



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.00 p.m. – 7.48 p.m.

Gibraltar, Thursday, 20th September 2012

The Gibraltar Parliament

The Parliament met at 3.00 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

CHIEF MINISTER

Hilton Hotel Progress of development

Clerk: Answers to Questions continue.
Question 701, the Hon. D J Bossino.

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Hon. D J Bossino: The Question was submitted, Mr Speaker, addressed to the Minister for Tourism etc, but I understand it is going to be answered by the Chief Minister. So I will just amend that slightly.

Can the Chief Minister advise what progress has been made, if any, in connection with the development of the Hilton Hotel?

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Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government continues in discussion with the investment group that has proposed a project that includes the potential establishment of a Hilton Hotel.

15

**Tobacco smuggling
Government proposals to stamp out**

Clerk: Question 811, the Hon. D A Feetham.

Hon. D A Feetham: Can the Chief Minister state whether the only steps the Government proposes to take to make good on its recent public commitment to stamp out tobacco smuggling are limited to measures set out in the communiqué making that commitment?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government is taking considerable steps to stop illicit tobacco smuggling. One of the principal measures taken has been the bolstering of the frontier fence, which has been allowed to fall into disrepair to the extent that people were able to access Gibraltar without having to pass through the established entry points.

Other measures discussed with tenants associations of the housing estates most affected, Laguna and Glacis, include CCTV, potentially controlling vehicular access to estates and other measures. All policing matters are, however, a matter exclusively for the RGP.

Customs is also drawing up plans to control illicit tobacco smuggling, but Government is not involved in planning any such operations, of course.

The Government feels very strongly that the anti-social behaviour in the residential estates must be curtailed, as it is self-evidently affecting the quality of life of people who live in those estates.

Hon. D A Feetham: Yes, I am very grateful to the Chief Minister for that answer and of course it recognises what was going to be part of my supplementaries, that when one analyses the question of tobacco smuggling, with that we are not just simply dealing with smuggling of tobacco, either through the frontier fence or alternatively at sea, which happened to be the subject matter of the communiqué of 29th August, but that there is also an element that part and parcel of tobacco smuggling are the preparatory steps that are actually taken, at considerable nuisance to people that live in those areas, for example, Laguna Estate and also Glacis.

Does he rule out as well – in relation to taking these measures, that perhaps confining the sale of tobacco to particular areas in Gibraltar or at the very least taking out of the legality of where they are sold – residential estates? Because as he quite rightly recognised in his address to the Laguna and Glacis Estates, some of these shops, which were general convenience shops within those estates to start off with are now becoming tobacco supermarkets and are selling mainly tobacco products. Of course, it is causing huge amounts of nuisance to people in the area because of what it attracts.

Hon. Chief Minister: Mr Speaker, I rule absolutely nothing out and I do not want to be committed to anything, but I am working with those who may require the Government to be involved in some aspect of the operations in which they plan, to ensure that the Government's demeanor to this is always seen to try and control what is happening in those estates. That may include, Mr Speaker – I am happy to share with the House – the designation of certain parts of the estates as special zones, under the Tobacco Act, something which I am pursuing directly.

There is only really one issue of dispute between what the hon. Gentleman has said and what I am going to reply, and it is this: that the hon. Gentleman said that those areas are *becoming* a problem. Mr Speaker, I hope that we can agree, because empirically it is so, that these areas *were* and *are* a problem. None of the tobacco licences which are operating in those estates were granted by this administration.

I am sure that when tobacco licences were granted for those estates, nobody envisaged that they would be used for those purposes, but on 9th December, the moment from which we are responsible, this problem already existed and we are trying to deal with it as best as possible and as quickly as possible, because it is a real problem that we have inherited for the people who live in those estates.

The anti-social behaviour aspects of this, in places like Laguna and Glacis, are becoming so overwhelming that they have to be dealt with, because, since before the Election and after, there are remarks about children being exposed to people who are in states of undress, etc, blocks being used for these purposes and this Government certainly is not going to tolerate that. That was the position before 8th December; it is the position after 9th December. We are the ones in administration, we are the ones who have to deal with it and that is why I am telling the hon. Gentleman, I am ruling nothing out and I am already looking, with those who are responsible under the Tobacco Act, to the possibility of declaring special zones in different areas.

Hon. D A Feetham: The hon. Gentleman has said there is nothing in the semantics of it. I accept that this was becoming and was problematical prior to 9th December. I accept that and, in fact, I think that in

exchanges between the then Chief Minister and the now Chief Minister, when he asked questions about this in Parliament at the time, I think the now Leader of the Opposition, then Chief Minister, actually said that the Government was considering the possibility of introducing exclusion zones in these particular areas, because it was becoming a problem. As time goes by, I genuinely do believe that it is becoming a greater problem.

Just so that I understand these exclusion clauses, is what the Government is looking at is actually excluding the sale of tobacco wholesale in these estates, or some other limited form of exclusion?

Hon. Chief Minister: Can I just ask the Member to clarify whether he means, by the word 'wholesale', wholly or wholesale? (**Hon. D A Feetham:** Wholly.) Right, okay. I do not think there any wholesalers of tobacco in those areas which are causing a problem.

Mr Speaker, the Tobacco Act provides for the declaration of special zones, which give law enforcement officials greater powers in respect of those zones. The hon. Gentleman will know that, in the past three months, I have declared areas in and around the Airport special zones, so that Customs officers and RGP officers can ask people to move on or can search people in those areas, if they suspect that offences contrary to the Tobacco Act are being committed.

These are the zones that I am considering also declaring in Laguna and Glacis, which are the only ones that, in law at the moment, I would have the power under the Tobacco Act to declare. That is why it would have to be the Government involved and not the RGP or Customs who would be planning these things. This is actually a power, I think, in the Chief Minister or the Minister with responsibility for Customs, which happens to be the Chief Minister now and was previously the Chief Minister as well.

Mr Speaker, it is not possible, in our analysis, to take away from people a licence that they already have, so it is therefore not possible, in our view, to prevent people who are already engaged in this trade, simply by operation of law, whether in the public interest or otherwise, from continuing to trade from one day to the other. A case would have to be made, for something as draconian as the withdrawal of a licence, simply because of the area where trade is occurring, absent an offence committed by the licence holder, or a breach of the licence committed by the licence holder.

But there are many different possibilities here. For example, Mr Speaker, it is possible to see these licence holders being enticed to go elsewhere – (a); or (b) it is possible to see a situation where it is more attractive, for people who wish to come to buy tobacco in Gibraltar legally, to buy somewhere else. All of those things have to be looked at in combination. The Government can rule nothing out, as I told the hon. Gentleman, but a licence gives certain people a right – it is an acquired right – and we would not want to see ourselves in a situation of pulling licences. We very much hope that, with the co-operation of licence holders, of tenants in the estates, of the law enforcement officials involved and the instruments that we have available to us already in the legislation, it may be possible to deal with this issue. If it is not, then we will have to look at other potential ways of dealing with this matter.

But I would like the position to be known clearly, that what is going on in the estates is just unacceptable to the Government. It was unacceptable to us as an Opposition; it is unacceptable to us as a Government. This is not an issue where one can act overnight; one has to act properly. We have started already in dealing with the issues at the frontier and we are already dealing with the issues in the estates.

The issue of CCTV that I also talked about in the estates and the control of vehicular access to the estates, etc: all of that can contribute to controlling this activity and it is fundamentally important that we get it right when we do it, so that the activity is controlled and those who wish to buy tobacco legally in Gibraltar are able to do so in other places.

Procedural Question 812 withdrawn

Clerk: Question 812, the Hon. D A Feetham.

Mr Speaker: I think that was dealt with yesterday.

Hon. D A Feetham: Yes, this was dealt with, either this morning or yesterday.

Mr Speaker: Yesterday.

Chief Minister (Hon. F R Picardo): Is it withdrawn or...? I am happy to give an answer –

Mr Speaker: Well, I think the matter was –

Hon. D A Feetham: It was answered by the Deputy Chief Minister.

145 **Hon. Chief Minister:** But for Hansard, do you want to ask it and I'll stand up or do you want to...

Clerk: Yes. Yes.

150 **Hon. D A Feetham:** No, no, it was withdrawn – it was answered yesterday anyway.

Mr Speaker: We will treat it as withdrawn, I think.

155
Glacis and Laguna Estates
Construction of additional floors in blocks

Clerk: Question 813, the Hon. D A Feetham.

160 **Hon. D A Feetham:** Can the Chief Minister state what consultation of local residents took place before the Government announced it was constructing an additional floor on some of the blocks at Glacis and Laguna Estates?

165 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer this Question together with Questions 814 and 815 of 2012.

170
Moorish Castle, Glacis and Laguna Estates
Cost of proposed cladding works

175 **Clerk:** Question 814.

Hon. D A Feetham: Can the Chief Minister state what is the estimated cost of the proposed cladding works at Moorish Castle, Glacis and Laguna Estates, now that the Government has confirmed to residents it will not be going ahead with the construction of extra floors?

180 **Clerk:** Question 815.

Hon. D A Feetham: Question 815 was in fact answered by the Deputy Chief Minister, so it is withdrawn.

185 **Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I can confirm that the proposal to construct these additional floors was put to the Development and Planning Commission as the start of the public consultation process. I also held meetings with the Tenants' Association of each of these estates and subsequently held public meetings with tenants of these estates.

The final design of the proposed cladding works at Laguna, Glacis and Moorish Castle Estates has not yet been finalised. Different types of cladding are being considered in consultation with the Tenants' Association and technical advisers.

195 Mr Speaker, I would have said, both in relation to Question 813 and Question 815, but I now say in relation to Question 813, that as the hon. Members will now know, the Development and Planning Commission is now an open forum so that all members of the community can provide feedback on the projects which are put before it. The Government will balance all the competing interests in deciding how to proceed in respect of any housing project.

200 **Hon. D A Feetham:** Can he tell us at least this – just focusing on Question 814 for the moment as to the cost – does he know what the cost was of actually building, or the proposed cost of the proposed building of extra floors on these estates?

