainly not congratulate either the Care Agency or the Employment Services on the fact that here we are, five months later, and out of a group of six looked-after children in the care of the Care Agency only one has been placed with an employment opportunity. That is a very bad record, not a very good record to congratulate the Government.

455 The Care Agency has a responsibility – it has parental responsibility – for these five children. It is not good enough to say, ‘We are doing excellent work. We have an excellent relationship with the staff in Employment Services.’ It is *your* responsibility to find places for these particular five children. So I hope that when the next month comes she is in a position to say that these five children, who have been outstanding for a place since January, will be able to be in one particular employment programme.

Hon. Miss S J Sacramento: Mr Speaker, perhaps the hon. Member might wish to refresh his memory and recall that these children did not work when they were under the care of the previous Government.
465 (*Interjections*)

And, Mr Speaker, once again, (*Interjections*) I am loath – (*Interjections*)

Mr Speaker: Order! Order!

470 **Hon. J J Netto:** Point of order, Mr Speaker.

Hon. Miss S J Sacramento: – when these children can be easily identified, Mr Speaker – (*Interjections*)

Mr Speaker: A point of order has been raised. I will allow the hon. Member to respond. A point of order.

475 **Hon. J J Netto:** I have not asked the hon. Lady over there what happened in the period when I was the Minister. I have been asking the hon. Lady since January this year what has happened with six looked-after children in the care of the Care Agency, for whom I am trying to find out when they are going to be in an employment programme. Can she put the time and the effort in dealing with that aspect and not spend her time (*Interjection*) in looking back to what happened four years ago?

480 **Mr Speaker:** I have heard the point of order. Where there is expressed or implicit in a question criticism of the administration for any act or omission on its part, it is not out of order for the administration to hold up the questioner's record and say, 'Compare that.' It is not out of order.
The Hon. the Minister.

485 **Hon. Miss S J Sacramento:** Yes, Mr Speaker, and I only limited it to the hon. Member's track record on employing looked-after children. I did not go into the Hon. Minister's track record of Social Services. (*Applause*)

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**Care Agency Board
Meeting on 28th March 2012**

495 **Clerk:** Question 408, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Social Services say if the Care Agency Board did meet on 28th March 2012 and, if so, what issues did it discuss, and if consideration has been given to having the possibility of open meetings in the future?

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, the Care Agency Board was unable to meet on 28th March 2012, as planned, due to unavailability of members. A meeting of the Board took place on 24th April 2012 instead.

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As promised in the last Parliament in answer to Question 289/2012, it was put to the Board whether meetings should be held in public or that the minutes of the meeting be made public and the Board resolved unanimously that it should not.

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Hon. J J Netto: Not to be public? Sorry, I am not quite clear.

Hon. Miss S J Sacramento: That it should be not either be held in public or the minutes be made public. Clearly, the hon. Member will recall, and if not, we can refer to *Hansard* where the Opposition, when this question was asked the last time, did say that there would be no criticism from the Opposition benches if the answer was no.

515

Hon. J J Netto: Mr Speaker, I do not recall saying that, but what I do recall is that, in supplementary questions, the Hon. Minister for Justice, Mr Licudi, who is not in the Chamber now, stood up and he actually said he would certainly look into the matter and he actually went as far as saying that one of the things that had to be considered was that, from time to time, in the agenda of the Board there may be issues with a particular child, which obviously the members of the Board and the Care Agency would not want to put in the public domain.

520

As I see it, normally the Care Agency has another particular Committee, which is a multi-agency Committee, which is a Child Protection Committee, which normally determines and looks into the minutiae of individual cases. So it is not really the Care Agency Board which normally deals with that kind of information. I could understand the logic of the hon. Lady that she would not want to put in the public domain information about a particular looked-after child.

525

I am just failing to understand the reason behind the decision that the hon. Lady has just given. Perhaps she might wish to elaborate, given the fact that sensitive information with regard to children normally is not

530 discussed in the Care Agency Board, but rather in the Child Protection Committee. What is the reason, then, for not allowing the meetings of the Board to be public? Could she perhaps elaborate there?

Hon. Miss S J Sacramento: Mr Speaker, first of all I think we need to clarify that it was not my decision, it was a decision of the Board, which is something that I said in answer to the question at the last Parliament, that I would take it to the Board and it would be the Board who would take the decision. The Board resolved not to hold meetings in public or to make the minutes public, unanimously.

I have a copy of *Hansard* from the last occasion, from which I am happy to read out the extract which relates to the Hon. Mr Feetham, where he says:

540 ‘...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.’

If it is of any comfort to the hon. Gentleman, this matter, when it was discussed in the Board, the Board did resolve that certain matters would be made public if the Board felt that it should be made public.

545 If the hon. Member feels so strongly that the Care Agency Board minutes should be made public, then perhaps he would agree to the Board minutes of the last 15 years being made public.

Hon. J J Netto: Mr Speaker, I have not imputed in any form or shape that it is *her* decision. I take in good faith the fact that it is a decision of the Board. All I am trying to do in my supplementary question is to understand the reasons why the Board, not she, has come to that conclusion. That is all I am trying to understand, and I am trying to understand that from the point of view that if she were to say to me, ‘Well, look, I am afraid the Board has thought that we cannot make the meetings public because they are discussing, every time they have a meeting, detailed amounts of information of a particular child,’ I can understand that. I can accept that she will not want to put that information in the public domain. But given the fact that the amount of detailed information is not discussed normally in the Care Agency Board, but rather in the Child Protection Committee, which is a meeting of professionals, a multi-agency... it covers the Police, the Care Agency, the Health Authority, Education. I am not asking that the Child Protection Committee should be made public. All I am saying is I just want to understand the decision of the Board – why she thinks, or they think rather, that it should not be made public. That is all I am trying to find out, if she can give an explanation.

Hon. Miss S J Sacramento: Mr Speaker: (1) the Opposition is now taking a position which is completely contrary to the position it took on the last occasion; (2) Mr Speaker, I am not at liberty to give the reasoning of the Board because the Board has resolved that it is in private – therefore the reasoning behind the decision is a private decision and I am not at liberty to disclose that; and (3) it is ironic that the hon. Member recognises that the Child Protection Committee is one which should be afforded privacy, given the sensitive matters that it discusses, yet he asks me for what was discussed at the Child Protection Committee as well.

570

**Care Agency
Changes to contract staff contracts**

Clerk: Question 409, the Hon. J J Netto.

575 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state if the Care Agency has been changing the terms of contract to contract staff members and reducing such contracts to 11 months; and, if so, could the Minister state how many staff members are affected by this measure, broken down by grade and location?

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, no existing contracts have been changed and no contracts have been reduced to 11 months.

585 **Hon. D A Feetham:** What about contracts in terms of future contracts, future recruitments?
Has the Government taken a policy decision to engage people in 11-month contracts?

590 **Hon. J J Bossano:** Mr Speaker, there were quite a number of contracts in the Care Agency and in other places registered with the ETB which were 46-week contracts, entered into prior to 8th December. Those contracts, when they expire, are being renewed for a period of months which is no longer than the original one, and any new ones are being made for periods of 46 weeks.

595 **Hon. Miss S J Sacramento:** To be helpful, I think that, under the previous Government, something in the region of 80 contracts were given for an 11-month period. It is not new contracts given by this Government; it was actually a matter of policy of the Care Agency under the previous administration.

Hon. D A Feetham: Yes, my understanding was that they were... My understanding was not the 11-month contracts, but 12 months' probationary agreements.

600 May I finish, sir? I know that the hon. Lady is keen to answer the question, but perhaps she ought to listen to the question first. They were, effectively, probationary contracts. Whether they were 11 or 12 months, are we talking here of 11-month probationary contracts, or are we talking about fixed-term contracts?

Hon. J J Bossano: Fixed term.

605 **Hon. D A Feetham:** Fixed term, 11 months.
Thank you.

610 **Hon. Miss S J Sacramento:** Yes, to clarify, the practice, which was the practice employed by the previous administration, was to issue people with initial fixed-term contracts of 46 weeks and they were then renewed with probationary contracts *after* the 46-week period.
I hope that clarifies the answer.

615 **Hon. D A Feetham:** Yes, there was a question yesterday... With the indulgence of the Speaker... If they do not want to answer, they do not have to, but there was a question yesterday asked by my hon. Friend, Mrs Ellul-Hammond, about 10-month contracts in relation to the Health Service: Health Service visitor level 1 nurse, junior occupational health therapist, and a physiotherapist senior 2. Are we seeing... I am just trying to get to whether there is a policy decision behind these contracts, and I think the hon. Gentleman said the reason for that was that they were only required for 10 months. Is that also part of this policy of granting people 10-month or 11-month fixed-term contracts, or not?

620 **Hon. J J Bossano:** Mr Speaker, the previous administration, on more than one occasion in this House, in answer to my questions told me that when vacancies arose and they took people from outside, they normally tried to time the contracts so that the people who came out of the school or the people who were training in the United Kingdom would then find vacancies here when they got back.

625 The position is that there are a lot of people in the system who came in on that basis, and certainly we are continuing with the policy that, when we have no choice but to bring in people from outside, we bring them in with the intention that they should not remain permanently and block the returning... We have got about 200 graduates coming back this year, and then we have got all the ladies and young men that he has asked me about before, who are in the school, where we had a problem that they are doing a degree for the UK and, in some instances, the UK had a problem with them being employed by the employment company and getting a wage. So there are all those people in the pipeline whom we want to retain, and clearly the timing of the contracts was something to do with that, but it is a policy that was announced a long time ago and which we are still continuing with.

630
635 **Hon. J J Netto:** Could I ask the hon. Lady, the Minister for the Care Agency, whether she has had representation from Unite the Union in relation to people who may have been on a three-year contract, whose contract has been unilaterally changed by the Care Agency to 11 months, and Unite the Union is concerned as a result of that?

640 **Hon. Miss S J Sacramento:** Mr Speaker, the answer is no, because no-one who was on a contract for three years has had their contract unilaterally changed for 11 months. I do not see how I could have had representation on something that I can categorically state has not happened.

645 **Hon. D A Feetham:** Have there been no representations at all from Unite about this policy of giving people 11-month contracts, and no meetings have been arranged with Unite in order to discuss this particular policy at all?

650 **Hon. J J Bossano:** Mr Speaker, I understand that some of the people who were there had expectations of being made permanent and pensionable, and those people, I believe, have had meetings with their union, but that is not something that I would deal with, because I am only looking at the labour market point of view, not the industrial relations side.

I do not want anything to do with it.

655

**Care Agency care workers
GCSE qualifications**

Clerk: Question 410, the Hon. J J Netto.

660

Hon. J J Netto: Mr Speaker, can the Minister for Social Services state if the previous requirement for applications for the post of care worker to have at least two GCSEs has now been dropped and, if so, do we have new entrants to the Care Agency as care workers who have been employed and do not have two GCSEs?

665

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

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, the policy for admission to the post of care worker has not been changed. Therefore, the two GCSE requisite has not been dropped.

670

HOUSING AND THE ELDERLY

**Government housing waiting lists
Allocation of homes since 9th December 2011**

675

Clerk: Question 411, the Hon. E J Reyes.

680

Hon. E J Reyes: Mr Speaker, can the Minister for Housing state how many of the 962 applicants on the Government's housing waiting lists as at 9th December 2011 have since that date been allocated a flat, giving a breakdown of the size of home and indicating which housing category type they pertained?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

685

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, I will now hand the hon. Member a schedule containing the information requested. However, as it makes its way round to the other side, I can give you the totals, which I think would be helpful.

The total of post-War homes is 90 and pre-War 9, so that gives us a total of 99 Government flats that have been allocated since 9th December to people who were actually on the list on 9th December.

690

ANSWER TO QUESTION 411

A total of 99 of the 962 applicants on the Government's Housing Waiting Lists as at 9th December 2011, have been allocated a flat, as follows:

	Post-War	Pre-war
1RKB	2	
2RKB	13	2
3RKB	43	4
4RKB	29	2
5RKB	3	-
6RKB	-	1
TOTAL	90	9

695 **Hon. E J Reyes:** Yes, Mr Speaker, but perhaps my wording was not entirely clear. I have got here the size of the home and so on, but when I said which housing category type, I thought the Hon. Minister might understand from there, were they as a result of coming up through the normal housing list and it was their turn, or were these people who entered through another list, such as on medical grounds or social grounds or whatever. That is what I meant by the category type.

700 **Hon. C A Bruzon:** Yes, I understand you now, Mr Speaker, but I just thought you meant the room compositions.

705 **Hon. E J Reyes:** Well, Mr Speaker, given that I have now clarified and the Hon. Minister seems to understand what I mean by 'category type', rather than having to wait a full month or whatever, could the Hon. Minister just simply try and locate that information when he goes back to his ministry, perhaps on Monday, and forward it to me, and deposit a copy as well in Parliament, rather than making me wait for a whole month for this information?

I am sorry I was not entirely clear, but I think Mr Speaker might accept that I did give due notice.

710 **Hon. C A Bruzon:** I would be happy to do that, but I would request the shadow Minister to write to my office, please.

Hon. E J Reyes: Mr Speaker, that is exactly what I am trying to avoid. I have posed a question. I do not wish to enter now into further delays by having to write and so on. I think the question has been posed.