205 **Hon. Chief Minister:** Mr Speaker, I think I know to the penny what it was that it was estimated that they would cost, but I do not have that detail with me. If he wants me to write to him and tell him what it would have been, if he sends me a note, I will ensure it is replied to with that detail.

Hon. D A Feetham: Yes, please. Thank you very much.

210 In relation to Question 813, does he know what the cost of preparing these proposals were in the first place, the producing of the plans and everything associated with the actual construction of the extra floors?

215 **Hon. Chief Minister:** Mr Speaker, it will be very closely intertwined to the planning for adding a lift and for adding certain types of cladding etc. So I do not know whether it is possible to divide the cost of what is going to go ahead from what is not going to go ahead; but, of course, he will know that it is not unusual to change plans. Changing plans in this particular respect is not, in my view, going to cost too much because he will know from the time that his party was in Government that when you *add* a lift, you tend to add, in effect, a floor and a pitched roof. So what is going to happen is that the internal layout of that extra floor is not going to be turned into flats.

220 **Hon. D A Feetham:** Because he had a cost or... if he doesn't, I am not going to press him, but does he have a cost of the actual plans for this particular project – how much it actually cost the Government to produce these plans to get it to the position of when it was announced to the public?

225 **Hon. Chief Minister:** I am sure, Mr Speaker, that there must be a cost or a cost can be given, but I do not have it with me. But the cost of what is going to go ahead is very likely to be very close to the cost of planning what is not going to go ahead because *externally* it is going to look exactly the same.

Hon. D A Feetham: I doubt that is going to be the case, but... (*Interjection*)

230 Mr Speaker, did you, for example, or did the Government, for example, conduct any kind of survey or any kind of analysis of the *impact* of constructing these floors on parking, for example, for residents before they announced the project?

235 **Hon. Chief Minister:** Parking, for example, but many other things too. All of this was considered in the planning stage and that is why it was an issue that had to be taken to the DPC for guidance and consultation, as we do with all of the Government projects.

240 But the hon. Gentleman will be a Doubting Thomas on everything that I tell him. He can rest assured (*Interjection*) that the cost of the plans, or perhaps that element of the planning which may now require a change, will be much less than the cost of the changes to the airport from £24 million when it was originally announced to £80 million when it was delivered. Or the costs thrown away in respect of the planning for the new Theatre Royal at the Old Theatre Royal site.

245 What is clear to us, Mr Speaker, is that this was a project that it was important to talk to the people in the estates about, and that is why I went out to the estates, that is why I saw the Tenants' Associations and that is why it went to the DPC. The hon. Gentleman may think that that is not sufficient consultation. I dare say it is more consultation than has ever gone on before.

Hon. D A Feetham: He is anticipating the points that I am going to make. I have not even got to those points and I had moved on from the point about the cost of the plan.

250 No, what I am asking the hon. Gentleman – and indeed, one can extend it to other areas – is did he or did he not conduct, or he did his Government, did the Government, or did it not, conduct any kind of survey on the *impact* of building these additional floors of parking, for example, on the potential need to relocate individuals living in the top floors of these estates, and on the potential for nuisance for those living in these estates, before it announced the project? Did it undertake that kind of survey?

255 **Hon. Chief Minister:** Mr Speaker, it depends what one means by 'survey'. Is this something to which attention was turned? Of course it was. I told him, in my first words when I got up to reply to him, 'parking, for example'. Of course these things were considered, and it was considered, how could people on top floors be moved away? How could *extra* parking be added? Would it be sufficient parking? Could the area, for example, at the entrance below Tankerville be used for additional parking for Moorish Castle Estate and would that be sufficient? Could the multi-story car park in the area of Devil's Tower Road take more parking from Laguna Estate if there were to be more flats in Laguna Estate?

260 Of course these things were considered. The officials who are working for the Government today are the same officials who were working for the Government before and they considered these things and presented the Government with their views in respect of them.

Did we carry out a survey in terms of *questioning* the people living in the estates about it? No, Mr Speaker. That is what the consultation process was about – the consultation process which went about later. I think it is perfectly normal to do things in that way which we consider to be appropriate.

Hon. D A Feetham: But doesn't the Chief Minister think that in relation to a project of this kind where one is not dealing with the building of something on a flat piece of ground where there are residents around, and you are always going to have those kinds of issues in Gibraltar... You are always going to have issues in terms of, for example, *balancing* housing needs of people with the quality of life and rights to light, rights to view – although there is no right to view – but those kinds of issues in the context of a small community like Gibraltar are always going to arise.

But is it not the case that this is different, because here you were proposing to, effectively, add another floor onto an existing estate, impacting very, very directly on the people living in that estate? Does it not really show a lack of thought and planning on the part of the Government of, effectively, making that announcement without actually bothering really to do in-depth studies and at the same time *consult* the residents as to whether this was a good idea beforehand or it was not a good idea, and whether it was supported by residents or it was not supported, given that they were going to be impacted very, very directly by this particular project?

Hon. Chief Minister: Mr Speaker, we just cannot get it right, can we? If we do a traffic survey, but we do not say what we think the results of that survey should be when we put it out to the public, we are told that we do not know what we are going on about and that we just want the public to write it for us and that that is not leadership. If we say, 'Look, these are the plans that we think work', when we go out to consultation for the public, we are told, 'Oh, you determined all of this before you started the consultation.'

Mr Speaker, I know that the hon. Members are here to do the political job that the Westminster system requires them to do, which is to hit us so that they can try and come over here – that is the adversarial system – but they have got to make up their minds. Either the leadership of Mr Bossino prevails, which is the one that says when you go out to a consultation process, you need to know where you are going, because you are there to lead Government; or the leadership of Mr Feetham prevails, which is you must consult on *everything* before you go out to present your plans for consultation. In other words, I have to knock on every door in Laguna Estate, Moorish Castle Estate and Glacis Estate and carry out a survey *before* I am able to take plans to the DPC for guidance and consultation with the general neighbourhood Tenants' Association and go out to a meeting with them.

We have done it the way that we have done it. We think it is the most appropriate way to do it. But let me ask him this: although it was not adding an extra floor, but it was *much more* inconvenient than that, what public survey – I say rhetorically, as I know he is not here to answer questions – did the previous administration do in Rosia Dale, in Cumberland, in Vineyards, before they built the cell block that is Cumberland Terrace's today, creating, in effect, a tunnel where Cumberland Road is? When they built Nelson's View *destroying* the water tanks that had victualled *Victory* and many other ships, what public survey was carried out there? (**A Member:** Hear, hear.)

What happened there was that they had created, Mr Speaker, such a housing problem in Gibraltar that at the last minute, in the final term and a half, they had to do everything possible to create housing – and one is tempted to say 'bugger', but one can't – but 'there goes public opinion' and 'there goes the survey', and 'let us just build as high as we can, as square as we can and as ugly as we can', and 'who cares about parking', because it is all very well to have one allocated parking per flat? Who cares about parking when most people have two cars per flat? So who cares about the density in those areas? Who cares about the right to the view, that we all recognise does not exist? Who cares, even, about the rights to light that *do* exist and have stopped some of those projects?

Mr Speaker, they have got their model of survey and consultation, which we think does not work. We have got our model of consultation, which we think not only works, but has been *seen* to work in this process and in particular in respect of these estates. We are judged by the electorate every four years, each team, on whether ours works or it does not. Theirs obviously appears not to have worked at the last Election, and ours, I understand, is by 237 votes that the hon. Gentleman calculates prevailed.

Hon. D A Feetham: Mr Speaker, the hon. Gentleman really has a habit of not answering the question. The reality is that they announced, under a great, great fanfare, the construction of these extra floors, going to the extent of saying, 'These are the forgotten estates', and it is them that actually forget to consult the people *there* who are most directly affected! Really, it must be the most unfortunate choice of words, this *phrase* that must have been coined by the Chief Minister himself, 'the forgotten estate', when they themselves actually forgot to conduct the most rudimentary consultation –

A Member: There is no question there.

Mr Speaker: I am hoping there is one at the end.

Hon. D A Feetham: – the most rudimentary consultation with residents of the area.

330 Does the hon. Member know this, for example, does he know how many extra parking spaces would have been *needed* in order to cater for all those extra flats that were going to be constructed on the top floors of those estates?

335 **Hon. Chief Minister:** Mr Speaker, these ‘forgotten estates’ are rightly described in that way because they were forgotten for the time that the hon. Members were in Government. That is why it is absolutely *appropriate* to call them ‘the forgotten estates’. That is why the fanfare is there, for the refurbishment plans that are at last going to be enacted by this administration for the people in those forgotten estates – estates, Mr Speaker, forgotten – I dare say, in reminding the hon. Gentleman of his immediately previous question – forgotten even in respect of the very serious anti-social behaviour that was occurring there in respect of the tobacco matters that we have just debated.

340 I assume that he also coined the phrase ‘the forgotten estates they forgot to consult’, because it is all about that, isn’t it, Mr Speaker? It is all about catch phrases – even adopting ones that others have already coined before, like ‘U-turn this’ and ‘U-turn that’. Politics is not about catchphrases, Mr Speaker; it is about the opportunity to make people lives better (**A Member:** Hear, hear.) and that is what this Government is going to do in those forgotten estates, make their lives better. (*Applause*)

345 I would tell him, Mr Speaker, in respect of the number of parking spaces, it would have been estimated at least that we should be able to have one extra parking space per flat and provision was being made on that basis. The whole issue was this: can you by adding one parking space per flat create such a scheme that will satisfy the parking needs of the area? And in some areas you could not (**A Member:** *Exactly.*) because in Glacis, there is already not one parking space per flat. In Laguna, there is not one parking space per flat. So if you plan to add something and you plan to add one parking space per flat, you are still, nonetheless, compounding the problem that was there. This was the issue to go out to consultation on and these are the things that we talked about with the Tenants’ Associations and with the people who live in the estates. That is the feedback we have got and this is not just, Mr Speaker, an issue about parking spaces; it is about many other issues.