715 I accept the genuine, frank reason that the Minister did not quite understand what I meant, but now that he seems to be understanding, I do not think there is a need for me to put anything further in writing, sir.

Hon. C A Bruzon: Could you then, kindly, for the sake of clarity, tell me exactly what you require, and I will make a note straightaway?

720 **Hon. E J Reyes:** Yes, Mr Speaker. What I meant by 'housing category type' is whether they came from the medical housing category list, the social category list, or whatever nomenclature he may give to the list.

725 **Mr Speaker:** I must say the question, as posed, 'housing category', may be understood by the hon. Member, but it is pretty wide and it is not quite a... I cannot really hold the Minister to blame that he did not quite follow the question, but –

Hon. E J Reyes: No, I know, Mr Speaker.

Mr Speaker: – if there is a measure of agreement between the two, far be it for me to upset that.

730 **Hon. E J Reyes:** Perhaps reading very old *Hansards* as well, when the Hon. Minister was sat on this

particular seat where I sit today, he did refer at times to category types, so I thought he might have interpreted it the same way that he used to when he sat on this side of the House.

735 **Mr Speaker:** But there is a measure of agreement between the two, so I need not add anything to that.

**Government housing waiting lists
Reduction in numbers due to house purchase**

740

Clerk: Question 412, the Hon. E J Reyes.

745

Hon. E J Reyes: Can the Minister for Housing state how many of the 962 applicants on the Government's housing waiting lists as at 9th December 2011 have since that date been removed from the waiting lists due to purchasing their own homes?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

750

Minister for Housing and the Elderly (Hon. C A Bruzon): Nineteen applicants have been removed from the lists.

**Government housing waiting lists
Allocation of housing to those registered after 9th December 2011**

755

Clerk: Question 413, the Hon. E J Reyes.

760

Hon. E J Reyes: Can the Minister for Housing state how many homes have been allocated to applicants who registered for housing after 9th December 2011, giving a breakdown of the size of home allocated, broken down into the categories of both pre-War and post-War housing stocks and indicating whether they were assigned on the advice of the Housing Allocation Committee or for any other reasons?

765

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, four homes have been allocated to applicants who registered for housing after 9th December 2011. All flats were post-War flats. All of them were allocated by the Housing Authority, in accordance with established procedures.

770

Hon. E J Reyes: Yes, Mr Speaker, the Hon. Minister did clarify to me last time round that he was the Housing Authority.

775

What I am trying to get at is were they given by the Housing Authority, namely himself, on the advice of the Housing Allocation Committee, or, like last time, he happened to just inform the Housing Allocation Committee later that he had approved certain... because someone was handing in a flat and getting another one. What I am trying to get at, really, Mr Speaker, is whether, pre-allocation, the Housing Allocation Committee have been involved in the process, or not.

780

Hon. C A Bruzon: Mr Speaker, the reason why I have re-phrased my answers in the way I have done today is because I was the creator, if you like, of the question, which I used to ask the Government. The reality is that the Housing Allocation Committee does, indeed, advise the Housing Authority, but mainly in matters concerning who should go on the medical lists, who should be socially categorised, how many discretionary points should we give to a particular applicant.

785

Therefore, the Housing Allocation Authority does not sit down with me in my office every time we get keys brought from the Housing Agency. We look at the system, we look at the lists, and then whoever's turn it is to get the home gets it, and I sign them all.

Hon. E J Reyes: Yes, Mr Speaker, I am grateful for that, which he had already clarified in the March session, and he has, for the sake of clarity, repeated again, but my question was not *allocated* by the Housing Allocation Committee, but *assigned on the advice*.

790 What I would repeat – perhaps the Hon. Minister might now understand – is were these applications first viewed by the Housing Allocation Committee, who said, ‘Right, put them on the medical list, or whatever, with this type of priority,’ and then when their turn came they got it; or was it, for some other reason, that they were not necessarily involved prior to allocation, the Housing Allocation Committee advising or guiding the hon. Member how he should allocate?

795 **Hon. C A Bruzon:** I really do not know what to add to my previous answer, except to explain to the hon. Member that, whereas many, many years ago it was the Housing Allocation Committee who actually allocated the two or three houses a month that were available, now in fact what happens is we have the Housing Allocation Committee, who are the custodians of the scheme and therefore they are used and their services are very much appreciated. They help the Housing Authority to put the actual scheme into practice.

800 But, as I say, we, the Housing Authority and the Minister, that Housing Authority allocates every single home for which we get keys given to us.

Hon. E J Reyes: I understand that part, Mr Speaker, but I am still none the wiser. The four that were they were allocated in the manner that the Minister says and so on, before that allocation, had the Housing Allocation Committee offered any advice to the Hon. Minister before that, or not?

805 That is what was given due notice in my question, whether they were assigned on the advice of the Housing Allocation Committee, and I am just asking, did they offer any advice on those four, or maybe those four had not been referred to them for advice. Whichever the answer I will accept, but one way has to be the answer.

810 **Hon. C A Bruzon:** I will do my best to give an answer, Mr Speaker, because I am not trying to hide anything.

815 The reality is that the Housing Allocation Committee does not allocate houses, even though that is what they are still called, and that is where it is misleading. It is now an advisory committee and, of course, they do help the Minister and my staff to allocate points to accept who should be medically categorised, but if what you want to ask me is did the Chief Minister or did the Minister for Housing have a special involvement in any of these, then the answer in this case would be no. The answer is still no if you ask me how many were allocated in accordance with the advice of the Allocation Committee, because they have not been advising me to allocate these homes.

820 I follow the scheme, and therefore whoever is next on the list will get the home. That is basically it, Mr Speaker.

Hon. E J Reyes: I think we may have understood it now, Mr Speaker.

825 Yes, I was not asking whether it was the Chief Minister or the Minister for Housing or whatever. What I was getting at was whether these four applications for housing, and the houses have been granted, whether through that process there had been any advice offered by the Housing Allocation Committee. I think I have interpreted that the answer is no, they were not involved in the process. I am not trying to find out who gave whatever. You are the Housing Authority, and I accept you are there, like a marriage – for better, for worse, for richer, for poorer.

830

Government housing waiting lists Applicants' requirements

835

Clerk: Question 414, the Hon. E J Reyes.

840 **Hon. E J Reyes:** Yes, Mr Speaker. Can the Minister for Housing state how many applicants are presently on the Government's housing waiting lists, giving a breakdown of their housing size requirements and in which housing category type they are registered?

Again, Mr Speaker, I do not want to create any controversy and I am willing to wait if the hon. Member is now aware of what I meant by 'housing category'. If he does not have it now, we will accept it and put on record that he will furnish me with that information when possible.

845 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, there are currently 1,638 applicants on the Government's housing waiting lists.

850 The breakdown is as follows. I will just read out the answer, even though I think I know that it will be phrased differently next time: 1RKBs – on the waiting list 791, pre-list 433; 2RKBs – waiting list 49, pre-list 42; 3RKBs – waiting list 101, pre-list 71; 4RKBs – on the waiting list 80 and on the pre-list 47; 5RKBs – on the waiting list there are nine, and 11 on the pre-list; and as far as 6RKBs are concerned – that is five-bedroom flats – there are two on the waiting list and two on the pre-list, giving us a total on the waiting list proper of 1,032 applicants, and on the pre-list we have 606.

855 **Hon. E J Reyes:** I accept that answer, Mr Speaker, and I think we do have on the record that the hon. Member will furnish me with the information, when he gets back in his office, into the housing category types.

860

**Housing pre-waiting list
Expected date of elimination**

865 **Clerk:** Question 415, the Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can the Minister for Housing indicate by what date he expects the housing pre-waiting list to be eliminated?

870 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): We shall be doing this, Mr Speaker, within the current term in office.

875 **Hon. E J Reyes:** So, Mr Speaker, if my mathematics are right, it could be any time between now and the next three years and seven months?

Hon. C A Bruzon: That is correct.

880

**Government flats
Number available for reallocation since 9th December 2011**

885 **Clerk:** Question 416, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing state how many flats in total have become empty and therefore available for reallocation since 9th December 2011?

890 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, up to 244 flats have become empty and therefore have become available for reallocation since 9th December 2011.

895

**Government flats
Number empty and awaiting repairs**

Clerk: Question 417, the Hon. E J Reyes.

900

Hon. E J Reyes: Can the Minister for Housing state how many flats are currently empty and awaiting repairs, giving a breakdown in respect of pre-War and post-War flats, flat size composition, the dates as from when these flats have been empty and the category/type of repairs required before they may be reallocated?

905

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

ANSWER TO QUESTION 417

Up to 168 flats are currently empty and awaiting repairs.

Table 1 shows the number of empty flats for cleaning/refurbishment (post and pre-war) prioritised by room composition.

Table 2 highlights the number of empty flats per year and room composition. Specific dates per flat cannot be provided.

The following table provides the required breakdown:-

Table 1 - By room composition (post and pre-war)

Composition	Category Type				Total
	Refurbishment Technical Decision		Cleaning		
	Pre-War	Post-War	Pre-War	Post-War	
6RKB	2				2
5RKB	3	2			5
4RKB	16	11	1	1	29
3RKB	29	45	1	6	81
2RKB	17	15		3	35
1RKB	4	11		1	16
Sub-Total	71	86	2	11	168

Table 2 - Empty flats awaiting refurbishment/cleaning per year

	2012	2011	2010	2009	2008	2007	2006	2005	2004	2003	2002	TOTALS
6RKB		1					1					2
5RKB		3	1								1	5
4RKB	8	12	3	4	1	1						29
3RKB	23	47	6	1		2	2					81
2RKB	8	19	4	2					2			35
1RKB	3	8	2	1						1	1	16
TOTAL	42	90	16	8	1	3	3		2	1	2	168

Clerk: Question 418...

910

Hon. J J Netto: Mr Speaker.

Clerk: The Hon. Jaime Netto.

Hon. J J Netto: Could I ask the Hon. Minister for Housing what is the average number of flats that, at the

915 moment, the Housing Works Agency is actually refurbishing within a month? Does he know? Has he got an average of what is the output in refurbishment at the moment?

Hon. C A Bruzon: I really would need notice of the question, but off the top of my head I would say that we are getting between maybe 20-25 keys returned to us every month for allocation.

920 There are, in fact, around 130 empty flats as we speak that need to be cleaned up or refurbished. The refurbishing process, of course, takes longer; the cleaning of the flats is much simpler. I would really need notice.

925 **Hon. J J Netto:** I accept the fact, obviously, that he would need notice of this particular type of question, but he mentioned that, from the top of his head, he reckoned there could be an average of about 20. I am not going to pin him down with this –

Hon. C A Bruzon: I am not 100% sure.

930 **Hon. J J Netto:** – whether it is 15, whether it is 25, whether it is 30 or not, but when he says 20, accepting that it is from the top of his head, does he mean that those keys which he is getting from the Housing Works Agency includes refurbishment works, includes perhaps flat keys for which there has been no refurbishment but it has just been a question of cleaning the flat? Does it also include keys in which there has been no refurbishment in no flat but perhaps some electrical works, because of some electrical repair that needs to be done?

935 Does he know, does it include – whatever the figure is, whether it is 20, 10 or 30 – all the different matters upon which, at the end of the day, the City Hall, the Department, gets the keys, and it combines the whole lot – the refurbishment, cleaning, electricity etc? Is that correct?

940 **Hon. C A Bruzon:** Well, today – let's give you an example – I was told that there were seven keys available and, as a matter of interest, as there was a fire alarm in the City Hall and I was doing nothing waiting in the piazza, I got one of my technical people to take me round to have a look at some of these flats. The four that I visited in Laguna Estate had been recently refurbished but, of course, it could have taken a few weeks, if not months, and the ones I saw had been refurbished in the sense that they had a new bath fitted and kitchen units according to the Government standards. So, really, I cannot give you an exact answer.

945 When we get the keys to allocate these homes, whether the flats have been six months empty because there has been refurbishment work being carried out, or whether they have been cleaned out and that has only taken three weeks, in a sense, at the end of the day, all I want is to get keys so that I can allocate homes, so I do not really know when I get the keys whether, in fact, they have been as a result of a long drawn-out refurbishment job or just because they have been cleaned out or painted.

950 **Mr Speaker:** The Hon. Edwin Reyes.

955 **Hon. E J Reyes:** Yes, Mr Speaker, sir. Although I accept it and I am grateful to the hon. Member for the schedule here, in my original question there was a specific reference to the dates as from when these flats had been empty, to give us all a better picture to be able to see, if there is some type of pattern, how long it is taking to turn around the handing in of the flat and its completion.

960 The Hon. Minister, in his reply, has kindly stated that the dates had not been possible to obtain as the information was not readily available – I know he has only had one week's notice – and he concludes by saying this will be supplied as soon as possible. I would like to leave it with you, Mr Speaker, that that information will be provided without my having to table a question again here formally in Parliament, because it has been requested –

965 **Mr Speaker:** That is agreed.

Hon. E J Reyes: – and I accept, in gentleman's terms, the hon. Member's non-availability of the information to date, but his commitment is that it will be furnished to me –

Mr Speaker: That is the way it reads.

970 **Hon. E J Reyes:** – as soon as possible.

Mr Speaker: Do I have to add anything else?

975

**Government housing tenants
Tenants requiring works to properties**

Clerk: Question 418, the Hon. E J Reyes.

980 **Hon. E J Reyes:** Can the Minister for Housing state how many tenants are currently listed as requiring works to be done by Government as landlords, broken down into categories of both pre-War and post-War housing stock?

985 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, a total of 1,627 tenants are currently listed as requiring works to be done by Government as landlords, of which 256 reside in pre-War flats and 1,371 reside in post-War flats.

990 **Hon. E J Reyes:** Mr Speaker, the Hon. Minister for Housing says, if I understood him correctly, there are 1,627 tenants awaiting repairs to their flats but, of course, a tenant in a particular flat may have reported more than one particular aspect of repair, so the total number of outstanding repairs would most probably be more than 1,627. Does he have the overall figure for the total number of outstanding works that need to be carried out?

995

Hon. C A Bruzon: If I am not mistaken, there is something on the Order Paper which may provide information.

1000 **Hon. E J Reyes:** I beg your pardon.

Hon. C A Bruzon: Otherwise, I certainly would need notice of the question.

Hon. E J Reyes: I beg you pardon, Mr Speaker.

1005

**Government flats
Previously empty flats repaired and allocated**

1010 **Clerk:** Question 419, the Hon. E J Reyes.

1015 **Hon. E J Reyes:** Can the Minister for Housing state how many of the 149 empty flats awaiting repairs, as identified in answer to Question 290/2012, have now been repaired and allocated to applicants on the housing waiting lists, giving a breakdown in respect of pre-War and post-War flats and their size composition?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

1020 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, a total of 14 of the 149 empty flats have now been repaired and allocated to applicants on the housing waiting list.

The following provides the repair breakdown: one-bedroom flats, which is commonly referred to as 2RKBs, post-War there are two; 3RKBs, that is two-bedroom flats, post-War nine; and then the 4RKB, which are three-bedroom apartments, we have one pre-War and two post-War.

**Homeless persons
Housing allocations**

1025

Clerk: Question 420, the Hon. E J Reyes.

1030

Hon. E J Reyes: Can the Minister for Housing say how many housing allocations have been made to homeless persons, since his answer to Question 292/2012?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

1035

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, four housing allocations have been made to homeless persons since the answer to Question 292/2012.

**Government housing
Applications from homeless persons**

1040

Clerk: Question 421, the Hon. E J Reyes.

1045

Hon. E J Reyes: Can the Minister for Housing say how many applications from homeless persons are currently being dealt with, giving a breakdown of dates as from when these applications were made?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

1050

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, a total of 18 applications from homeless persons are currently being dealt with by the Ministry.

The breakdown of the dates is as follows: June 2010, two; October 2010, one; November 2010, four; December 2010, one; March 2011, one; May 2011, one; December 2011, one; January 2011, two; March 2012, three; and April 2012, two.

1055

Hon. E J Reyes: Mr Speaker, for the sake of clarity, the figure two, pertaining to January, is that January 2012 or 2011?

If the Hon. Minister would like to read for me the last three – January, 2012 was two...

Hon. C A Bruzon: Sure. January 2012, two; March 2012, three; and April 2012, two.

1060

Hon. E J Reyes: I am grateful, Mr Speaker. My figures do not quite tally up, and perhaps the Hon. Minister may have some information that would enlighten me.

In March 2012, there were 25 applications from homeless persons and if we are currently left with 18, one would have assumed automatically that seven have been allocated; but in answer to previous Question No. 420, earlier on this afternoon, only four have been allocated, so there is a discrepancy of three. Can we tally up those figures somehow?

1065

Hon. C A Bruzon: If you would be kind enough to just put it on a note and give it to me in the ante Chamber and I will investigate.

1070

Hon. E J Reyes: Good enough, Mr Speaker.

**Housing tenants
Pending repairs completed**

1075

Clerk: Question 422, the Hon. E J Reyes.

1080

Hon. E J Reyes: Can the Minister for Housing state how many tenants, since his collective answer to Question Nos. 295 to 298/2012, have had their pending repairs completed, giving a breakdown of how many were internal or external repairs, broken down into categories of both pre-War and post-War housing stock?

Clerk: Answer, the Hon. Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

ANSWER TO QUESTION 422

Since the collective answer given to Question No. 295 to 298 of 2012, there have been a total of 252 tenants that had 326 jobs completed, as follows:-

Internals	
Pre-War	7 completed jobs for 4 different tenants
Post-War	133 completed jobs for 120 different tenants
Total	140 124

Externals	
Pre-War	20 completed jobs for 17 different tenants
Post-War	166 completed jobs for 111 different tenants
Total	186 128

1085

Hon. C A Bruzon: I will just read out some information as we wait for it to be circulated. Since the collective... there have been a total of 252 tenants that had 326 jobs completed.

The rest of the information is on the... (*Interjection*) You have got the information now in front of you – I think. No, it has not got to you yet.

1090

**Government rental flats
Repairs completed**

1095

Clerk: Question 423, the Hon. E J Reyes.

1100

Hon. E J Reyes: Can the Minister for Housing state how many jobs, since his collective answer to Question Nos. 295 to 298/2012, have been completed in respect of Government rental flats, giving a breakdown of how many were internal or external repairs and the nature of works undertaken, broken down into the categories of both pre-War and post-War housing stock?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

1105

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, I have just handed over to the hon. Member a schedule containing the information requested.

ANSWER TO QUESTION 423

Since my collective answer to Question Nos. 295 to 298 of 2012, there have been 784 jobs completed in respect of Government rental flats.

Out of this total, 598 jobs were internal jobs completed by the Housing Works Agency and 186 were external jobs completed by the Ministry for Housing. These are further broken down as follows:

Work category - Internal repairs	Pre-war	Post-war	Total
Bathroom unit replacement	1	21	22
Carpentry repairs	13	49	62
Cleaning of flat	5	18	23
Drains, rodding and cleaning	5	4	9
Emergency repairs	41	204	245
Masonry repair	2	18	20
O/T repairs/refurbishments	-	12	12
Other - asbestos removal	1	5	6
Painting	-	21	21
Plumbing repairs	13	156	169
Refurbishment - empty flat	1	8	9
TOTAL	82	516	598

Work category - External repairs	Pre-war	Post-war	Total
General	19	111	130
Drains	1	4	5
Lifts	-	49	49
Electricity	-	2	2
TOTAL	20	166	186

Hon. E J Reyes: Mr Speaker, can I ask nicely: the Hon. Minister might be able to identify a typographical error. In the schedule he has handed over to me, it says:

1110 'Since my collective answer to Question No. 291...'

My question posed collective answer to question 295 and a quick looking back at what question 291 was, 291 referred to additional applicants for housing and so on.

1115 So am I correct, shall we amend it for the record today – that it is a simple typographical error and should reflect 'Question Nos. 295 to 298' in the schedule handed over?

The Clerk will have to really find this extremely useful when he comes to compile the *Hansard*, for which he is extremely efficient.

1120 **Hon. J J Netto:** Mr Speaker, could I ask the Hon. Minister for Housing, within the information he has provided, in the first column in which he actually put the works category, the breakdown there amongst those particular building elements of what category he has amongst the others, emergency repairs – one of the many which is listed there – does the Housing Works Agency record a response time for everything that comes under the emergency repair category, in order to respond to do this particular work – even though we are dealing with whatever it is, emergency work?

1125 **Hon. C A Bruzon:** There is, in fact, a question that maybe will answer that, later on in the Order Paper.

Hon. J J Netto: I am jumping the gun too soon.

1130

**Housing Agency
New jobs added to list**

1135

Clerk: Question 424, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing state how many new jobs have been added to the list requiring the attention of the Housing Ministry, since the answer given to Question No. 298/2012, stating the nature of the work required to be undertaken and broken down into categories of both pre-War and post-War housing stock?

1140

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

1145

Minister for Housing and the Elderly (Hon. C A Bruzon): Yes, Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

ANSWER TO QUESTION 424

Since 15th March 2012, there have been 870 new jobs added to the list.

137 appertain to external works and 716 to internals, which are as follows:-

External Works			
Work Category	Pre-War	Post-War	Total
Window, Shutters	11	57	68
Plumbing	9	10	19
External	9	25	34
Making Safe	1	7	8
Letter Boxes	-	25	25
Total	30	124	154

Internal Works			
Work Category	Pre-War	Post-War	Total
Bath or Shower conversion	-	19	19
Bathroom Unit replacement	4	27	31
Carpentry repairs	21	60	81
Cleaning of flat	7	25	32
Drains, rodding and cleaning	7	8	15
Emergency repairs	48	235	283
Masonry repair	5	12	17
Other	1	4	5
O/T Repairs/Refurbishment	1	11	12
Painting	1	24	25
Plumbing repairs	20	163	183
Refurbishment – Empty flats	2	11	13
Total	117	599	716

1150

Hon. J J Netto: Mr Speaker, could I ask the Housing Minister, within the schedule he has just provided us with, on the ones on internal work, if he goes down to where it says 'Bath or shower conversions' and then he has 'pre-War' and 'post-War', the one thing that comes to mind – and I wonder whether he has got the information – was that I think it was in one of our first parliamentary sessions, either in January or perhaps February, I did ask from the elderly side, that I was concerned of the delays in actually taking away all baths which were broken and fixing new showers, which was a demand by the elderly people and I remember quite... The answer that the hon. Gentleman gave me was that within three months – it was quite a bold answer, I thought – all the showers that the elderly people have put requests in to have fitted would be done.

1155 I was now wondering whether he is now in a position to state whether all those requests for showers to be installed by the elderly have now been done within... Well, I thought it was *too* bold to say three months; it would have been better to say a much longer period, perhaps – it would have been fantastic – but is he now in a position to say that all the outstanding work has been done?

1160 **Hon. C A Bruzon:** No, I am not in a position to say that.

Hon. J J Netto: Well, Mr Speaker, perhaps, if I do remember and I write to the hon. Gentleman, requesting this information, could he provide it for me?

1165 **Hon. C A Bruzon:** I certainly will.

Hon. J J Netto: I am much obliged, Mr Speaker.

1170

**Housing Authority contracted work
Details of jobs**

1175 **Clerk:** Question 425, the Hon. E J Reyes.

Hon. E J Reyes: Can the Minister for Housing state how many jobs have been contracted out, stating the date, nature of work, estimated cost and to which companies, by the Housing Ministry, since the answer given to Question No. 299/2012 and broken down into categories of both pre-War and post-War housing stock?

1180 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, I will now hand the hon. Member a schedule containing the information requested.

ANSWER TO QUESTION 425

Since the answer given to Question No. 299 of 2012, the Housing Ministry has contracted 6 jobs as follows:-

Date	Work Category	Estimated Cost	Company	Type of Housing Stock
09/03/12	Plumbing repairs	£690	Gemini	Post-War
26/03/12	Plumbing repairs	£780	Gemini	Pre-War
27/03/12	Plumbing repairs	£800	Gemini	Post-War
03/04/12	Plumbing repairs	£700	Gemini	Pre-War
03/04/12	Plumbing repairs	£700	Mersey Castle	Pre-War
26/04/12	Plumbing repairs	£800	Gemini	Post-War

1185 **Hon. E J Reyes:** Mr Speaker, if I may, perhaps the Hon. Minister does have the information and could enlighten us.

This list provides information I did ask for and, in the breakdown, he kindly categorises it, that they have been planning repairs. Was this because the Housing Works Agency does not have the workforce available at that particular moment in time to carry out these works, or is it because, due to some sort of exceptional circumstances and deadlines in which to meet emergency repair, whatever, that is the reason why they were contracted out?

1190

Hon. C A Bruzon: I believe we did discuss this last time, and the reality is that the aim of the Housing Authority is to allocate as many homes to the applicants as quickly as possible, so there are times when we

1195 do, indeed, have to employ small companies to carry out work for us – mainly the external works.

1200 **Hon. E J Reyes:** Alright, Mr Speaker, but we can certainly deduce from there that, if at all possible, the priority to undertake this work is first looked into by doing it from existing workforce within the Housing Agency, before contracting out and this contracting out, is it determined because of the cost level and that has been an influencing factor that the Minister has then decided, ‘Right, let’s contract out’ or what has influenced the contracting out, rather than leaving it for the workforce to handle?

1205 **Hon. J J Bossano:** Mr Speaker, the original agreement entered into by the previous administration divided the work as to external and internal, and the people who were retained in the Housing Department were responsible for supervising the work of contractors who were all doing external work. The people who were retained in the Agency were all doing internal work.

1210 We have reviewed that on the basis of size and complexity so that if, given the fact that there was an early exit package, and that in some areas the numbers that left were such that are very few of that particular trade left behind, it means that in some areas the direct labour sometimes is not enough to deal with everything and, therefore, that is contracted out.

1215 But the original thing was based on whether it was internal or external, whereas now it is based on the capability of the numbers that are in the Agency and the magnitude or complexity of the job. It does mean, of course, that most of the external things that require scaffolding and all that sort of thing goes outside. But it can also mean there can be a complicated inside job like lifting up the floorboards, for which we may not have the manpower.

Hon. E J Reyes: Yes, thank you for that, Mr Speaker. Yes, that answer is acceptable.

1220 So when he came to these particular cases, I think the Hon. Minister may have mentioned, although it is not written here... I think they refer to all external cases, don’t they?