355 The one thing, Mr Speaker, that I hope he is not trying to get away from is that these estates were forgotten by the previous administration. They were totally abandoned. Mr Speaker, some people say to us that they felt at least abandoned, because they were traditionally seen as not providing the hot bed of support for the hon. Member’s party. Well, Mr Speaker, I will give them the benefit of the doubt and I will believe that is not why they forgot them. They just forgot them, Mr Speaker. We will ensure that they are never forgotten again. (*Applause*)

Hon. D A Feetham: What a load of waffle, I have to say!

365 Mr Speaker, does he not recognise that the previous administration did a great deal for some of these estates. In Laguna Estate alone, there was considerable beautification of the estate. The sheds were built across the estate, although I am told that, in fact, in relation to the sheds, the hon. Gentleman’s Government has actually put a stop to that work. In Glacis Estate: pitched roofs were put into Glacis Estate, the lifts were also renewed in Glacis Estate.

370 The problem with the hon. Gentleman is that he may make a better point by overextending the point that he makes. This is the problem with these catchphrases. (*Interjection*) *He* is the one that makes the... *He* is the one that overextends himself. *He* is the one that makes the mistake by calling them forgotten estates.

375 He may have a valid criticism in saying, ‘Well, perhaps you should have done this and you didn’t do it’ – look, maybe. No Government actually does everything and no Government is beyond criticism and I, as the person here who is asking the question, if he has a valid criticism, I will accept it; but not that they were the forgotten estates.

380 On the basis, the hon. Gentleman says that they will not be forgotten, why was this commitment – which happens to be a flagship commitment during the first year of his Government – why was it not in their manifesto? It was certainly in ours, the question of the cladding, for example. Is this something that has occurred to the hon. Gentleman during the course of the first few months of his Government?

Hon. Chief Minister: Mr Speaker, I refer the hon. Gentleman to page 47 of the GSLP Liberal Manifesto which reads as follows:

385 ‘We will complete the programme of refurbishment, beautification and lift installation on existing Government estates where this has not already been finalised.’

If he reads further down Mr Speaker, on page 47, in the paragraph headed 'Refurbishment and Beautification':

'This will include re-cladding buildings in Glacis, Laguna and Moorish Castle Estates, as well as adding lifts if possible.'

Mr Speaker there is a splendid shot of what the re-cladding is likely to look like which takes up a lot of our manifesto, so I think, Mr Speaker, that he has forgotten what was in our manifesto, if he prefaces, or if he ends his presentation with that question.

Mr Speaker, it is clear that this question of the forgotten estates has done damage. It hurts, I can see, because whenever they come back at me and say that I am waffling, this is, as we analysed you in the course of the debate on the Appropriation Bill, that sort of attack is the best form of defence in the sort of leadership that Mr Feetham is likely to represent for the GSD.

Well look, Mr Speaker, if it hurts, I am going to say it over and over again: Laguna, Glacis and Moorish Castle Estates, the forgotten estates, the estates that were abandoned; Landport House unpainted for something like 40 or 50 years, Mr Speaker – (*Interjection by Hon. D A Feetham*) the only one that remains unpainted.

Look, Mr Speaker, if the hon. Gentlemen and Lady want to say to us that they did not forget Glacis and Laguna, that they built them sheds – well, Mr Speaker I think people want a lot more than sheds in life. A shed may be important, but people want a lot more than sheds in life. I do not recognise this idea that any shed programme has been stopped. What I will tell the hon. Gentleman, Mr Speaker, is that what is going to happen in those estates is designed for a purpose. It is designed to make the lives of the people who live in those forgotten estates better. It is designed to show those people that they are not forgotten as they were before the 8th December. The forgotten estates are forgotten no more and if the hon. Gentleman forgets to read our manifesto again, I forgive him. I know it is such a brilliant document, it hurts his eyes to read it.

Hon. D A Feetham: I have to say that there are so many promises in that manifesto, to so many people, so individually targeted that I am afraid that even I sometimes forget the promises that the hon. Gentleman opposite –

Hon. Chief Minister: Apology accepted.

Hon. D A Feetham: – had made.

But look is it not the case that it is not only about you forgetting to consult the very same people that you say are forgotten but that the Government did not in fact do its homework, because in answer to my questions, he has already said, 'Look, we were looking at it and it was a question of one parking space per flat that we were building and it just simply did not work out.' Well, that exercise did not require any consultation with anybody. That exercise was capable of having been done and that conclusion was capable of having been reached before the announcement was made. Is it not the case that the reality is that this was a half-baked, half-cooked idea that the hon. Gentleman or I don't know who in his Government came up with, which was ill conceived from the very beginning?

Hon. Chief Minister: Mr Speaker, 'do its homework', 'half-baked': once again, the politics of phraseology, ignoring how to deal with the substance of issues.

Mr Speaker, this was not half-baked. This was not a question of homework not being done. This was an exercise which the Government did and then took to the people who would be involved in it. I took it, Mr Speaker, to the Tenants' Associations and then to the tenants themselves. I am not running away from something, if I take it to that level of consultation. I am not running away from something, if I go to the heart of the area which is going to be affected and spend time with the people there, talking about this issue of how they feel about the parking, etc because ours, Mr Speaker, is not the policy of phraseology, it is not the politics of sound-bites; it is the politics of substance.

Mr Speaker, where is the difference? Very simple: we have an ambitious pledge in our manifesto. Our manifesto, of course it is ambitious and we are convinced that we can complete it in this term of office. Why? Because we are ambitious for Gibraltar. That ambitious promise is that everybody who was on the housing waiting list on 8th December will have a home before the next General Election.

Well, Mr Speaker, let us be clear: is that not what we should all be trying to achieve? Is that not what the aim should always have been? How is it, Mr Speaker, that we go from a housing waiting list of 200 people in 1996 to a housing waiting list – a *soul destroying* housing waiting list – of 1,500. Well, look, Mr Speaker, it must mean that their policies for 16 years were half baked, that their policies for 16 years were infected with an absence of homework. It must mean, Mr Speaker, that for 16 years they forgot not just Glacis, Laguna and Moorish Castle Estates, but the mounting number of people with real social and

personal problems who were putting their names on the housing waiting list and never likely to see the light of day.

Our policies, Mr Speaker, are not about being half-baked, although I will remind him that a soufflé is half-baked and it is one of the most expensive dishes on any menu. It is about ensuring that we house everybody who needs a home. That is why the Hon. the Deputy Chief Minister has said this morning and I repeat this afternoon, we have to marry the competing interests of those who need homes and those who will need to suffer some disruption whilst homes are built around them.

Mr Speaker, in this instance, we think we did a fine job to take this particular issue to the people who it would have affected the most. I think that is exactly the sort of way to run Government. It is a pity he does not share my view. He might have found himself on this side of the House again, if he did.

Hon. D A Feetham: Whether I or anybody on this side of the House will find ourselves on that side of the House is not up to him and it is not up to me. It is up to the people of Gibraltar in a democratic election.

But look, he keeps on harking back. Yesterday he made a point about the Hon. the Leader of the Opposition not giving credit where credit is due for things that were achieved during the GSLP Government. Today he is actually doing exactly the same thing in relation to housing and in relation to the achievements on housing of the GSD Government. Or does he not recognise – and I am asking him a question – the fact that it was this party that constructed the first Government rental housing estate in Mid Harbours that has nothing to envy at all any private estate, anywhere in Gibraltar, the first Government housing rental estate since Varyl Begg in the 1970s – not the AACR Government, not the GSLP Government – *since the early 1970s*. I think it was an IWPB Government. Does he not recognise that the GSD Government built hundreds of homes for the elderly at Bishop Canilla and other areas?

Does he not *also* recognise that, whatever the controversy may have been initially in terms of the location of Nelson's View, of Bay View and other estates on co-ownership that the Government built, Waterport Terraces, that these have provided homes for many ordinary working class Gibraltarians? Does he not recognise that? Is he not prepared to concede that it is never a question in politics of simply saying, 'No, you did absolutely nothing'? It is a question of actually recognising what your opponents have done, criticising what is wrong, recognising what they have done and not just simply stand up and make these wide-netted criticisms which really does your side of the House and the entire Parliament no credit at all.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Where has he been for the last 15 years? *(laughter)*

Hon. Chief Minister: Well, Mr Speaker, *(Interjections)* look, let me take each one of those points in turn.

Of course, the next election will be a democratic election where people will decide between this party and our coalition together as GSLP Liberals, and whoever is then in Opposition. I do not know whether the fault-lines in the party opposite will mean that it survives and fights the next election or not, but so be it. *(Interjection by Hon. D A Feetham)* It will be a democratic election and I will tell you why, Mr Speaker: because the Government will not be spending £150,000 on a rag to promote its policies. There will be a level playing field and it will be a democratic election – point one.

Do I recognise that they built the Mid Harbour Estate? Well, Mr Speaker, in all the time that he and I have known each other, we have debated with each other across the floor of the House or elsewhere, I have never suggested to him that he is stupid. I would be grateful if he did not suggest that about me. Of course, I recognise that, because it was built in the time that they were in Government and the Hon. the then Chief Minister used to go down to the building site in his work boots as Clerk of Works, they built the Mid Harbour Estate. Of course I do. Of course I know that the Waterport Terraces and Bishop Canilla were built on their watch.

And yet Mr Speaker, does he not recognise that there are still 1,500 people on the housing waiting list, because if he looks back to what I said – and I really think that I need to persuade the Hon. the Deputy Chief Minister to provide us not just with the excellent service that the House is now providing in *Hansard* which we get so quickly compared to what we used to get before, but we need to have voice recognition and immediate *Hansard*, so that the hon. Members can go back quickly and see what it is that we have said and not debate the ghost of the shadows of what they would rather we had said.

I did not say they had done nothing. I said that there were 1,500 people on the waiting list, that the list had got longer, rather than shorter. That is exactly what I said. And for that, Mr Speaker, by attacking me as he has, he has recognised that that is actually the case.