It is not written down here but I think in passing, in his oral contributions to this, I think he mentioned the word ‘external’ –

Hon. C A Bruzon: Your interpretation is –

1225 **Hon. E J Reyes:** – so can I add that here, as *de facto* that they were external works?

Hon. C A Bruzon: Yes.

1230 **Hon. J J Netto:** Mr Speaker, could I ask, because in listening to the comments by the Minister for Employment, I accept the fact that the particular job may be complicated or specialised, maybe the need that the Housing Works Agency may have to outsource a particular job to a private sector contractor, that when we look at these particular lists, in the schedule which has been provided to us, and we look at the estimated costs, it is quite low – all of them, in fact, less than £1,000, and all of them are dealing with jobs that are not complicated, because they are planned jobs. Then, in my mind, the question that arises is that this is not a job that has been contracted out because it is complicated and equipment or resources may not be in-house. So there must be some other reason, other than being complicated for which the Department has contracted work.

1235 Is it perhaps – and I am asking in the form of a question – that these particular jobs, although the first column provides the date when the jobs were done, have been outstanding for a very long period of time from the date in which the tenant may have reported initially and, as a result of the long delay that the tenant has been waiting for the repairs, that the Housing Works Agency may have taken the decision to contract it out? This goes back to the question I am trying to establish whether the Housing Works Agency has a particular response time for every particular type or category of work – in other words, if it is an emergency and the emergency needs to be done because the nature of the emergency is that it may need to be done in 48 hours – but if for whatever reason the Housing Works Agency cannot do it, then these particular jobs, which are an emergency, need to be carried out for the benefit of the tenant, and then the Housing Works Agency may decide that if the Housing Works Agency cannot do it, then it needs to be contracted out – I can understand that logic.

1240
1245 But one cannot derive from the information supplied here, given that we are talking about jobs which are very low in monetary value and – I am not trying to degrade plumbing jobs, but plumbing jobs are not

1250 something which require a lot of people. It is probably done by one particular person, as opposed to a team of plumbers, which can be more complicated in terms of doing a big installation.

So I am trying to establish the reason behind why the jobs were contracted. Can the hon. Member perhaps provide some sensible, logical reason?

1255 **Hon. J J Bossano:** Well, on the basis of what I am trying to do, it is provide a sensible logical reason, which may or may not be correct, I will point out that, in every case, the contractor is a scaffolding company. Therefore, if these are all jobs that have been done by scaffolding company, it is possible that although they are called plumbing repairs may have to do with things like gutters and downpipes.

1260 All the companies there, all the contractors, in every single case is a scaffolding company.

Hon. D A Feetham: Yes, when I looked at it, that is what I thought this might relate to, and in fact you can actually see that the amounts are pretty uniform.

1265 Unfortunately, the actual answer could have been phrased better because all it needed to have said is 'scaffolding for plumbing repairs' and we would have all been... It would have answered the question.

Clerk: Question 426, the Hon. E J Reyes.

Hon. D A Feetham: Can I come back on this, please?

1270 **Mr Speaker:** Yes, certainly, yes.

Hon. D A Feetham: Just in relation to this, and assuming that, of course, there is scaffolding, how does one determine who actually gets the contract in relation to these particular jobs – is this done on a roster, is it done by tender, is it done by direct allocation, at the discretion of the Minister, or somebody within his Department? How exactly is it done?

1275 **Hon. J J Bossano:** In all the cases where it is possible to use the scaffolding that is owned by the Government, the scaffolding company has just paid for putting it up or taking it down, and there is a standard charge, which they all charge the same. So, basically, it is shared around so that ...

1280 In fact, if too much was given to one company, it would not be able to do it. There is a limited number of scaffolders in the market, and they are spread across four companies and the work of the Government keeps them going all the time.

1285 **Hon. D A Feetham:** So the answer is, effectively, that there are four or five of these companies and then there is a rota and they share the job in accordance to whether somebody has done a job before, then it is somebody else's turn, and somebody else's turn – is that how it is done?

1290 **Hon. J J Bossano:** It is not quite like that. It is not whether it is a roster and they take a turn because, in fact, it is just that the work that is put out, you could not put out more scaffolding work than the market can do because, otherwise, you would then finish up bringing in people from outside, which is not something we particularly want to encourage.

So the fact is that if somebody, for example, has got the contract to put up a lot of scaffolding in the Alameda Estate, that is quite a big scaffolding job. So you could not say 'You are number 4 and it is your turn again', because it could be a long time up there.

1295 It is really... the fact is that when they start running out of work, they come back asking for more. It depends on the size of the job they are doing, they are working on.

Hon. D A Feetham: And, hopefully, we are talking about standard fees – that is why these are, in fact, very close figures that we are talking about in this schedule that was handed by the Hon. Minister.

1300 **Hon. J J Bossano:** Where there is a difference, it is because, in fact, they are providing the scaffolding and then as well as putting it up, and taking it down, they provide for hire. Clearly, the Government seeks to avoid hiring scaffolding for as long as it can do the work with the stuff that it already owns and therefore it is the one that it owns, the rate for putting it up is so many pounds per metre and everybody charges more or less

1305 the same. I doubt if there is more than a few pennies between one company and the other.

1310 **Co-ownership housing estates**
Meetings with management companies

Clerk: Question 426, the Hon. E J Reyes.

1315 **Hon. E J Reyes:** Can the Minister for Housing state if he has, since his answer to Question No. 301/2012, held meetings with any management companies of co-ownership housing estates in order to address the issue of increasing service charges and/or other concerns?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

1320 **Minister for Housing and the Elderly (Hon. C A Bruzon):** I will read out, Mr Speaker, exactly what I have got here and then I will give an explanation, because I am sure there will be a supplementary.

Mr Speaker, no member of any such management companies of co-ownership housing estates have yet approached us to have such a meeting.

1325 I would like to explain to the hon. Member that we did say, some months ago, that we were trying to organise such a meeting, but that we have been unsuccessful in getting down to the bottom of who are these people? Really, the procedure should be that whoever wants to see the Minister – whether it is the Alameda tenants' estates or whether it is a Home Ownership Association, the procedure is that they phone or write to my secretary and I would most certainly fit them in.

1330 So, really, I have still been unsuccessful in having such a meeting, but I would encourage whoever is interested in seeing the Minister just to ask for a meeting and I will give it to them.

Hon. E J Reyes: Mr Speaker, I think that that is a slight variation from what I understood in the answers given by the Hon. Minister last time round. The Hon. Minister did say, in the last parliamentary session, that – to use his words:

1335 'What I am doing is that I am meeting a number of representatives of housing estates –'

– hundreds and hundreds of individuals and so on–

1340 '– and the reality is that I know that the Chief Minister is interested to be present at this meeting and, therefore – he is not in the House now – but I would suggest that... or if I could ask a rhetorical question... if the Member is speaking on behalf of a particular group,'

that he writes to us and I clarified that I was not speaking on behalf of any group.

1345 So I was led to believe, Mr Speaker, that this was work in progress or a matter at hand, and I accepted it in the Hon. Minister's explanation that it was more a question of co-ordinating dates with the Chief Minister, when he could be available, and so on.

1350 Now it seems to have taken a different turn, and now it seems that, if I have interpreted his answer correctly, we do not have any pending requests to meet with anyone from these co-ownership housing estates.

Hon. C A Bruzon: I did succeed in having a meeting with Brian Francis Associates, who apparently are managing agents of some of these associations. But that is as far as I have got, and I think the Chief Minister has also had a meeting with them.

1355 But, really, as far as meetings with home owners who are dissatisfied with any increase in service charges, I imagine that the onus will be on them to try to come to us, because there is a mention in our manifesto that we will do our best to help in any way we can.

1360 **Hon. E J Reyes:** Mr Speaker, if we go right back to Friday, 20th January, when I raised the matter of increasing service charges and so on and I even made available to the Hon. Minister, just outside your office in the antechamber, an example of a copy of these sort of increased service charges and so on, he has been

leading me to believe that it was a matter that would be tackled and that he was going to meet with the groups and, looking here at the questions and answers all the time, there is no signal here at any stage, other than to say that it is a matter at hand and I am just waiting to see what developments there have been.

1365 So I am still taken a bit by surprise to realise now that... Am I correct in saying that now, in order to tackle the issue of increased service charges, it is up to the management companies or these co-ownership housing estates to have to request a meeting with you? Am I correct in that interpretation?

Hon. C A Bruzon: Mr Speaker, the truth is that I *have tried* to get my staff to see if they can establish who the contact people are and they have not been successful.

1370 So that is the simple truth, Mr Speaker.

Again, I repeat there is a mention in our manifesto that should there be any members of such associations who are concerned about unreasonable increases in service charges, then we will see if we can help. But as Housing Minister, my responsibility is really to look after the rental accommodation of Government housing.

1375 I sometimes wonder where I fit in, in all this, except that there is a mention in the manifesto and it falls into my... It is close to my photograph! Maybe that is why they want to come to me, and I shall be happy to receive them and see them.

Hon. D A Feetham: Yes, Mr Speaker, can I remind the hon. Gentleman of the manifesto commitment:

1380 'We will work with the management companies in all Government co-ownership housing estates where there are problems with the level of service charges in order to address the issue and consider ways of containing costs.'

1385 Does he, in light of the fact that he has not received representations from management companies on the issue of service charges, concede that, in fact, there appears to be no problem with the issue of service charges, much like there was no problem with all those battalions of Gibraltarians living in Spain (*Laughter*) – which he conceded on the last occasion? There were only two or three people making demand of the Hon. Minister. (*Interjection*)

1390 **Hon. C A Bruzon:** Well, I made no reference to 'battalions' but if the member of the Opposition wants to be poetic, I would prepare to accept that and smile!

1395 The answer is that there does not seem to be serious problems – at least they have not come to my ears. I do acknowledge that the hon. Member sitting opposite – my opposite number – did share with me some concern, but that is as far as it has gone. The actual managing agents – maybe that is what they probably *would* say – they say here that the service charges are quite low, as they have not increased in around 20 years, with the exception of a recent 3.8% increase, in line with the cost of living.

1400 Of course, some people obviously are not happy with that, but I repeat, Mr Speaker, I receive hundreds of tenants, I receive a number of associations, and these meetings are arranged. I do not go out of my office: 'Does anybody want to talk to me? Is anybody interested to come to me with a problem?' I do not do that, but I shall be happy if somebody...

If you know the names, give them to me and my secretary will phone them and I will genuinely try to see if I can offer help.

1405 **Hon. E J Reyes:** Mr Speaker, I know the Hon. Minister was just referring to information passed on to him – I do not know if I am correct in saying – I doubt the veracity: there has been no increase in service charges for 20 years? In respect of what estate is he talking about?

Hon. C A Bruzon: This quotation may refer to some specific area, so I would qualify that – in other words, it may not refer to the one that you are thinking of. We had better leave it at that!

1410 **Hon. E J Reyes:** Certainly, Mr Speaker. I wanted to go down on the record. Certainly the one where I live there have been *annual* increases for the past twenty years and so I cannot accept there has been no increase.

1415 Yes, Mr Speaker, for the record – and I know the Hon. Minister accepted this last time – there are concerns amongst residents here of increased service charges and there is a record from the hon. Member, especially when he was sat on this side of the desk, he did go out on balconies and rooftops and say, 'Here I am. If anyone has any problems, come and look for me.' So he cannot now pretend to be doing otherwise,

otherwise he is failing the electorate because that was his style and was why people chose him to sit on that side of the House.

1420 **Hon. C A Bruzon:** Whether his comparison is valid or invalid, I would suggest that we move on.

I do repeat that I get many, many requests from tenants, many requests from associations, and I receive them into my office and we look at their concerns and we try to help and the same would apply to the homeowners.

1425 **Hon. E J Reyes:** Yes, I accept that, Mr Speaker, and I also know that he does get many requests and they are still waiting five months on for at least to be given an appointment time, but I suppose that is the nature of his workload and I accept that the Hon. Minister means well. I think he can conclude this exchange by at least reassuring me and the public at large that he will do his utmost to see as many people as soon as possible because some of have been waiting for at least an appointment time for quite some months now.

1430

**Government rental flats
Details of pending or incomplete repair jobs**

1435 **Clerk:** Question 427, the Hon. E J Reyes.

1440 **Hon. E J Reyes:** Can the Minister for Housing state how many jobs are currently listed as pending or incomplete in Government rental flats, giving a breakdown of internal and external repairs, as well as stating the nature of these works and by whom they are or will be carried out broken down into the categories of both Pre-War and Post-War housing stock?

Clerk: Answer the Hon. the Minister for Housing and the Elderly.

1445 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, I am now in the process of handing over to the hon. Members a schedule containing the information requested.

ANSWER TO QUESTION 427

I submit a reply to this question primarily broken down by (a) internal jobs and (b) external jobs, as follows:

(a) There are 680 internal jobs currently listed as pending within the Housing Works Agency. These jobs are categorised as follows:-

Work Category – Internal Repairs	Pre-war	Post-war	Total
Bath for shower conversion	1	24	25
Bathroom Unit replacement	7	46	53
Carpentry repairs	37	100	137
Cleaning of flat	7	11	18
Drains, rodding and cleaning	2	7	9
Emergency repairs	7	51	58
Masonry repairs	13	40	53
O/T Repairs/refurbishments	3	40	43
Painting	7	71	78
Plumbing repairs	25	149	174
Refurbishment – empty flats	6	26	32
TOTAL	115	565	680

(b) There are 3034 external jobs currently listed as pending to be carried out by external works contactors. External jobs vary in nature ranging from repairs to building fabric, to waterproofing/roofing. It is impossible to deliver a detailed categorisation of all 3034 jobs within the required timescale. The following condensed categorisation applies:

Work Category – External Repairs	Pre-war	Post-war	Total
External Building Contractors	571	1857	2428
Windows Replacement Contractors	-	606	606
TOTAL	571	2463	3034

Hon. E J Reyes: Thank you for that, Mr Speaker.

1450 I know I did not ask for it and I am just going to ask in case the Hon. Minister does have some further information pending... Any idea of how long, perhaps, some of these jobs have been? I think I had better, Mr Speaker, give due notice of that question for next time round so we can try and emerge a pattern to see how long, justifiably or not, some tenants are saying that they are having to wait a bit too long.

1455 **Hon. C A Bruzon:** I appreciate that, Mr Speaker.

Clerk: Question –

Mr Speaker: The Hon. Jaime Netto.

1460 **Hon. J J Netto:** If I could ask a supplementary question to the Hon. Minister?

1465 From the information provided in the schedule, it is stating down in (b) that there are 3,034 external jobs can be listed, as pending to be carried out by external work contractor. External jobs vary in nature ranging from repairs to building fabric, to waterproofing/roofing. Given that we are now entering the better weather in the cycle of the year, is there within the Housing Works Agency a programme to prioritise, perhaps, all these external jobs, particularly if some of the jobs outstanding, external ones, are roofs, because this would be the time of the year to do it, as opposed to doing it in the winter months?

So could the Minister perhaps provide information whether, within the schedule of works being organised by the Housing Works Agency, priority will be given to external work, particularly to roofs?

1470 **Hon. C A Bruzon:** As it happens, Mr Speaker, when I talk to my Technical Department we often consider that point, exactly as the Shadow Minister has, in fact, indicated. Before the rains come next winter, let us get on with the job of repairing roofs and any cracks on the side of buildings which will create problems for the tenants. So I do not know if that is a satisfactory response?

1475 **Hon. J J Netto:** Well, it goes somehow to answering the supplementary question, but perhaps what I was trying to obtain was whether, within the workforce of the Housing Works Agency, perhaps there is a dedicated group of tradesmen who are now given this type of work to prioritise in order to ascertain that, before the winter comes along, at least for works to do with roofs that are leaking, water penetrating through perhaps, that that particular job is done now, with the good weather, as opposed to doing it in the months of January, February or March. Is that the case?

1480 **Hon. C A Bruzon:** I believe the answer should be yes, and I hope it is yes, but I do not want to give a categorical 'yes' because I would have to check with my people. But I imagine that there must be people with the technical skills to talk about these things and to ensure that whatever jobs can be done before the winter rains come, will be done.

I could add, Mr Speaker, just for the... that we are still catching up with a backlog of jobs. In fact, since April 1st to October 30th in 2011, the previous administration did not execute one single outstanding or new report appertaining to external defects. This increased the already substantial backlog of reports. (*Applause*)

1490 **Hon. D A Feetham:** Mr Speaker, my hon. Friend, Mr Reyes, has had to leave the House. He has received some news that a family member has had to be taken to hospital, so he has asked me to ask the questions of the hon. Gentleman.

Mr Speaker: Most certainly. Yes.

1495

**Reports of unsafe dwellings
Numbers pending completion; decanting of tenants**

1500 **Clerk:** Question 428, the Hon. D A Feetham, on behalf of the Hon. E J Reyes.

1505 **Hon. D A Feetham:** Can the Minister for Housing state how many reports of unsafe dwellings are currently pending to be completed and how many of these require urgent decanting of tenants due to Health and Safety regulations... or considerations? I beg your pardon.

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

1510 **Minister for Housing and the Elderly (Hon. C A Bruzon):** There are no pending dwellings requiring completion that are deemed unsafe and none requiring decanting due to Health and Safety considerations.

Clerk: Question 4 –

1515 **Hon. D A Feetham:** Sorry, my friend, Mr Reyes, for listeners into parliamentary proceedings, is now back. I am glad to say that everything appears to be okay.

Can Mr Reyes have a moment to consider whether he has a supplementary question?

Mr Speaker: Yes, of course. I understand the Hon. Jaime Netto has a question in the meantime and that will give the Hon. Edwin Reyes some more thinking time.

1520 **Hon. J J Netto:** Could I ask the Minister for Housing, although I believe he has just stated that there are no unsafe dwellings that require urgent decanting of tenants due to Health and Safety considerations, could I perhaps ask the supplementary question in a slightly different way, whether he has received any reports perhaps, by the Housing Inspectors, to the effect that there are *some* dwellings which are not fit for purpose for which there are sitting tenants?

1525 **Hon. C A Bruzon:** I can confirm, Mr Speaker, that there are a number of tenants that are down for decanting, either because there are continuing problems with dampness, bad smells and all that kind of thing; but that does not come under the category of requiring completion... unsafe. Sometimes a building is unsafe and if a building is going to collapse then, of course, that is different.

1530 So the answer is what I have been given, which I am happy to read out again for the benefit of the Hon. Edwin Reyes: there are no pending dwellings requiring completion that are deemed unsafe and none requiring decanting due to Health and Safety considerations.

1535

Housing Agency Response time targets for repairs

1540 **Clerk:** Question 429, the Hon. E J Reyes.

Hon. E J Reyes: Does the Ministry for Housing have specific response time targets in respect of the different categories or types of repairs to be undertaken and are these targets presently being met?

1545 **Clerk:** Answer, the Hon. the Minister for Housing and the Elderly.

Minister for Housing and the Elderly (Hon. C A Bruzon): Mr Speaker, in the case of emergencies, the Ministry for Housing will attend on the same day and make safe.

Other works are attended to as soon and as efficiently as possible.

1550 **Hon. J J Netto:** Mr Speaker, I take on board what the Minister has said in relation to emergencies, that personnel will attend within a particular day and make safe. However, there are – just looking at the information given during the course of this afternoon by the hon. Member – some other categories of work, for instance OT repairs/refurbishments and perhaps even asbestos removal.

1555 I am surprised that, perhaps, the Housing Department is not necessarily working or liaising as closely perhaps as it should with the Health Authority and perhaps the Care Agency, because one of the things in my experience is that there are referrals either done by the OT in the Health Authority, which are then passed

on... well, used to be passed on, actually, to the Social Security Department rather than to the Social Services Department for which there are tenants, either in Government dwellings or perhaps even residents in home ownership schemes for which some repairs or fitting some equipment from the OT is concerned that needs to be carried out.

1560

So the point I am trying to make, perhaps, if I can change it into the form of a question, is whether the Housing Department or the Housing Works Agency will not consider working closer perhaps with the Health Authority and perhaps the Social Security in relation to having a response time for the work coming out from the occupational therapies included into this field. I think that when there is a referral by the OT, by definition there is a medical issue involved and I think that we would all welcome, both sides of the House would all welcome, if there is a response time to execute such work.

1565

Hon. C A Bruzon: I am not too keen, Mr Speaker, on *exact* response times – one week, one month, three months. I am a great believer that if the job has to be done it has got to be done as efficiently and as quickly as possible. I do not want my workforce to say, ‘Ah, I have still got another six weeks to do this.’ That is why the culture that I try to create (*Interjection*) is that jobs have to be done as quickly and as efficiently as possible and I encourage the labour force, the workforce that work under me, to get on with the job and earn the bonuses that they are being offered and that kind of thing, but I have not got...

1570

The question itself, if I may say so, Mr Speaker, refers to types of repairs, and there are thousands of different types of repairs. Lots of different categories, targets, you know... and the answer is that if it is an emergency, like a burst pipe, the plumber will go and turn off the mains. So the emergency is over for that moment. Then, as soon as possible, they will go and repair the plumbing.

1575

Other jobs, Mr Speaker, they have to be addressed by the workforce as quickly and as efficiently as possible. I do not have information as to exact targets in terms of weeks, months or years. The question maybe should have been rephrased or put before me a bit better, if I may suggest it, because there can be external works, external repairs. You cannot give a target. You give a completion date, roughly, you know, but you cannot say that it will be ready in three weeks or in one year. You just do your best. If it is a small job, then it should be done asap.

1580

Hon. J J Netto: Mr Speaker, with respect to the Hon. Minister, no-one is trying to suggest that the wheel should be invented, in the sense of being able to collect information and then translate that information into categories of response time.

1585

Look at local authorities in the UK: this is already done. In fact, the people who probably provided the answer to the legal questions, are very much aware of the kind of language that I am referring to, when I say ‘response time’. So perhaps they should have prepared you a little bit better, in the sense of knowing what other building elements would constitute a response time to attend, as opposed to the completion of the job, which is a different thing, because that would depend on the specification of the job, but I would have thought – and I just leave it for him to take it away and have a discussion with the Minister for Health, in particular – that there will be within the workload of the occupational therapies – and I know this from experience – a number of jobs of individuals, either in Government dwellings... or residents in home ownership schemes, who have a number of medical ailments and they need to do work in order to accommodate the medical evidence.

1590

I think all of us would agree that people in those categories would need to be prioritised. Now, to the degree they are prioritised is a matter for the Government to decide, so I think that a priority should be given.

1595

So that is one category of people that I think he ought to take away and consider. The other one, of course, is the question of asbestos removal, because if the Hon. Minister for Housing has on his desk a report that has been given by officials, whether they are housing officials, or officials from the factory inspectors, in fact, on the question whether asbestos has been tampered and there is airborne fibre on the particular premises, then you have got to have a response time to deal with that because, again, you are dealing with health matters, so can I just end up by saying to the Hon. Minister, will he not consider going back to his officials, looking at areas where he needs to prioritise in accordance with the type of work it is and perhaps have a discussion with the Minister for Health in relation to work being provided by the occupational therapist?

1600

1605

Hon. C A Bruzon: I know that, in the reports, when reports are put forward, there is a distinction between very urgent, urgent and routine – that kind of thing. Maybe that is what you are getting at and you should make sure that if something is very urgent, it should be done within a specific period of time, if it is possible.

1610

That is what you are getting at.

1615 I am sure that that happens. It is just that I would need to look into the subject matter more thoroughly to be able to provide an accurate answer but I think, Mr Speaker, that is my contribution on that Question, so I think my colleagues may want to say something else.

1620 **Hon. Dr J E Cortes:** Mr Speaker, although this is not a direct supplementary, I can inform the House that adjustments in the workload of the occupational therapists means that now we have occupational therapists dedicating much more time than before December to assessments in people's homes. There are regular meetings of multi-disciplinary teams and a number of repairs have been carried out, and are in the process of being carried out, including the famous Albert Risso House, which was not fit for some of the elderly people who were put there and we are putting that right.

1625 **Hon. J J Netto:** With respect to the Minister for Housing, he seems to be more concerned with scoring a cheap political point than addressing the issue which I am saying.

1630 The issue I am saying is not whether he has more occupational therapists to do more surveys. If he has them, good for the Health Authority, good for the people of Gibraltar. The *issue* I am raising is that, once the services are done by the occupational therapists, there is an amount of jobs on all the service of people that work needs to be done and I am saying, the only thing I am saying in my supplementary is that there need to be, once the service is completed, a response time for all those services of all those people which have outstanding work to be done and that is the point I am making.

1635 The point I making is, will he not, regardless of the amount of people he must employ, regardless of the amount of service done, that once the service is done, is not lying idle on a table, but that there is communication and prioritisation of the work from the Health Authority and the Housing Department for the benefit of the people that are working to be done? That is the point I am making.

Hon. Dr J E Cortes: Mr Speaker, I can assure you that things lie idle on *our* tables much less than they used to lie idle before. (**Several Members:** Hear, hear.)

1640

**Housing Agency staff
Retirements and transfers; new employees**

1645 **Clerk:** Question 430, the Hon. E J Reyes.

1650 **Hon. E J Reyes:** Can the Minister for Housing state how many employees have retired or transferred, indicating effective dates, from the Housing Agency since 9th December 2011 and how many new employees have been engaged by the Agency since then in accordance with the agreement reached between Government and the unions?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

1655 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Mr Speaker, since 9th December 2011, a total of nine employees have been retired or transferred as follows:

1660 2 – 31st December 2011
1 – 6th February 2012
1 – 13th March 2012
2 – 14th March 2012
2 – 19th March 2012
1 – 6th April 2012

As to new employees, none have been engaged since 9th December.

Hon. E J Reyes: Just for the sake of clarity, all the nine have been transferred, none are retired?

Hon. C A Bruzon: The answer that has been given to me – I have got to be honest, it says here, 'number

1665 of employees transferred/retired' so if he wants further information on that, I can provide it.

Hon. E J Reyes: My question did ask how many have retired or transferred and I would have thought it was not unreasonable to know the breakdown of who was retired and who was transferred.

1670 I have to accept the hon. Member does not have that fact but, again, under the previous gentleman's understanding, he can furnish me with that information, when he is available in his office next week.

Hon. C A Bruzon: I will provide the information to my hon. opposite number.