Or is it that he believes that we have manufactured the extent of the housing waiting list? I will tell him, he can go back and look at the answers of the then Minister for Housing, the Hon. Fabian Vinet, much missed in this House as he is, used to give the data. It is easy to plot from where one was in 1996, after the Election, to where Gibraltar ended up after they had been 16 years in Government.

Mr Speaker, the hon. Gentleman talks about making announcements in great pomp and circumstance and fanfare, and then having to withdraw. Well, I can think of a number, in the 16 years that they were in Government, not least the many uses to which Lathbury Barracks was going to be used and the many times that great projects were announced for there.

But I will remind him only of this, Mr Speaker (*Interjection*): before the 2007 General Election, a great project was announced, with great fanfare, of 700 homes at what became the Mid Harbour Estate in the area of *Rooke*. Mr Speaker, as he knows, we have raised no complaint in respect of the Mid Harbour Estate, other than whilst in Opposition, the Hon. Mr Bruzon attended on a number of occasions issues to do with cleaning, etc, which I am sure were concerns shared across the floor of the House.

But what I will tell him is, Mr Speaker, in case he does not know, was that that estate was only for 400 flats. So where was the homework, Mr Speaker? How could they announce an estate of 700 apartments, and yet, shortly thereafter, send out, in time for the Election, 400 letters allocating flats? How could they announce 700 flats, Mr Speaker, and yet build only 400 on the same footprint?

Well, Mr Speaker, ours is not the politics of phraseology, but if anything is half-baked, Mr Speaker, it must be the announcement that there were going to be 700 flats in the area of *Rooke*.

Look, the 400 people who got homes are very happy, Mr Speaker. Of the 1,500 who are on the housing waiting list, perhaps 300 also thought that their time had come and it did not.

I am also reminded Mr Speaker, and I should tell the House, that before the announcement of the building of the extra floors above Laguna, Glacis and Moorish Castle Estates, the Hon. the Minister for Housing had met with the Tenants' Association, just before this was announced, and said to them that he wanted them to go back and take the views of the tenants and that this announcement was going to be made so that we could have the input of the community generally.

Mr Speaker, in those circumstances, I think all of the comments that the hon. Gentleman makes can be seen to be an appeal to the grandeur and the importance of this House, only in an attempt to avoid the obvious criticism that must be levelled at them for having allowed in *16 years*, Mr Speaker... They did not have *one* term in office – for all we know, we may only have one term in office. They were privileged, Mr Speaker. They were privileged to have *four*, Mr Speaker, and in those four to allow the housing waiting list to go from 200 to 1,500, they know in their heart of hearts that that is one of the most monumental failures for which they are responsible, and I can understand why it is that they do not like to be reminded of it.

Mr Speaker: I have allowed considerable latitude away from the original Question on Glacis and Laguna and Moorish Castle Estates. We are now talking about general housing policy. There are Questions for the Minister for Housing later on in the Order Paper. I suggest we leave it at that.

Tripartite Agreement Instituto Cervantes

Clerk: Question 816, the Hon. D A Feetham.

Hon. D A Feetham: Does the Chief Minister still think that the best thing to come out of the Tripartite Agreement is the Instituto Cervantes?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the hon. Gentleman will know what our position in respect of the Instituto Cervantes has been and is, namely that it should not be housed in a public building or given any advantage in respect of a Government tenancy.

I was very happy that this red line of ours was adhered to when the Gaggero family generously provided a part of one of their buildings for this purpose. Since then, I understand that the Instituto has been very successful in offering its courses.

Hon. D A Feetham: Yes, I do not want to get him into trouble with his erstwhile leader who is in close proximity to his left, but with respect, he has not answered my question. (*Interjection*) With respect, he has not answered my question.

Does he or does he not still think – as he indeed said in Madrid, earlier on this year – that the Instituto Cervantes was the best thing to come out of the Tripartite Forum?

Hon. Chief Minister: Mr Speaker, I do not recognise that quote.

Hon. D A Feetham: Well, Mr Speaker, I know that the hon. Gentleman has a version of events of what happens in his meetings with representatives from Spain, and then the Spanish press and those on the Spanish side that come out of that meeting have a quite different version altogether. We saw an example of Mr Masa coming out of the meeting with the hon. Gentleman saying that he had been promised that he could commence fishing on 16th August, and then we had a different version altogether emanating from the Chief Minister. But it was widely reported – Europa Press, amongst other places, indeed in the national press – that he had made these statements.

Is he saying that he cannot remember or is he saying that he did not make them?

Hon. Chief Minister: Mr Speaker, I know that he prefers to believe everything that anybody who is in dispute with the Government says, rather than what the Government may say (*Interjection*) – he would much rather believe a Spanish newspaper than the Chief Minister of Gibraltar.

If he wants to talk about what happened in respect of the statements made by Mr Masa, etc, he just needs to go back and look at what actually was said on the day, and look at the detail of it, rather than just try and take the flavour of it and assume that that is what is correct.

Europa Press is a news agency, he will know, Mr Speaker. If Europa Press gets something wrong, then all the reports that he sees in the newspapers thereafter will also be wrong because Europa Press is the source of the story.

I do not recognise that quote, Mr Speaker. If that is what was put in the story it must have been a misquote. I will tell him with sincerity, Mr Speaker, that he should be wary of the Spanish press, because very often it unconsciously misquotes things that are said, in my view. It may be that it sometimes *consciously* misquotes, but it sometimes, I believe, unconsciously misquotes things.

I have seen an interview that I gave in Seville last week, today, in a newspaper called *El Economista*, that includes several misquotes. They are not issues in respect of which one would necessarily want to take issue with the journalist. In fact, Mr Speaker, there is very little point, sometimes, taking issue with journalists on minor quotes, because all that is going to happen is that a corrigendum will appear in a printed version of a newspaper somewhere, and may not even be seen.

But in this respect, Mr Speaker, I can tell him honestly that I do not recognise that quote. He can decide whether he believes Europa Press or me, but that is not the sort of thing that would slip off my tongue.

Hon. D A Feetham: No, he says it and I accept it.

But let me ask the question: does he think that the Instituto Cervantes is a good thing or a bad thing?

Hon. Chief Minister: Mr Speaker, I am grateful for the hon. Gentleman accepting what I have said.

The Instituto Cervantes is in Gibraltar under agreements done by the administration that he represents. As far as we are concerned, the point we have consistently taken and we have been very clear about this is that the Instituto Cervantes – or A N Other entity, in particular a Spanish entity, given the political issues – should not be given, before others who have been waiting, some of them for years – associations, clubs, institutions – a public building from which to ply its trade. That was the position, under the Córdoba Agreement. We were very clear about what our red lines were, in respect of that agreement, and behold, the building that was used was not a public building.

Mr Speaker, there are many institutes in Gibraltar, many organisations. The Government does not express views about them. As far as we are concerned, this is an entity which is trading legally in Gibraltar and not in a public building, and if it were in a public building, we would have something to say about it.

I will tell him that I believe – and perhaps he has the same feedback – that it is trading successfully amongst those who do not have Spanish as a second language and avail themselves of the services provided there for that purpose. I do not think it should be a matter for me to provide an opinion in respect of any emanation of the Spanish state, other than those who take us on and require to be told what we think about them and in particular the Instituto that is here.

Religious minorities Discrimination within job applicants

Clerk: Question 817, the Hon. D A Feetham.

Hon. D A Feetham: Can the Chief Minister state what steps the Government is taking to ensure citizens from religious minorities who cannot work either at certain times of the week or year are not discriminated against when applying for jobs in any part of the public sector?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, this administration has asked the Chief Secretary to set out clear guidelines for all public bodies to address this important and sensitive issue.

Hon. D A Feetham: Well, I congratulate the Chief Minister. I think that is the right step. Certainly, when I was a Government Minister, I... and I cannot remember any other colleague of mine ever discussing this as having been an issue, but it certainly on two occasions now has come to my attention. It probably has come to the attention of the Chief Minister.

Has he had any input at all in those guidelines or is he just simply allowing the Chief Secretary to deal with this? Or has he set any kind of parameters for the Chief Secretary to come up with guidelines?

Hon. Chief Minister: Mr Speaker, I believe that the two occasions that have been brought to his attention have been brought to *my* attention. That has happened, I am very sorry to say, in the past 21 or 14 days. The Government has acted immediately, and the remit to the Chief Secretary from the Government is to say that this has never been an issue before, and it should never be an issue again.

Because when people have minority issues, they need to be accommodated as best as possible, because that is what our Constitution provides and that is what everyone in this House stands for.

Gibtelecom and AquaGib Pension issues

Clerk: Question 818, the Hon. D A Feetham.

Hon. D A Feetham: Has the Government engaged with the Unions or the employees of Gibtelecom and AquaGib to address pension issues which the GSLP said during the election had been raised by those employees with them?

Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, yes.

Hon. D A Feetham: Can he say whether that engagement is at an advanced stage, whether the Chief Minister is also confident of reaching agreement in relation to these issues?

Hon. Chief Minister: Mr Speaker, when you are dealing with issues like this, there are two concerns. There are issues of principle, and then there are financial issues.

What I have asked the Financial Secretary to do, with the individuals concerned and the companies concerned, is to first of all ascertain what are the financial implications of this, and then to meet with me to consider further the issues of principle.

I have met, I believe, on two occasions with the representative of the staff and the unions with the Financial Secretary. Calculations are ongoing. I believe that staff members have had, through their unions, legal assistance also, working on these issues to try and understand the financial implications and at the same time, we are going to consider the principle of what they have raised, to see whether it is possible to reach an accommodation, either in one particular way or another.

But those two issues need to be considered separately: principle and finances.

Hon. D A Feetham: I do not want to in any way jeopardise any negotiations that are taking place or talks that are taking place between his Government and the unions. Is there a reason why he should not provide, if I ask him now, what are the type of issues and principles that are engaged in relation to this, why he should not provide it across the floor of this House? Would he prefer that I write to him, so that he could write back to me in relation to that?