1675 **Clerk:** Question 431.

Hon. J J Netto: Can I ask a supplementary question to the Hon. Minister?

1680 My understanding, unless I am mistaken, is that the agreement reached between the union and the Government, the GSD Government at the time, was, if I am right, for every two employees that retired, the Agency would employ one. So therefore is that still standing? If we find out once this clarification on how many are retired or transferred, once we find out, for argument's sake, that out of the nine, four have been retired, so leaving aside the ones transferred, will it therefore follow that two people would be employed for the Housing Works Agency in accordance with agreement with the union?

1685 **Hon. C A Bruzon:** We shall have to wait and see.

Hon. J J Netto: Well, Mr Speaker, I am not asking him to wait and see for the clarification how many are retired or transferred, all I am asking is whether the present Government will honour the GSD Government agreement with the union that, for every two persons that retire, one would be employed. You do not have to 'wait and see'. It is either a yes or a no.

1690 **Hon. J J Bossano:** Well, the answer is, Mr Speaker, the Government will honour the agreement, it does not mean that we are accepting that the agreement is as the hon. Member says. It may say that, or it may not. I do not know what it says.

1695 **Hon. J J Netto:** If it does say that, will it be honoured?

Hon. J J Bossano: Yes, if it *does* say that, then it will be honoured, but it may not say that.

1700 **Hon. J J Netto:** Fine.

**Housing Agency
Employee in charge**

1705 **Clerk:** Question 431. The Hon. E J Reyes.

1710 **Hon. E J Reyes:** Can the Minister for Housing say which employee is presently in charge of the Housing Agency, stating his or her grade, salary scale and date of appointment?

Clerk: Answer, the Hon. the Minister for Housing and the Elderly.

1715 **Minister for Housing and the Elderly (Hon. C A Bruzon):** Yes, Mr Speaker, the employee who was deputy in January this year, is presently charged with the day-to-day running of the Housing Works Agency, and there has been no change to his grade or salary.

Hon. E J Reyes: When the Hon. Minister says this person was deputy in January, is it that the appointment of deputy was made in January, or he happened to be appointed before and was just incumbent in January?

1720 **Hon. D A Feetham:** So is he doing it on an acting capacity?

Hon. J J Bossano: No, Mr Speaker, there is no vacancy to be filled in which anybody is acting. The decision that was taken was that the post would not be filled and would be discontinued and, consequently, the person is doing the job that he was doing before, which, in the judgement of the Agency and the Government, did not require two people to do. It only required one.

1725 **Hon. D A Feetham:** And is it the Government's intention to come to this House and amend the relevant Act to do away with the post of Chief Executive of the Agency, because that is a statutory requirement. So, at the moment what we have is, there is a statutory requirement that you have a CEO, I think it was, and that post... they have taken a political decision, effectively, to abolish the... not to fill the post, but still there is a statutory requirement to have that particular post, so one would have thought that – and I am asking – are they going to come to this House to amend the legislation to, effectively, do away with that statutory duty, or statutory requirement, I should say?

1735 **Hon. J J Bossano:** That and much more.

ENTERPRISE, TRAINING AND EMPLOYMENT

1740

Old Age pension Proposed changes

1745 **Clerk:** Question 361, the Hon. J J Netto.

Hon. J J Netto: Can the Minister for Social Security state what changes he proposes to introduce to the old age pension on 1st July 2012, as stated by the Hon. Minister in answer to Question No. 125/2012.

1750 **Clerk:** Answer, the Hon. the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, the target date of 1st July may not be possible and it was, in any event, chosen as a preferred date to coincide with the start of the next tax year.

1755 No-one currently covered by the existing scheme, which will continue in place, would be affected, since the proposed fully-funded scheme will apply only to persons entering insurable employment when the new scheme comes into operation.

1760 **Hon. J J Netto:** The hon. Gentleman speaks in terms of target dates and now he seems to be saying that the target date for this, 1st July, will not be met. My question was not so much about target dates, as to what is it that the hon. Gentleman wishes to change? Could he perhaps specify or clarify that?

1765 **Hon. J J Bossano:** No, Mr Speaker, I am neither specifying nor clarifying anything because when we come with the legislation that is required, the hon. Member will have had 10 weeks in which to look at any changes. It will be put out as a Command Paper, so if it requires a change in the law which, in any event will not affect anybody who is now working and paying insurance, only people who start working *after* the date when it comes in, but certainly, I am not prepared now to speculate on something that is not yet ready.

1770 **Hon. J J Netto:** But, Mr Speaker, can the hon. Gentleman say why *he* thinks there is a need to change the old age pension legislation?

Hon. J J Bossano: Yes, Mr Speaker, for the reasons that I explained in this House, when I was in opposition and when I recommended it to the Government and during the Election campaign, which is that when the previous Government used to say that the Civil Service Pension Scheme was a potential millstone around the necks of the future generations of Gibraltarians, I used to say, from that side of the House, that the

1775 deficit we have got today in the Social Insurance Fund – which is £10 million a year – will be a monumental millstone if we did not do something to address this issue in the future.

1780 I think, in the last meeting of the House, in fact, the Leader of the Opposition agreed with me that, in fact, this was something that needed doing, and what we are doing is, if you like, trying to do a damage limitation exercise, so that the fact that we have got a scheme now where the numbers of people who are receiving benefit are receiving it funded by a ratio of 5:1 – that is to say, there are five people paying for every one being paid – and not withstanding that 5:1 ratio we have got a deficit of £10 million. Since all the people paying will eventually be pensioners, if we were to extrapolate that, it means that if you have got 25,000 people paying for 5,000, when the 25,000 people become pensioners, if nothing was done about it, you would need a workforce of 100,000 paying insurance for the 25,000 pensioners. Therefore, it is something that, if we look into the future, potentially it is crippling.

1785 We cannot do very much about what is already there, because that is something that involves acquired rights. What we are trying to do, or we will do, and what I wanted to do by 1st July and may not be able to do – simply because preparing the legislation is not something that I do personally and there is little I can do about it except asking for this to be done, and it has to take its place in the queue – but I wanted to do it by 1st July because that is when the tax year and the social insurance year now start, because they are both together.

1790 It would make sense to say, ‘Well, look, if we had had it for 1st July, and if we manage to have it for 1st July, what would happen would be that people who start working after 1st July would be contributing to a fully funded scheme, and that fully funded scheme will work in a manner that does not leave the unfunded liability that we have got today, which we can do nothing much about but, at least, we can stop it being added to by new people coming in.’

1795 **Hon. J J Netto:** So do I take it, then, that he is trying to work towards a timeline in which this change to the legislation will probably be brought about during this new financial year, 2012-13, for the purpose of being introduced – the changes – on 1st July not of this year but next year. Is that correct?

1800 **Hon. J J Bossano:** It is just administratively easier if we do it on 1st July. There is nothing to say it has to be done on 1st July; it can be done on the 1st of any other month.

1805 I would not want to delay it until 1st July next year, because this is something that we want to do to protect Gibraltar from having an open-ended commitment that gets bigger every year. Clearly, the sooner we get it done, the better. What we are trying to do is put something in place which means that all the people who are now in the existing scheme, and all the people who come from outside who are contributing, all of whom will acquire rights, wherever they may be when they retire, that will continue to be the case and there is nothing we can do about that.

1810 What we want to do is, from a given date in the future, the people who start on that day in the future will be contributing to a different scheme with different rules, which avoids the problem that we have today, which I have been suggesting, in a number of Budgets, to the Government previously needed to be addressed because, in my estimates of the liability, the liability will be growing at a faster rate than the old discontinued final salary scheme was growing, and the proof of it is that it has already hit the £10 million mark, the deficit.

1815 **Clerk:** Question –

1820 **Hon. D A Feetham:** So, are we talking about a situation where the legislation that you are envisaging would be backed up, by necessity, by a transfer of money out of the Consolidated Fund into a particular fund; and if that is the case, how much does the hon. Member estimate we are looking at on a yearly basis?

Hon. J J Bossano: No, it does the exact opposite of what the hon. Member says – the very precise and exact opposite.

1825 The one that requires money from the Consolidated Fund every year is the one we have got today and that... We are voting £10 million and it is likely to grow bigger every year. The one that comes in will not require subsidies – that is why it is fully funded.

1830

**Old Age Pension
Increase**

Clerk: Question 362, the Hon. J J Netto.

1835

Hon. J J Netto: Mr Speaker, can the Minister for Social Security state if the Old Age Pension has been increased from 1st April 2012; and if not, when, if at all, does the Government intend to increase the old age pension and by what amount?

1840

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): I will answer this question together with Question 364.

1845

**Minimum Income Guarantee
Increase**

1850

Clerk: Question 364.

Hon. J J Netto: Mr Speaker, can the Minister for Social Security state if the Minimum Income Guarantee has been increased from the 1st April 2012 and, if not, when, if at all, does the Government intend to increase this benefit and by what amount?

1855

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, the increase in the Old Age Pension and the Minimum Income Guarantee is scheduled to take place later this year.

1860

Hon. J J Netto: Meaning 1st July?

Hon. J J Bossano: Probably in the quarter that starts on 1st July, yes.

1865

Hon. J J Netto: And is there any particular yardstick by which the hon. Member will determine the amount that will be increased?

Hon. J J Bossano: I can tell him that the yardstick that I intend to introduce is to avoid the situation that he had, which I criticised him for, which is that he raised it on one date and then had to recover it at a later date. So what I am doing is bringing it together so that does not happen any more.

1870

Hon. J J Netto: But that is not my question. My question is –

Hon. J J Bossano: No, but that is my answer, Mr Speaker, I know... *(Laughter)*

1875

Hon. J J Netto: Yes, but my question which I think I am entitled to try and pursue it, whether he wants to answer the question or not, which is a different matter altogether – is whether he has any formulation as to the amount of money that will be increased, particularly in the Old Age Pension?

1880

The last time that the Old Age Pension was increased was on 1st April last year, so it means that if, hypothetically speaking, the next increase will be on 1st July this year, it will be something like 15 months later. Does it mean that, in assessing how much it would be increased by, will he take consideration, for instance, of the RPI figure increases for the 15 months? That is what I am trying to get the hon. Member to answer.

Hon. J J Bossano: Yes, I know what the hon. Member is trying to get me to do – to tell him what I am

1885 going to do before I do it – and the answer is I do not recall any Government in any year in the 40 years that I have been here announcing what it intended to do to raise pensions until the time came that it was done. When we have decided to do it, we will do what has been done always, which is bring in the changes and implement them, like it has been done in the past.

1890 What I *am* doing is bringing the dates together so that we avoid a situation where people got an increase and then they found that, subsequently, the Department came in and reduced the amount that they got as a Minimum Income Guarantee to offset the increase it had had before. I think that can be avoided by bringing them together and introducing the increases at the same time. It avoids the hassle that was happening before.

1895 **Hon. J J Netto:** Just to point out, as a matter of fact, that there were times in which both things were increased on the same date in the same year and there were other occasions where it did not.

It does not necessarily follow that it happened all the time every year. It happened on some years but not all. He can find the information from his own civil servants.

1900 **Hon. J J Bossano:** Yes, I am well aware that it happened some years and some it did not, and the ones it did not were the ones when people complained, so the answer is – since I do not want people to complain about me, like they did about him – I am going to avoid it.

1905 **Registered unemployed
Income details**

Clerk: Question 363, the Hon. J J Netto.

1910 **Hon. J J Netto:** Mr Speaker, can the Minister for Employment and Social Security state, of the Gibraltarians registered unemployed, as answered in Question No. 250/2012, how many of them are in receipt of any of the following: Social Assistance, Minimum Income Guarantee, the Community Officer's Wage, the Household Cost Allowance, and of any other source of income, or none at all, if this is the case?

1915 **Clerk:** Answer, the Hon. the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, of the Gibraltarians registered as unemployed provided in answer to Question 250/2012, one was on Social Assistance.

1920 Any other source of income is not information that is available to the Employment Service in respect of persons registered as unemployed.

1925 **Hon. J J Netto:** Mr Speaker, yes, I do know the fact that it is not available to the Social Security Department, but just in the same way that there are questions which are being asked in relation to trying to get information of perhaps benefit, even when there are companies which are liquidated, perhaps the information is not given or collected by the Social Security Department but by the Treasury.

What I am trying to say is that, although it is not within the Social Security Department, it does not mean, for instance, that the officials cannot ask some other Government Department or agencies who may contain the information and be able to provide the information.

1930 **Hon. J J Bossano:** Mr Speaker, people are not required to make a declaration of income in order to register as unemployed.

1935 The Social Assistance is different because, in fact, when people register in the Employment Service, they are either getting Unemployment Benefit or getting Social Assistance, or they are getting nothing, so they fall into one of those three categories. If people have got a pension from work, we do not keep track of that, and I am not sure that the Income Tax Office is entitled, under the Data Protection Act, to provide information about people's sources of income, simply because they happen to be registered as seeking employment.

Hon. J J Netto: Obviously, Mr Speaker, what my question was designed to do was to find out, those

1940 people who are registered unemployed, particularly the age group that we are talking about in this particular question, whether they have a normal, decent level of income to be able to sustain themselves. That is what I am trying to get the hon. Member to state, but I can see that the hon. Member is saying they have not got that information and that is the end of the matter.