I am just concerned about the issues of principle.

Hon. Chief Minister: Mr Speaker, frankly, I do not think this is something to write about, but I am quite happy to have a conversation, if he can bear it, about the issue, if he likes, behind the Speaker's Chair.

Hon. D A Feetham: So he is not prepared to tell me what kind of issues of principle – (*Interjection*) No, no, I mean across the floor of the House. If there is a problem –

Hon. Chief Minister: Sorry, sorry, Mr Speaker, I misunderstood. I thought the hon. Gentleman had said that he assumed that I would not do that here, because we are negotiating about them, and would I write to him about it. What I have said is, this is a complex issue. It is much easier to have a conversation about it than it is to write down what the issues are – not because I am afraid to see it written down, but because I think where we are in the negotiations, it is worth talking about.

But I assume he was approached, and his party was approached before the election as well, and he will understand what the issues of principle are. They are not complex, but there may be some disagreement between the unions or at least, between the members of staff that the union represents and the Government, and perhaps even between the union and the Government and the members of staff. But those, I think, are not insurmountable. With good faith, we can try and get over them in some way.

The finances are another issue that we need to look at as well, to see whether it is possible to accommodate in some way.

I am confident that going forward it is going to be possible to square the circle – but as the hon. Gentleman knows, I am an optimist.

Hon. D A Feetham: Yes, sometimes he is too much of an optimist, but there is nothing wrong with that.

There is a duty... there is a duty... We are here to ask questions, you are here to answer them and answers are given for the benefit of *Hansard*. Forgive me if I did not make myself clear, but is there a reason why you ought not to tell me what those issues of principle are across this House? If he says, 'Yes, I can't because there are negotiations, it might prejudice negotiations', or for whatever reason, I will accept that, he can tell me in the lobby of the House; but if there are not those kind of issues, will he tell us so that everybody else understands them, what those issues of principle are?

Hon. Chief Minister: Mr Speaker, I am ever so grateful that he is going to allow me to be an optimist. It is very kind of him.

Look, Mr Speaker, it is the reason that he prefaced his question twice, that we are in the middle of negotiations and I do not think it is sensible, for any of the parties, that this matter be ventilated across the floor of the House, otherwise I may as well conduct my negotiations with the union with them sitting where the mace is. That was never the case when the hon. Gentlemen were here on this side of the House. We believe ourselves to be open and transparent, but that does not mean that we can have a webcam in my office and people can just see everything that is going on, because that would not give business efficacy to the business of Government.

I am happy to give him the information, if he can bear a conversation with me behind the Speaker's Chair.

Hon. D A Feetham: I accept that and I am not asking him for the nitty-gritty of all the details; neither was I asking him to bare openly within this House what those details are. It is the *points of principle* that concern me that may in fact have an impact across other sectors. I do not know whether they do or they do not, but that is what concerns me – the points of principle, not the detail.

Hon. Chief Minister: Mr Speaker, that is why they are points of principle, because they could have consequences across other sectors.

Hon. D A Feetham: Not necessarily.

Hon. Chief Minister: 'They *could* have' means that they do not necessarily have to. That is what 'could' means.

ENTERPRISE, TRAINING AND EMPLOYMENT

Ms Joanna Hernandez
Details of post with Employment Service

Clerk: Question 725, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Employment and Social Security provide the following information in respect of Ms Joanna Hernandez: (a) in which month of this year she started work with the Employment Service; (b) the job title; (c) salary grade; (d) whether the position she is now

holding is a temporary or permanent one; (e) whether the position was advertised either through the GDC or externally so that anyone in Gibraltar could have applied for the vacancy; and (f) provide a copy of the job description.

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

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, the Government employee to whom the Question refers was unfairly dismissed by the Members opposite when they were in Government. (A Member: Hear, hear.) The Tribunal included in its findings the recommendation that she should be re-engaged within the Government service on the same grade and salary scale that she enjoyed as manager of the Dr Giraldi Home.

This recommendation was implemented in July of this year. The title is that of manager. The employment is with an indefinite contract and she is seconded to the Employment Service as manager of the Supported Employment Company Limited. The role in that company is to co-ordinate the provision of supported employment and to advise those who are seeking such employment.

Hon. J J Netto: Was this particular position a vacancy that was there available before the employment of Ms Joanna Hernandez within the Employment Service or was it a new extra employment opportunity within the Department?

Hon. J J Bossano: The managers of the companies are not paid as managers of the company; they are all required to do that additional work, in addition to their employment in the public service which they get paid for in the public service.

Hon. J J Netto: [*Inaudible*] perhaps you misunderstood me or perhaps I should have expressed the supplementary –

Hon. J J Bossano: No, no, I understood.

Hon. J J Netto: – question in a different way.

Hon. J J Bossano: I have understood precisely.

Hon. J J Netto: What I am trying to do is to follow the logic in the sense that in his original answer he was saying that she was a manager, obviously she was working as a manager for Dr Giraldi Residential Home, what was then the Social Services Agency. Now, if I follow the logic of your answer she is now working as a manager in the Employment Service, which is a different entity altogether.

In other words, what has superseded the Social Services Agency is the Care Agency; but she is not working for the Care Agency, she is now working for the Employment Service and I believe or suppose that she is a GDC employee, as opposed to a Care Agency employee.

So what I am asking is whether there was, prior to the employment of Ms Joanna Hernandez in the Employment Service as a GDC officer, a vacancy for the things that he has now said.

Hon. J J Bossano: Yes and I am telling him, Mr Speaker, the job that she is doing as manager of the company is the same as the job that is being done by the manager of the two other companies. Those three managers are not jobs that are vacant which are advertised and recruited from outside. They are duties allocated to staff of the Employment Service and therefore the people who are in the Employment Service that manage the three companies are people that, if the companies were not there, would still be in the Employment Service.

This particular employee was re-engaged in the Government service – that is to say, in the Civil Service – in accordance with the recommendations of the Tribunal and she has been deployed to the Employment Service and she has the grade and the pay scale of the manager of the Dr Giraldi Home which is what the recommendation was.

Hon. J J Netto: Well, Mr Speaker, notwithstanding the fact that she had already been paid compensation as a ruling from the declaration from the Chairman, can the Minister tell me whether the salary scale is the salary scale of a HEO?

Hon. J J Bossano: I have just told him, Mr Speaker, the salary scale is the salary scale of the manager of the Dr Giraldi Home. The recommendation of the board was that she should be paid compensation *and* re-engaged in the Government service, but not in the Care Agency, given the fact that there might be a

problem of friction in returning there and that is the recommendation that has been accepted and implemented by this administration. So what does he want to know?

Hon. J J Netto: Mr Speaker, what I am trying to find out is that this particular lady, she was working as a manager in Dr Giraldi Home and for that she was the manager, so she had a wage which was to do the managing for that particular function.

What I am trying to find out is, as a manager now working for the Employment Service, whether she is in that particular grade of a HEO or perhaps some other particular grade, and I think that is a reasonable question. I am sure that the Hon. Minister would know whether she is working... Because the point is when she was working for the Social Services Agency, that grade at that time was not a grade HEO or GDC equivalent. It was a specific grade of the Social Services Agency before.

So what I am trying to find out now, something that does not exist right now, because obviously the Social Services Agency has been superseded by the Care Agency, she is now working in Employment Services, whether that is the grade of the HEO.

Hon. J J Bossano: I know what he is trying to find out and I have given him the answer on each and every time that he has repeated the question.

Mr Speaker, the Tribunal made a ruling. The ruling was compensation and a recommendation of re-engagement by the Government of Gibraltar, in any Government Department but not in the Care Agency, on the scale and the grade that the person that had been dismissed enjoyed at the time that she was dismissed, and that is what we have implemented. If that pay is the same as the pay of a HEO or an SEO or any other grade, I am not able to tell him, but I can tell him that he can find it in the Estimates Book. It is a public document which will show what the manager of the Dr Giraldi Home is employed at and that is the pay.

Hon. J J Netto: No, no, there is a difference. There is a difference because as the Minister of Social Services will be able to inform him, at the time that particular post of manager was, as I said before, manager only and exclusively of Dr Giraldi Home. The post of manager, which it is now, is a post of manager for Dr Giraldi Home and St Bernadette – in other words, a general manager's post – which is a different thing to what happened before. So it is not the correct analogy in terms of what you have just said.

Can I put it in a different way, if he finds it so difficult? (*Interjection*) Can he actually say what is – the point, in whatever grade of manager – the annual wage that she will be getting?

Hon. J J Bossano: Well, I can tell the hon. Member that what we have done in her case is that the recommendation of the Tribunal has been implemented and therefore, we have taken the pay of the job that she was doing, we have looked at what is the equivalent pay now and we have given her that pay.

There are peculiar examples of things that have happened in the GDC, where for example, a monitor was recruited on an advertised rate of £18,000 and within a month of having started work, he had negotiated for himself an increase of 50% in his pay, backdated to the day that he started work. (*Laughter*) So, if he wants me to give him the details of anomalies, I can be here a very long time, pointing to all the anomalies that have existed.

As far as I am concerned, no political decision has been taken on changing the ruling of the Tribunal. The political decision has been to accept the recommendation of the Tribunal. The Tribunal said that she should be re-engaged on what was the equivalent pay of what she was getting, which she would have been getting, if she had not been sacked.

Hon. D A Feetham: Can I ask the hon. Gentleman, did the Tribunal, when it made its compensatory award to Mrs Hernandez...? I ought to have actually declared an interest: I represented Mrs Hernandez to begin with, in fact, before she asked me to pass the file to Mr Picardo and he took over from me. I am duty bound to declare that. I think Mr Bossano represented her later on as well. (**Hon. J J Bossano:** Absolutely.) But did the compensatory award, awarded to her, did that include future loss of earnings? Is he absolutely certain – I have not looked at the judgment, but certainly I am going to look at the judgment after we leave tonight – that the total package of compensation awarded to Mrs Hernandez did not take into account the fact that reinstatement was not a possibility in this particular case and that, therefore, she is not now in a position where she has obtained that compensation – which she would not have got, if she had been reinstated – plus reinstatement? Is he certain of that?

Hon. J J Bossano: Well, Mr Speaker, I do not pretend to be a lawyer, but I am not sure that the hon. Member is as conversant with employment law as I am. (*Interjection and laughter*) In fact, if she had been re-engaged at the time that the ruling was made, then of course clearly, which is when the Chairman intended that it should be made, she would have been paid a lot of money between then and now.

The Tribunal made the ruling that this should be done in conjunction and in addition to the compensation for loss of earnings between the last day that she worked and the day that the ruling was made and the Government agreed to pay the compensation, but said they would resist the re-engagement recommendation, and I regret to say, in my view, incorrectly – the Tribunal did not go back and revise the compensation in the light of the fact that the other half of the recommendation had been rejected.

Hon. D A Feetham: That is what I am asking.

Hon. J J Bossano: Yes. It did not happen, I think, incorrectly.

Hon. J J Netto: Mr Speaker, can I ask another supplementary question and that is that this particular post that this lady is occupying today is a post that should be ring fenced, in accordance with the agreement between the union and the Government. In other words, whenever a post exists in any particular organisation within the GDC, it should go internally within what are the employees of the GDC, to be able to apply, or at least to have the opportunity to apply to a post which is quite senior, particularly if I understand correctly, she is holding a position of HEO.

Has the Government therefore not consulted the union to waive the agreement, so that, given that it was ring fenced, they can put it to one side so that the Government could proceed in this direct appointment?

Hon. J J Bossano: I am afraid, Mr Speaker, the hon. Member does not have a clue what he is talking about. *(Laughter)* There is no ring fencing in the GDC. What *his* administration agreed with the union was that whether they liked it or not, everybody was made a civil servant on 1st October 2011 and then, when the GGCA objected to the transfer of people into the Civil Service – I must say in a way which was completely in breach of General Orders, vetting and everything else – when a list of names was provided to the Public Service Commission by the Office of the Chief Minister with instructions that they had to rubberstamp it, they were all given letters informing them that they were now civil servants as of 1st October. *(Interjection)* Well, Mr Speaker, I am not going to waste opportunities to remind Members of things that they seem to have forgotten! *(Laughter and interjections)*

It was as a result of that objection that the previous Government backtracked on what it had told the GDC employees, which was that they were going to be integrated into the Civil Service unconditionally, and they said that those who were in the Civil Service were now ring fenced, meaning that they could only apply for each other's jobs.

When we came in, since it was our intention not to dissolve the Gibraltar Development Corporation, which was the previous plan, I thought it would be fair to the people who had been told they were going into the Civil Service without an alternative because their previous home was being demolished with them still in it, that they should be given an opportunity to come back home, and I am happy to say that 75% of them did come back home.

The ring fenced ones therefore are the ones who stayed in the Civil Service in accordance with the union agreement. There is no union agreement covering GDC employees on ring fencing; nor is there anything to prevent the GDC employees from adding new jobs or having people seconded to it. Indeed, some new jobs have been created recently because some people from the Regulatory Agency are going to be within the GDC. So this is something... and indeed, once the jobs are in the GDC, it means the that the people there will have more opportunities in the future than those who, in my view, mistakenly accepted the philosophy of the GSD and stayed ring fenced, because they will never get out of the ring.

Hon J J Netto: Mr Speaker, I think that in a previous supplementary question, the answer by the Minister did not actually provide, in my opinion, the information I wanted, and that was whether he could tell me exactly what is now her annual wage at the moment. Can he actually tell me what is her annual wage? That is the first thing.

The second thing, which is part of the original question, is can he provide me with a job description of the work to be fulfilled? Can he do so?

Hon. J J Bossano: Mr Speaker, the question says 'salary grade'; it does not say her annual wage. I do not know what she is getting paid. I know that the salary grade is the salary grade of the job that she had in the Dr Giraldi Home. I do not know whether it is the equivalent of an HEO or not. I know the other two companies' managers are Employment Service HEOs, but I do not know whether her grade is the same, below or above. So I cannot tell him that. I can tell him that the grade is the grade of the Giraldi Home that she would have got had it been implemented at the time and her pay has been increased since then.

As regards her job description, I have given him what the role in the company is, and the role is to co-ordinate the provision of supported employment and advise those who are seeking such employment. So

in fact the actual thing that she does on a daily basis is to look after the 48 people we have now got in supported employment who have now got indefinite contracts who are placed in different places to liaise with the relatives of those people, because they are people who need support, and to make sure that they have not got any problems where they are placed. So we have now got a dedicated person doing that and, in addition, interviewing people who approach us on the basis that they have got somebody in their family who they feel might require the working environment that this company is providing, which they welcomed when I answered it in fact.

Hon J J Netto: Mr Speaker, just one final one, a supplementary question. If I were to write to the Hon. Minister in relation to what is her annual wage at the moment and whether she is within the HEO, will he be able to provide me with that information?

Hon. J J Bossano: Yes, I will get her to write back to you, Mr Speaker. *(Laughter)*

**Notices of termination of employment
Number received since 9th December 2011**

Clerk: Question 726, the Hon. D A Feetham.

Hon. D A Feetham: Can the Minister for Employment state how many notices of termination of employment have been received by the ETB since 9th December 2011 divided by (a) by nationality; and (b) by industry sector?

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

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, I will answer this Question together with Questions 727 and 728.

**Notices of termination/engagement of employment
Number received from public sector since 9th December 2011**

Clerk: Question 727.

Hon. D A Feetham: Can the Minister for Employment state how many notices of engagement of employment has his Department received from employers in the private sector since 9th December 2011 divided by nationality and by industry sector?

Clerk: Question 728.

Hon. D A Feetham: Can the Minister for Employment state how many notices of termination of employment and notices of engagement have been received by the ETB from the public sector (including for the avoidance of doubt Government-owned companies and authorities) since 9th December 2011 divided by nationality?

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

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, the number of notices of termination of employment received by the Department from the private sector between 9th December 2011 and 30th June 2012 was 4,556.

The nationality breakdown of this 4,556 is as follows: Gibraltarians, 1,455; Moroccans, 72; other British, 950; other EEC, 642; non-EEC, 66; and Spanish, 1,371.

The breakdown by industry is as follows: electrical supply, 2; water supply, 8; ship building, 125; construction, 1,230; other manufacture, 38; wholesale trade, 49; retail trade, 343; hotel trade, 36; restaurants and bars, 327; repair of goods, 25; sea trade, 58; air transport, 6; road transport, 70; post and communications, 11; banking, finance and insurance, 498; public administration, 93; Police and Fire Service, 62; sanitary services, 3; education, 38; medical and health services, 89; and other services, not otherwise classified, 1,445.

The number of notices of terms of engagement received by the Department from the private sector between 9th December and 30th June was 3,844. Of these, the breakdown by nationality is as follows: Gibraltarians, 1,494; Moroccans, 54; other British, 882; EEC, 429; non-EEC, 67; and Spanish, 918.

I am informed that the computer programme does not provide the function that gives a breakdown by industry sector of the terms of engagement.

The breakdown now of the terminations in the public sector is as follows. The total in the same period is 357 from the public sector and the breakdown of the 357 is Gibraltarians, 239; Moroccans, 7; other British, 57; other EEC, 10; non-EEC, 1; Spanish, 43.

The number of terms of engagement in the public sector between December 2011 and 30th June by nationality is as follows. The total is 961, of whom 808 are Gibraltarians, 11 Moroccans, 91 other British, 17 other EEC, 2 non-EEC and 32 Spanish.

Hon. D A Feetham: Can I ask the hon. Gentleman – I have no supplementaries – for a photocopy of that answer so that I can take it with my papers?

Hon. J J Bossano: Well, I suppose...

Hon. D A Feetham: It need not hold the proceedings up, because I have no supplementaries.

Clerk: I have a set here which I can have photocopied.

**Future Job Strategy
VTS trainees/employees placed with private employers**

Clerk: Question 729, the Hon. D A Feetham.

Hon. D A Feetham: Can the Minister for Employment state how many VTS trainees/employees under the Future Job Strategy are currently placed with private employers?

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

Minister for Enterprise, Training and Employment (Hon. J J Bossano): I will answer, Mr Speaker, this Question with Question 730 and Question 731.

**Future Job Strategy employees
Employers who have signed ETCL contracts**

Clerk: Question 730.

Hon. D A Feetham: Can the Minister for Employment please provide a list of the names of employers who have signed contracts with Employment and Training Company Limited in respect of the Future Job Strategy employees?

Clerk: Question 731.

Hon. D A Feetham: Can the Minister for Employment state how many VTS trainees/employees are placed within the public sector under the Future Job Strategy identifying the Department, Authority or the Government company in which they are placed?

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

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, the number of VTS trainees/ETCL employees placed in the private sector is 381.

The number of employers that have entered into partnership agreements with ETCL since 1st February is 140. These 140 employees have been contacted to see if they have any objections to having their names made public.

The number of VTS trainees/ETCL employees placed with the public sector is 185 in the following Departments: Care Agency; Ministry for Enterprise, Training and Employment; Department of Social

1065 Security; Department of Consumer Affairs; Department of Education; GHA; Gibraltar Citizens' Advice Bureau; Gibraltar Court Services; Gibraltar Sports and Leisure Authority; Gibraltar Tourist Board; Ministry for Sport, Culture, Heritage and Youth; Human Resources; Royal Gibraltar Police; Statistics Department; and Treasury.

1070 **Hon. D A Feetham:** If he does not know the answer because he requires notice, I will give him notice next time around, but does he have a breakdown of the number of trainees in respect of each of those Government Departments and Authorities?

1075 **Hon. J J Bossano:** It is a list that would only be true on the day that I give it to him –

Hon. D A Feetham: Absolutely. I understand that.