1945 **Hon. J J Bossano:** Mr Speaker, if by a normal, decent level of income, the hon. Member presumably means the Minimum Income Guarantee then, clearly, the answer to his question would be that all the people concerned must either be on the Minimum Income Guarantee or above it – that is to say the Minimum Income Guarantee.

1950 **Hon. J J Netto:** If the hon. Member would give way, that is part of the question, but the answer you gave me in your original answer was there is only *one* who is on Social Assistance.

Hon. J J Bossano: Absolutely.

1955 **Hon. J J Netto: Right,** so at least we know that *one* is on Social Assistance. Does it mean that all the other ones are in receipt of the Minimum Income Guarantee? Does he know that? That information is contained in the Department of Social Security.

1960 **Hon. J J Bossano:** Mr Speaker, short of the Department providing the names of the people who are –

Hon. J J Netto: I am not asking for the names.

Hon. J J Bossano: No, and you are not going to get them, even if you did. (*Laughter*)

1965 **Hon. J J Netto:** No, but I am not, Mr Speaker.

Hon. J J Bossano: The point is not... Short of –

1970 **Mr Speaker:** Order! Order!

Hon. D A Feetham: May I ask for the cheerleaders in the gallery to observe, to have respect for the proceedings and not to constantly laugh every time Mr Bossano makes a comment?

1975 **Mr Speaker:** The members in the public gallery are informed that you are welcome here to observe the proceedings but keep your participation to nil.
The Hon. the Minister.

1980 **Hon. J J Bossano:** Mr Speaker, I think we should thank the Hon. Mr Feetham for reminding you how to do your job.

I would not be able to give the hon. Member the information, or intend to do it. What I am saying is that the Department would have to say, 'Well, look, let's look at these 12 particular individuals and go to the Social Security people who operate the Minimum Income Guarantee.' I do not think that it is right for the Department to do that.

1985 If the hon. Member is worried that these people are seeking employment because they cannot make a living or they are on the breadline, then the only thing I can tell him is it can only be because they do not know that they can get the Minimum Income Guarantee. If they have no other income, they can get the Minimum Income Guarantee, *unless* the individuals... I do not know who they are, but unless the individuals are people who are not entitled to the Minimum Income Guarantee because of their nationality.

1990 **Hon. J J Netto:** Fine, Mr Speaker, but if he goes to the original question, I am talking about Gibraltarians registered unemployed. I am also talking about a very small number of people. We are not talking in the hundreds – I think we are talking about something like 40, if I remember rightly – and I am *flabbergasted* to know that the Minister for Employment, who is the Minister for Employment and Social Security, will not tell his own officials, both in Employment and in Social Security, to be able to work together to provide

1995 information, whether they are in receipt of the Minimum Income Guarantee or not. I am flabbergasted at his obstinacy in not providing the information.

2000 **Hon. J J Bossano:** Mr Speaker, no. The fact that the hon. Member chooses to want to know if 12 people who are registered unemployed are getting the Minimum Income Guarantee is neither here nor there. I do not think... For all I know –

Hon. J J Netto: Why?

2005 **Hon. J J Bossano:** I will tell him why: because there are 1,200 people unemployed, so why is he only interested in 12 of them? What about the other 1,998? Does he *care* if they are on the Minimum Income Guarantee?

2010 He gets it into his head that, because there are 12 people who are over 60, they must be on the Minimum Income Guarantee or they may not be on the Minimum Income Guarantee. I am telling him the only information that people are required to provide when they register is whether they are getting Unemployment Benefit or they are getting Social Assistance, and the Department is not going to go on an expedition to find out if they have got the Minimum Income Guarantee, Social Security pensions, Elderly Persons Allowance, occupational pensions, part-time jobs, money in the savings bank, all of which may or may not be the case. These people are registered. They are resident, they are entitled to register and they are treated as people seeking employment, irrespective of their income.

2015 **Hon. J J Netto:** Mr Speaker, I am not asking the hon. Gentleman what could be categorised as being a question which provides an enormous amount of work that the civil servants trying to extract information say, ‘This is too much in the period of five days.’

2020 We are talking about people, Gibraltarians – only about a group of 40 – who are registered unemployed in the Employment Service, and part of the question relates to the fact of whether they are in receipt... Given that they are between 60 and 64, whether they are obtaining the Minimum Income Guarantee. That part of the information is contained not in the Employment Service, but is contained in Social Security. Both Departments come under his Ministry. It does not take much for him to inform his senior civil servants on both sides, with the small number of people that I am talking about, whether they are in receipt of the Minimum Income Guarantee or not.

2025 It is not for him to tell me whether it is unreasonable, because other people – the 1,000 he is talking about – may wish to know, or not. It is *me* that asked the question and *he* who has to provide the answers. It is a very reasonable and fair question, given that we are talking about Gibraltarians between the ages of 60 and 64 who are registered unemployed, and part of the question is to say are they getting the Minimum Income Guarantee, or not?

2030 All that is required is for either a fax to be sent, or through those fantastic iPads that the Government seems to have, to inform one Department to the other as to the nature of the 40 people registered unemployed.

2035 **Mr Speaker:** I have understood the question and allowed it on several occasions, and the Minister *has* given an answer. You may not like the answer –

Hon. J J Netto: He will not give the answer.

2040 **Mr Speaker:** But that is the answer. If he wishes to –

2045 **Hon. J J Bossano:** It is not that I do not want to give the answer; it is that it is information that is not in the Department because people who register for unemployment over 60 are not required to declare sources of income any more than people under 60, and just because he has got into his head to put this as a supplementary to a previous question, where he cannot even remember how many there were... There were only 12, and he thinks there were 40: that is how much interest he has got!

Hon. J J Netto: Then it should be even easier to get the information...

Mr Speaker: Order! Order! Order! Order!

2050 The Minister to reply.

2055 **Hon. J J Bossano:** It has nothing to do with whether it is easier or difficult, Mr Speaker. It is a piece of information that he has got it into his head to put a supplementary, thinking there were 40 – which means he cannot be over-interested in their predicament because there was only 12 – and the information that I have given him is that the information in relation to employment that is relevant is Unemployment Benefit and Social Assistance. There is *one* on Social Assistance. The rest – something like 800 out of the remaining unemployed – we have no idea what income they have. They may all be on the Minimum Income Guarantee or Supplementary Benefit. The only people that we have got information about are Social Assistance, and the Department will not go to find out whether the particular group of 12 people over the age of 60 has any other source of income.

2060 Presumably, if I considered that this was a legitimate expedition to engage in, tomorrow he can come back and say what about the incomes of the under-25s or the incomes of the 15-18, or the incomes of any other age group. This is a completely arbitrary question, which is invented, to come up with, and the only relevance that there can be is that people who are unemployed presumably are seeking employment because they need it or seeking employment because they would rather be working. They may not be in need; they may simply want to work because they are over 60, they still feel fit, and they still want to work. After all, I am 73 and I am still here.

2070 **Mr Speaker:** I think that we must accept that as the... There must be a different supplementary now.

Hon. J J Netto: No, I am just going to end up by saying I am quite –

2075 **Mr Speaker:** No, with respect, supplementaries are to ask a question, not to end up by ‘saying’. Is there a question?

Hon. J J Netto: Yes: so much for the transparency of the new Government.

2080 **Hon. J J Bossano:** Mr Speaker, I have to answer that. The transparency of the new Government is *far far* greater than anything they did before because, in fact, from whether they want meetings to be public, minutes to be published, or anything else, the amount of information that they get is more than they were *ever* willing to provide.

2085 All I need to remind the hon. Member is the lies in the House when I was told that the information on all their labour statistics could not be provided on a monthly basis and had to be provided quarterly, and now that I am there, I know from the staff that this was not true, that they were provided for the Minister every month and the Minister did not choose to share it with the Opposition.

Hon. J J Netto: Well, Mr Speaker, I –

2090 **Mr Speaker:** Order! Order! Order!

Hon. J J Netto: In point of fact, Mr Speaker, those are the same officials who told me the opposite.

Mr Speaker: Well, let’s not get...

2095 **Hon. J J Bossano:** No, Mr Speaker –

Mr Speaker: Order! Order!

2100 **Hon. J J Bossano:** – They could not have told him the opposite because, in fact, I have got the files with the monthly figures from *his* time.

Mr Speaker: Order! We are not going to go into what the advisers told the Minister at the time, or now. Question 364.

2105

**Statutory Benefits Fund
Payments re employers' insolvency**

Clerk: Question 365. The Hon. J J Netto.

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Hon. J J Netto: Mr Speaker, can the Minister for Social Security and Employment provide a statement of the payments made from the Statutory Benefits Fund in respect of employers' insolvency since this question was last asked, showing the amount paid due to redundancy pay obligations, the amounts paid in respect of other sums payable to employees, and the numbers of companies involved?

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Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

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Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, since this question was last asked, the total amount paid in respect of redundancy pay was £163,329.20; in respect of annual leave, £1,596.49; in respect of notice of terminations, £45,112.39; in respect of an award from an Industrial Tribunal, £46,004.80; and in respect of wages arrears owed, £217.76.

In total, six companies were involved.

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Hon. J J Netto: Mr Speaker, normally, in the past when we have asked this question, myself or when they were in opposition, they normally provided the information in a schedule form because there are so many details there. Would the hon. Member not perhaps provide me with a copy of the answer just read?

Hon. J J Bossano: Mr Speaker, if somebody photocopies this, he can have it, yes.
It is for oral answer, actually, the question.

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Mr Speaker: There is no procedural requirement of any obligation to give it in writing. (*Interjections*) No, it is a matter of convenience and courtesy between both sides.

A Member: [*Inaudible*] provided before.

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Mr Speaker: It is not being withheld now. Let's keep it at that.

Hon. J J Netto: Mr Speaker, in relation to the six companies involved, could the Minister perhaps indicate from which particular industry group they emanate from?

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Hon. J J Bossano: Two were car sales companies, with almost identical names – I think they were related; one was a transport company; one was a nursery; the other I cannot tell what it is from the name; and the other one was a printing company.

I am quite happy to give the names. I have got no problem with giving the names, but they are people who have gone bust, anyway.

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

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**Victor Ochello, Unite
Meetings with Minister for Employment**

Clerk: Question 366. The Hon. D A Feetham.

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Hon. D A Feetham: Mr Speaker, how many times has the Minister for Employment met with Victor Ochello of Unite?

Clerk: Answer, the Hon. the Minister for Enterprise, Training and Employment.

2160 **Minister for Enterprise, Training and Employment (Hon. J J Bossano):** I will answer this Question together with Questions 367, 368 and 369.

2165 **Unite officials**
Requests for meetings with Minister for Employment

Clerk: Question 367.

2170 **Hon. D A Feetham:** In his capacity as Minister for Employment, how many requests for meetings has he received from Unite officials, indicating on behalf of whom those requests were made?

2175 **Unite officials**
Meetings with Minister for Employment

Clerk: Question 368.

2180 **Hon. D A Feetham:** How many times has the Minister for Employment met with Unite officials in his capacity as Minister, identifying the person he met with, the date of the meeting and its purpose?

2185 **Trade union officials**
Meetings with Minister for Employment

Clerk: Question 369.

2190 **Hon. D A Feetham:** How many times has the Minister for Employment met officials of any other trade union in his capacity as Minister, identifying the person, his or her union, the date of the meeting and its purpose?

2195 **Clerk:** Answer, the Hon. the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, the answer to Question 366 is a few times, and the answer to Questions 367, 368 and 369 is none.

2200 **Hon. D A Feetham:** Can he elaborate on 'a few times', because the last time that I asked this question about the former regional officer of Unite, he had not met him a single time. How many is a few times?

Hon. J J Bossano: I am not sure if it is two or three. I do not keep a record. *(Laughter)*

2205 **Hon. D A Feetham:** Has he met with the convener of the GDC?

Hon. J J Bossano: Mr Speaker, the answer is I do not have meetings with union officials. Industrial relations is not my prerogative, and, as far as I know, the representative of the GDC staff works in my Department. I see him every day, but not in his capacity as a union official.

2210 **Hon. D A Feetham:** What about Mr Robba, who is the shop steward for the GDC? Has he met Mr Robba in his capacity as Minister?

Hon. J J Bossano: Mr Speaker, that is what I have just told him. I have got somebody who is a union representative of the GDC. There are people who are no longer in the GDC and therefore cannot be conveners

2215 of an organisation which does not employ them. So he may be acting under a misapprehension.

Hon. D A Feetham: Does the hon. Gentleman accept that he has presided over, and has been responsible for, some very significant – albeit we have criticised some aspects of it on this side, but pretty significant – developments in the area of employment in his time as Minister for Employment, ranging from the Future Jobs Strategy to the transfer back from the Civil Service of the GDC, the introduction of changes to the pensions legislation, to the Superannuation Fund that he has introduced? Does he accept that?

Hon. J J Bossano: Mr Speaker, I accept that I have done quite a few things from the manifesto already – not as much as I would have liked; I think I have been quite slow, actually – but I am glad to hear he thinks I have done a great deal.

Hon. D A Feetham: Does he not think that, perhaps, it is unusual, given the fact that he has done all those things, but even if he had not done all those things, that there is this dearth, lack of contact between yourself and officials of Unite and, indeed – but Unite in particular – in relation to these areas, I mean for example, in relation to the GDC?