1080 **Hon. J J Bossano:** – because it is not that people are there fixed. So the answer that I would give today would not necessarily be accurate tomorrow. I would say that about half of the people were people who were already in those Departments under the VTS and the other half are people who have come in since February. Of course, it includes the people in the Gibdock and the people in the Construction Training Centre and people who were in the Treasury and in the Tax Office because they were doing, at the same time some kind of business course, in Bleak House.

1085 But if he gives me notice, I can give him where they are the day I give the answer; but the following day the numbers will have changed. They are not static.

Hon. D A Feetham: No, I understand that. What I am asking him is does he have the information there in front of him today?

1090 **Hon. J J Bossano:** No.

Hon. D A Feetham: Alright, well I will give him notice next time round.

1095

**GTC apprentices
Number in training and employers**

1100 **Clerk:** Question 732, the Hon. D A Feetham.

Hon. D A Feetham: Can the Minister for Employment state how many apprentices registered at the Gibraltar Training Centre to NVQ standard are currently undertaking training and how many of these apprentices are in placements with training providers, identifying the employers?

1105 **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 Questions 733 and 734.

1110

**Gibdock apprentices
Number in training and employers**

1115 **Clerk:** Question 733, the Hon. D A Feetham.

1120 **Hon. D A Feetham:** Can the Minister for Employment state how many apprentices registered at Gibdock Training Centre are currently undertaking training and how many of these apprentices are in placements with training providers, identifying the employers?

Clerk: Question 734.

1125 **Hon. D A Feetham:** Can the Government advise how many school leavers have this year applied for apprenticeships in the Engineering and Construction Trades, Social and Health Care, Business and Administration programmes, or any other, and how many of these will be taken on as from September?

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

1130 **Minister for Enterprise, Training and Employment (Hon. J J Bossano):** Mr Speaker, there are 42 trainees at the Construction Training Centre, of which 17 are in placements – in the Housing Works Agency, nine in GJBS and three with private companies.

There are 34 trainees in the Gibdock Training Centre, of which 13 are placed with Gibdock, 13 in Government Departments and eight in private companies.

1135 The Government has not yet finalised the arrangements for apprenticeship schemes that will be introduced in the current financial year.

Hon. D A Feetham: Just in relation to the identification of the employers, I did make a note that, in relation to a previous question I asked, he had said he was going to ask the employers whether they had objection to their names being identified. There is another Question on the Order Paper that we will come to in a moment, and that is one of the reasons why I actually need the names.

1140 Does he not accept that... or is there any reason in principle why the Government will not identify the names of these employers, if one or two of them come back and they say... or however many come back and they say, 'We do not want you to identify our name.' Is there any reason in principle why you ought not to identify the names of these employers?

1145 **Hon. J J Bossano:** The reason in principle is that I think when we approached them to take on a trainee and sign an agreement with us, we did not tell them we were going to publish their names. Therefore, if they do not want their names published, we will not publish them.

1150 **Hon. D A Feetham:** Yes, but does he not recognise that there is a legitimate interest in the Opposition in knowing the names of these particular employers, given, for example, that it has certainly come to the attention of this side of the House that a number of these companies that have actually signed contracts with Employment Training Company Ltd are actually start-up companies? Therefore, it is part of the legitimate role that the Opposition plays in actually analysing Government business and what the Government is actually doing in respect of what is a very important area of Government policy.

1155 Therefore, we have a legitimate right to make that analysis and to see how many are start-up companies, how many, for example, are then involved in other types of transactions with the Government. There is a Question on the Order Paper in a moment about how many of these companies that take on these trainees also have the benefit of a contract with the Government, and whether there is some form of *quid pro quo* for example, taking place here, where the Government is saying to somebody, 'Start up a company, you take on board five of my trainees and I will then give you a Government contract to clean lifts or to renew lifts' or whatever.

1160 Does he not accept that that is, it is legitimate for us, bearing in mind our role, to know the identity of these individuals/companies?

1165 **Hon. J J Bossano:** Well, Mr Speaker, I think if the hon. Member is interested in knowing how many of the people that have got partnership agreements are actually providing work for the Government, that is the question that he is asking. Why he should want to know what the name of the company is, I do not see that provides him with any further information than what he wants to know.

1170 **Hon. D A Feetham:** I have just explained.

Hon. J J Bossano: I do not agree with him that it is either necessary or legitimate to want to know the name, because it is not... I have told him the number of companies there are and therefore, I think he will find, when we get to the other Question, that the immense majority of those companies are not doing anything for the Government.

1180 **Hon. D A Feetham:** Of course the immense majority are going to be doing nothing for the Government! I would be very surprised if 140 companies had Government contracts, but you see the point is that 10 of those companies or a number of those companies do have something to do, or are providing services to the company under contracts that may be very beneficial to those companies. We certainly have a legitimate interest and a legitimate need to know, for example, whether those companies are start-up...

1185 I am just giving you an example. This may not be the entirety of our concern in relation to this. We are entitled to know whether the Government is actually potentially saying to individuals, 'We will give you *x*, *y* and *z* contract, you take on five of our employees'; indeed, also, look at who exactly is behind these companies and draw whatever inference, or whatever conclusion we feel is politically legitimate for us to draw. That is politics.

1190 **Hon. J J Bossano:** Well, if it is politics, I can tell him that there is a company called Capurro that has
got a contract for £32,000 a month with a bus company. I do not know whether I can draw any inference
from the relatives of Mr Capurro, but I can assure him that nobody is getting a contract from the ETB that
is anywhere near that or at all, and that therefore, since he is asking me about 140 companies and he
1195 already knows that the vast majority of them have nothing to do with getting any contracts, then I think it
is legitimate that I should ask my staff to contact the 140 and say to them, 'Look, Mr Feetham wants me
to publish your names. Do you have a problem?' If the 140 say no, we will publish 140; if 139 say no and
one says, 'Yes, I have a problem', then we will publish 139 names.

1200 **Hon. D A Feetham:** Do you have a problem in providing me... – and I do not want to, for the
avoidance of doubt, resile from the position that this information ought to be provided publicly and that
we are entitled to this information. But will he in the first instance, at the very least... Look, I may be on
a trail of inquiry that leads to a dead end. I do not know. There are people that come to me – maybe even
the same people that used to go to him and he used to say, 'Look at what the GSD is doing, look at what
they are favouring x, y and z, friends of theirs'. Well, those same people may be coming to us now. It is
1205 perfectly legitimate for us to at least investigate that and say, other people that, for example, are getting
contracts in respect of lifts in the estates and are they starting up companies and is that linked to the
Future Job Strategy and trainees? I do not know.

Is he prepared to provide me with a list of those companies, in private? I will not make it public,
unless it is provided across the floor of the House. Right. So, in other words, he does not suffer in his
position, because I am not going to make them public, unless he does so across the floor of this House, so
1210 at the very least, I can see whether there is anything in some of these complaints that are coming to me, or
there is not.

Hon. J J Bossano: I do not know what complaints he is getting. I know what was being said before
and I do not know whether everything that was said before was true, or none of it was true.

1215 All I can tell him is, Mr Speaker, that certainly he has chosen a very bad example in pointing to the
lifts, because all the guys that are repairing the lifts all live in Algeciras and they all have to be called via
Madrid for them to come here and repair lifts. A situation I intend to put right, by the way.

1220 **Hon. D A Feetham:** I know that you intend to put it right.

Hon. J J Bossano: Absolutely.

Chief Minister (Hon. F R Picardo): Don't you agree?

1225 **Hon. J J Bossano:** Perhaps you prefer that they should be in Algeciras?

Hon. D A Feetham: No, Mr Speaker, as long as it is done fairly and openly and everybody is given a
chance to compete for those jobs, absolutely, I agree entirely with the hon. Gentleman.

1230 **Hon. J J Bossano:** I can tell the hon. Gentleman –

Hon. D A Feetham: What I would not agree is, of course, if it goes to one or two favoured
individuals *a dedo*, as the Chief Minister likes to –

1235 **Hon. Chief Minister:** That used to happen before 8th December.

Hon. J J Bossano: Right. Mr Speaker, I can tell the hon. Member that when it comes to the other
Question, he will see that either the people that are telling him stories are not telling him the truth, or his
fertile imagination is running away with him.

1240 **Clerk:** Question –

Hon. D A Feetham: He hasn't... Just give me one more opportunity.

1245 Is he prepared to provide me with that information with the names of those companies on a
confidential basis, so that I can make my own enquiries, or not?

I think that is a fair request. It does not prejudice the position of these individuals at all, because you
are providing them to me on a confidential basis. Your concern is providing it publicly across the floor of
the House. If you are prepared to do it, I am –

1250 **Hon. J J Bossano:** I think I will wait until I get the replies from the 140 people that we have contacted and see what happens.

1255 **Future Job Strategy sheltered employment schemes**
Number of people placed in public and private sectors

Clerk: Question 735, the Hon. D A Feetham.

1260 **Hon. D A Feetham:** Can the Minister for Employment state how many people are on the sheltered employment schemes under the Future Job Strategy who are currently placed in the private and public sectors?

1265 **Clerk:** Answer, the Hon. the Minister for Enterprise, Training and Employment.

Minister for Enterprise, Training and Employment (Hon. J J Bossano): Mr Speaker, there are currently 48 persons who are employees of the supported employment company, of whom 29 are in the private sector and 19 in the public.

1270 **Hon. D A Feetham:** Are new entrants closed to the scheme? I know I am coming back to the previous Question, but I note that, in relation to the previous Question – they are all related, it is just that there are different aspects of the Future Job Strategy – he said that, for example, in relation to the construction sector, that no decision had actually been made as to new intakes in September. Has a decision been made in respect of sheltered employment in respect of new entrants?

1275 **Hon. J J Bossano:** It is demand led. It depends on how many people need the support, but clearly it is something that needs to be carefully assessed, because this is, we are giving indefinite contracts to the people here and we do not expect them to ever be without work and we are giving them as a consequence, basically a job for life, which I think they deserve. Therefore, really, we need to be sure that those we are helping are those that really need that help and we do not finish up with a lot more people who could in fact be in the market, albeit being given a helping hand at the beginning.