2230 There were a lot of concerns in the GDC about the amount of time that the hon. Gentleman was giving them to make a decision and there does not appear to have been any meeting with the convenor of Unite. Indeed, there was no meeting between the hon. Gentleman and, of course, the former regional officer, despite the fact that meetings were requested of him in order to discuss – does he not think that that is unusual?

Hon. J J Bossano: Not in the least. I do not think it is unusual at all.

2240 Let me remind the hon. Member that Unite was defending the agreement that they entered into with the previous administration and all I did was to offer each individual, in an individual capacity, which was not a collective agreement with the union, the opportunity of staying in the organisation that they had previously been employed in on the basis, logically, that if there was any legitimacy in what the previous government had done, then it could only be that they had told people you are forced to vote for the Civil Service because the intention of the government is to discontinue the entity that is employing you.

2245 Therefore, since we had a commitment not to discontinue, I thought that people who had been forced to make that decision on the basis that they could either choose to go, or choose not to have an employer, might want not to go if they knew that the GDC was going to continue. *That* did not require negotiation with anybody or representation from anybody because everybody was allowed to keep what they had which the union was responsible for negotiating and telling them that they had automatically all been made civil servants on 1st October.

2250 The union got a letter from Mr Caruana which they took to a union meeting and they told the staff that the Leader of the Opposition and the union were both in agreement that they had all *ceased* to be employees of the GDC on 1st October. So, the man that wanted to see me could not be the convenor of the GDC, when he had ceased to be an employee of the GDC on 1st October. The people that had moved out were told that they could either keep what they had or, if they wanted, they could come back.

2255 In my judgement, giving somebody more than he has already agreed to accept from a previous administration does not require a negotiation or a time to think, even though they had six weeks to think about it whereas, in the previous instance, according to them, – I was not there to see what they pursued – they were just told to go to the union and sign the agreement. There was no option: they signed it or they did not sign it. Even those that did not sign it were told that it still applied to them.

2260 So my answer is I do not agree at all with his analysis but I can understand why he is making it, but not because it is a logical one.

Hon. D A Feetham: But is it not the case that all they were asking was for an extension of two weeks and a meeting with the hon. Gentleman to discuss several issues that concerned them. That was the – can he please confirm that that was all that these – a union official on behalf of their members were asking the hon. Gentleman to do?

Hon. J J Bossano: No... they were asking...

Mr Speaker: Order, Order.

2270 Before the Minister answers may I just – my memory may not be very accurate but before I invite the Hon. Daniel Feetham, was a similar line of question (**Hon. J J Bossano:** Exactly the same), proposed at the last sitting because there is, under Standing Order 17, a prohibition on raising matters which have been answered in the last six months. Does the hon. Member share my recollection?

2275 **Hon. D A Feetham:** There was questioning in relation to the GDC.
I am actually getting to....

Mr Speaker: Are we talking about the two week extension?

2280 **Hon. D A Feetham:** I am talking about... My line of question is going to go to a different matter now, but I do not think that I actually asked him this precise question that I have asked him now and, in any event, the line of questioning is not strictly about...

The point I am going to try and make is not about the GDC, it is a different point altogether.

2285 **Mr Speaker:** I will allow the Hon. Minister to answer. He seemed happy to answer it, but I just want to remind the Member, further questions will have to be avoided.

Hon. J J Bossano: If he wants to ask me the same question all the time I have no problem with that. I will give him the same answer.

2290 **Mr Speaker:** I do not wish the Hon. Minister to be bored with the same question.

Hon. J J Bossano: Well the answer is that what he has just said is not correct.

2295 It is not true that all they were asking was for a two week extension. They were asking for a *minimum* of two weeks without a maximum, and, in any event, they were asking that after they had already had six weeks and after they had a four hour meeting with me when I answered hundreds of questions.

2300 Therefore, since I was giving something to people to which they were not entitled and which they were not asking, and it was simply a gesture on the part of the Government of saying, on the premise that the previous government bulldozed you into going into the Civil Service because you had no option, because 'I told you the GDC is going to be abolished, and if you are working in the GDC and I move you to the Civil Service and I say to you; you can either accept the new employer or you can stay in limbo because the old employer is disappearing – but then what choice do people [*inaudible*] – On the premise that, to be fair to the previous government, and say 'Well, perhaps they were telling you, you had no choice because there was no alternative.'

2305 Since there *is* an alternative now, 'You are being given the opportunity of changing your mind and saying I now want to leave the Civil Service', given that the position of the union put in writing to me was that, whether they liked it or they did not, they had been made civil servants by fiat through the Public Services Commission approving a list provided by Mr Caruana to them – the first time that I have known, in all the years that I have been in this Parliament, that the Public Service Commission accepts a list of names and puts them all into the Civil Service, without vetting, without qualifications or without scrutiny. (*Applause*)

2310 Nevertheless, there were people who were not happy and they came back, and the answer was that those who wanted to come back came back, and those who wanted to stay, stayed, it was a completely free and democratic decision made by each individual. It was not a question of the majority taking a vote. If the majority had taken the vote, they would all be out of the Civil Service – because the people who wanted to stay in the GDC outnumbered the ones in the Civil Service by two thirds.

2315 **Hon. D A Feetham:** Is he aware that those individuals are so dissatisfied that they are now seeking a meeting with the Chief Minister of Gibraltar? My understanding is that meeting has been granted.

2320 **Hon. J J Bossano:** Well, I do not know whether they are or they are not but, of course, given that the Chief Minister of Gibraltar is, in fact, responsible for industrial relations and I am not, if they wanted a meeting with me to discuss industrial relations, the answer is I would direct it to the Chief Minister.

But I do know that he has got a number of people who are very close to him who keep him informed of every detail of every move I make in the office, whether I have tea, or I have coffee (*Laughter*) – the time I

2325 get in and the time I leave. I know that.

Hon. D A Feetham: The hon. Gentleman should not be so paranoid –

2330 **Hon. J J Bossano:** I am not.

Hon. D A Feetham: ‘Infamy, infamy! They’ve all got it in for me!’

Mr Speaker – is it not the case, and without beating around the bush, is it not the case that the hon. Gentleman simply has it in for some people within the leadership of Unite and, by hook or by crook, he is not going to meet them? (*Applause*)

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Hon. J J Bossano: Mr Speaker, I do not think the leadership of Unite feels that I am somehow mistreating them by not having a meeting with them. All I can tell him is that poor Mr Sisarello suffered for years at the hands of Mr Caruana, who actually refused to meet with other officials unless they kicked him out of the meeting.

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The only reason why I am not meeting the officials of Unite is that I am not meeting the officials of Unite, or the GTA or the GGCA or anybody else. I can tell him that there are union reps that do come and see me and I see them informally and not officially because, usually, they come because they come for my help and advice with their problems, given my experience in this business.

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Hon. D A Feetham: Yes. (*Interjection*)

Is it the case that the ones you do not want to see, you cannot see because you are not the Minister responsible for industrial relations but the ones that you do want to see – the ones that happen to be card-carrying members of the GSLP – you see them informally? (*Applause and laughter*).

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Hon. J J Bossano: I can tell him that there are more card-carrying members of the GSLP every day – I sign the cards! (*Applause*) Therefore, by natural progression, I will have to see practically the whole of Gibraltar in a few years’ time.

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Hon. D A Feetham: Does he not accept that, in fact, choosing... the Chief Minister used the term *a dedo* yesterday during the debate, I am going to use the same term. Choosing, *a dedo*, the trade union official who he wants to meet with and those that he wants to shun is capable of amounting to interference within the union because, at the end of the day, those union officials have to represent and do their best on behalf of their members, and if they cannot get access to the Minister for Employment those members are going to say ‘Well, look, how are you representing my interests if you can’t get a meeting in front of the Minister for Employment?’ or is it that, in fact, that is precisely the effect you want to bring about? That you want to send a clear message to union members that *these* are the ones that I am prepared to deal with but not these?

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Hon. J J Bossano: Well, Mr Speaker I do not know who has put these strange ideas into the hon. Member’s mind or whether it is just that he makes them up as he goes along.

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I have told him that the people that come to see me are the ones who come to see me because they want my views or my advice on problems, not because they are coming to see me to negotiate with me on anything. I do not negotiate with any union on anything because industrial relations is part of the responsibility of the Chief Minister.

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In the previous administration, Mr Montiel had the title after his name that he was responsible for industrial relations but we all know that, in fact, everything was done in 6 Convent Place, and now everything is done in 6 Convent Place, and I do not have the title, I do not have the responsibility, I have got other things to do, but *any* trade union official that thinks that I can be of help to him on any problem he has got – from Mr Ochello down is welcome to give me a ring to get my assistance and my help but not to come and negotiate with me because I am not responsible for negotiating with any union. (**A Member:** Hear, hear.) (*Applause*)

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Hon. D A Feetham: Yes. So, therefore, he must accept, arising out of the answer that he has given me, that you do not necessarily just simply see a trade unionist in order to negotiate terms on behalf of their members but you can have a situation where trade unionists want to sit down with the hon. Member, so the hon. Member can explain to them what his plans are and, indeed, vice versa, if, for example, they may have a

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concern.

Or is the hon. Member suggesting that if a trade unionist in Gibraltar... in fact, we are talking about Unite here, because that is the aversion that the hon. Member has – it is to the leadership of Unite – but if the leadership of Unite, or the convenor of Unite for the GDC, has a particular problem that he may want to air, not necessarily an industrial dispute, is he seriously suggesting to this House that he should go to No. 6 Convent Place and see Mr Picardo?

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Hon. J J Bossano: We do not have a convenor of Unite for the GDC. I do not know where the hon. Member gets this strange idea from.

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I can tell him that the two people that came most recently to see me came to see me about getting my views on some problems that they had with other employers, nothing to do with me or the Government, and I said, look... I mean, sometimes, people come and ask me about agreements that have been done many years ago, or stuff like that. Now, that kind of relationship I am happy to have with anybody. But if somebody comes and says 'I want to put a claim for this', I say this is not the place where we will receive claims. It is as simple as that.

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Hon. D A Feetham: Well, in fact, the convenor for the GDC is Mr Albert Hewitt unless, of course, Unite in their correspondence to the hon. Gentleman – which I have copies, have copied to Mr Albert Hewitt, Convenor of the GDC, – unless they are themselves mistaken about what their convenor actually does, there must be a convenor for the GSD. *(Laughter and interjections)*

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Hon. J J Bossano: But, Mr Speaker, *(Interjections)* I mean it is not for me to pass judgement on the expertise within Unite but, at the same time as they were sending that letter, that there was a convenor for GDC, they were sending the letter that nobody was employed in the GDC any more, that the GDC had no employees and that everybody was a civil servant.

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A civil servant cannot be the convenor of an employer that does not employ him.

Hon. D A Feetham: Mr Speaker will the hon. Gentleman accept at least this from me today, that it is both desirable and, indeed, necessary for the Government and, in particular, its socialist Minister for Employment to have good relations with the leadership of Unite and can I urge upon him to perform a U-turn in his attitude to the leadership of Unite and ensure that, going forward, there are those good relations?

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Hon. J J Bossano: Mr Speaker, I can well understand that he should recommend to me that I should do U-turns, given the number of U-turns that he has done. But I do not believe in doing U-turns, so I am afraid I am not going to take his advice.

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Hon. D A Feetham: Just, finally, this question – if he once said, in fact, that he made Margaret Thatcher look as if she was in kindergarten, in response to a question from GBC?

Is he now taking a leaf out of Margaret Thatcher's book and using the words that she used to some Members of the Conservative Party in 1986 and saying:

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'You turn, if you want to. The lady'

– in this case, the hon. Gentleman –

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'is not for turning'

in his attitude to the leadership of Unite?

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Hon. J J Bossano: No, I am telling him that I do not do U-turns not because Margaret Thatcher did not do them but because I have never done them.

Therefore, the answer is that if the hon. Member thinks that I am going to take his advice and change my mind on something that I think I am right in the position that I am taking, which is that people who are in the union – in *any* union, including Unite – or in no union at all, can continue to come to see me, not in my capacity as Minister for Employment, which does not deal with unions – the Department is not the

2435 Department that deals with unions – but in the same capacity as they used to come to the GSLP offices before, when Mr Ochello used to come there for advice and Mr Sisarello used to come there for advice and the only problem they had was that they had to come in through the back door because they knew the *risk* that they were running if the message (*Interjections*) got back to Convent Place.

2440 **Mr Speaker:** Would this be a convenient moment for a short recess. We have been at it for three hours. This House will recess for ten minutes.

*The House recessed at 6.30 p.m.
and resumed its sitting at 6.45 p.m.*

Procedural

2445 **Deputy Chief Minister (Hon. Dr J J Garcia):** After the tea break, I have the honour to move that the House do now adjourn to Tuesday, 22nd May 2012 at 9.15 a.m.

Mr Speaker: I now propose the question, which is that this House do now adjourn to Tuesday, 22nd May 2012 at 9.15 a.m.

2450 I now put the question, which is that this House do now adjourn to Tuesday, 22nd May 2012 at 9.15 a.m. Those in favour; (**Members:** Aye.) those against. Passed.
This House will now adjourn until Tuesday, 22nd May 2012 at 9.15 a.m.

The House adjourned at 6.50 p.m.