1280 The position now is that with the numbers we have got in ETCL, we are now waiting to see some movement out into the placements, so that we can recycle that money and take new people in. I think in the case of the apprenticeships for the construction that I am hoping to achieve, that will mean that once we have got that ready, that could be quite a big influx into that particular company, but we are not likely to take very many before that is ready, because frankly, I want to make sure that I have got enough funding in the moneys that the House has provided, so that we do not run out of money when the time comes to finance the construction training, which is a very important part of the strategy.

1285 But in this case we can expect it to be gradually increasing, that is the answer.

1290 **Hon. D A Feetham:** Yes. The position in relation to these is different from the position – (**Hon. J J Bossano:** Absolutely.) These are jobs for life.

1295 What you are saying, so that I understand it, is effectively that in relation to the main bulk of the trainees in the Future Job Strategy, the decision as to whether to take new people on depends on the success of actually ensuring that private employers take these people on permanently. The reason for that, I presume, is because the £11 million that has been estimated as a recurrent cost every single year is based on a finite number of individuals (**Hon. J J Bossano:** Absolutely.) and you have got to effectively re-site some of them. That is the position.

1300 **Hon. J J Bossano:** That is the position.

Hon. D A Feetham: Alright.

1305 **Hon. J J Netto:** Mr Speaker, just for the purpose of clarity more than anything else, when we talk about 48 persons in sheltered employment schemes, what do we actually mean by the definition of ‘sheltered employment’? Are we simply talking about disabled persons or perhaps we are talking about disabled persons and some other groups of people – to mind, it could be some looked after children, it could be perhaps some people may have, as I was saying before, an affliction by drugs and alcoholism...?

1310 **Hon. J J Bossano:** No, the majority of this – I would say probably something like 40 out of the 48 – were in January under the VTS. Some in fact are in the... There is one young lady in the Employment

Department, who has been there for eight or nine years – (*Interjection by Hon. D A Feetham*) in your time, that is right. She is now in the Employment Company and she has now got an indefinite open contract and therefore she is paying social insurance, she is treated as an employee and she will eventually get an old age pension and community care. That is one of the benefits of putting her in this set-up.

Clearly, as a result of monitoring this more closely now, because we now have a dedicated company that does that and nothing else, we have found some people who were not happy where they were and therefore, maybe they were not turning up but they were still getting paid. Those we have moved sideways into other areas and now we are at the stage where we think the 48 are now settled, the bulk of them in the private sector, 29 and 19 in the public sector, but we keep in touch with the individual, the placement provider and the family to monitor that. We are now looking at other people that we might be able to help, but it is not intended for people who have got, if you like, social problems and therefore have difficulty in competing in the market. The people with social problems we will deal with, ETCL and clearly, for those people, we are in a position to persuade employers who are doing work for the Government to take those cases on, which I think was happening previously anyway with the VTS.

Hon. J J Netto: I can accept everything that the Hon. Minister has said, but what I was trying to find out, by the application of the words ‘sheltered employment’, that we were not just talking about people with disabilities. I think in fact there is a Question on the Order Paper later on for the hon. Lady, in relation to some looked after children – this is what I am trying to find out – (**Hon. J J Bossano:** No, no, no.) which may or may not be included under the 48. Perhaps he may need notice of the question, but whether we are talking about that group of people or perhaps we are talking, in addition, to people with disability, some people may have an affliction in the past with drugs or alcoholism.

Hon. J J Bossano: Although the Question is about sheltered employment, the answer is about supported employment. I assumed that ‘sheltered’ was intended to refer to the questions I have answered before, which were the people in the VTS which then became the employees of a dedicated company that is [*inaudible*]. Those are not people with personality problems, shall we put it that way. These are people with disabilities which means that they would not be employed anywhere if we were not providing the wages. Those people will be, presumably, as long as they are fitting in and are happy and they are able to live and work in an environment where generally, if they have been there a long time, frankly, moving them elsewhere is a problem, because they are surrounded by people who are caring and are kind to them and they are happy there, and that is what we want.

We monitor it, just to make sure that that continues to be the case. We find slots for those who would be taken on from now on, where, as I have said, I believe about 40 of the 48 were there in January and that we have not taken all that many on.

But what we do not want is that this should be converted into something for which it is not intended.

Hon. D A Feetham: Can I just ask one more question in relation to this?

I have had a couple of constituents that have approached me that have said that they have gone to the hon. Gentleman’s Department with employers that are effectively willing to train them, and willing to enter into contracts with Employment Training Company Ltd.

In relation to those people, the position then really is again exactly the same, that unless... It does not matter whether they have a placement or they do not have a placement, whether they have an employer who is willing at the end of the day to guarantee them a job, unless there are two people who drop out of the system because they are permanently employed, those within the system, that you are effectively not funding any more of these trainees...?

Hon. J J Bossano: No, in the immediate future, like next week, that would be the case. But if we are approached by people in the category that the hon. Member has told us, then in fact they will be given priority and be put at the top of the list, because there is movement all the time taking place, within the 500 people we have already got, there are some people who are now coming out of the system and new people who are going to be taken in.

The increase is being, if you like, rationed at the moment, because I do not know whether I am going to be needing to find money for 50 construction apprentices or for 100 or for 150. Therefore, I do not want to use money that could provide financing for construction apprentices – we made a bid for a much bigger sum from the EU to support a much bigger volume of apprenticeships, and therefore at the moment, the intake is not as big as it has been, for example, until the month of July, when we were taking on something of the order of 25 months.

But the answer is, if those people have been to the Department, then they should make sure that there is a record of their having been there and that they are being put at the top of the priority list, so that they can be called as soon as we can start paying them. We want to encourage that.

1375 **Hon. D A Feetham:** No, they say that they have been. They say that the staff tell them that it is on your desk, so no doubt the Hon. Minister will get to them when he –

Hon. J J Bossano: As soon as I can, absolutely!

1380 **Hon. D A Feetham:** – as soon as you can. Of course, there is no question of those particular ‘jobs’ going to anybody else. If they are the ones that are –

Hon. J J Bossano: I understand.

1385

**Employers with Future Job Strategy trainees
Number also providing goods/services to Government**

1390 **Clerk:** Question 736, the Hon. D A Feetham.

Hon. D A Feetham: Can the Minister for Employment state how many employers who have signed contracts with Employment Training Company Limited in respect of Future Job Strategy trainees have the benefit of a contract with the Government, any public authority or Government-owned company for the provision of any goods and/or services of any kind?

1395

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

1400 **Minister for Enterprise, Training and Employment (Hon. J J Bossano):** Yes, Mr Speaker, there are nine employers with partnership agreements with ETCL who are working on Government contracts that I am aware of – that is to say that the Department has something to do with it.

Whether any of the other 141 employers are providing any service or any work or anything to any other Government Department, because they have got a tender for something or other, I do not know.

1405 But I can tell him that the nine are the ones that are involved in the system introduced by the previous administration of allocating contracts from the Employment Service, on the basis that they took on people who were on the unemployment list.

Hon. D A Feetham: That is pretty nifty footwork, if I may say so, it really is!
But the question is not about your Department. The question is:

1410 ‘with the Government, any public authority or Government-owned company’.

In other words, it is with *anybody*. Is there any particular reason why he has come to this House today, and not in a position to answer what is a pretty clear Question, which is –

1415 **Hon. J J Bossano:** Well, I don’t think it is a clear...

Hon. D A Feetham: – which is that I am asking how many of these people who have signed contracts with Employment Training Company Ltd also have the benefit of a contract for the provision of goods and services with the Government? Very clear.

1420

Hon. J J Bossano: Well, it may be very clear to him, but it is only clear to him, given the assumptions that he is making which he revealed in the supplementaries previously.

1425 That is to say, I can tell him that as far as the Department is concerned, there are only nine, because the Department has only been involved with nine companies that are doing work in the construction sector predominantly, where they are on the approved contractor list. These are companies that put a bid for work, under the system introduced by the previous administration when they announced they were suspending the tender system and that people have to submit... There will be a rotation of contracts for the construction work and I think, out of the nine, eight are construction companies, and these eight construction companies take labour from the ETB as required by the original conditions. They are not

1430

allowed to use subcontractors, they have to use local labour, and they have to put a competitive price, which has to be monitored on the basis of what is the going rate by other people. Those are the only nine.
The only way that I can answer the hon. Member’s question is to write to the 139 – or the 131 – that are not involved with my Department, and say to them, ‘Are you by any chance selling something to any Government Department – any service?’

1435 The other Departments do not know that they have got a contract with me, and I do not know whether they are selling anything to anybody else. That is the whole point. Therefore the hon. Member assumes that there is somehow, within Government, a system where, when people put a tender, they get asked 'Do you have a partnership agreement with ETB?' No such system exists.

1440 **Hon. D A Feetham:** The problem with the hon. Gentleman is that he answers my question, anticipating my supplementary.

You have come to this House anticipating that I am going to accuse you personally of 'You have effectively enabled the employment of x number of Future Job Strategy trainees by offering contracts, lucrative or otherwise, to those employers.'

1445 Look, I do not know, it depends on the answers and the information that you provide as to whether that conclusion is justified or it is not justified. But the reality of the situation is that you are not only... you are representative, you are responsible, obviously, for areas within your responsibility. The Future Job Strategy is within your responsibility. Unless I ask the same question to every single Government Minister, I am never going to get the answer, according to your logic.

1450 Is he prepared to provide me with the answer to this question? He can do it by way of correspondence to me, or is he not? Because that information ought to be available.

Who are the people who have entered into contract with Employment Training Company Ltd, who have the benefit of a contract with the Government for the provision of goods and services? Very simple.

1455 **Hon. J J Bossano:** Mr Speaker, first of all, I am not answering a question on the assumption of his supplementary before the supplementary is put, because by mistake, he put a supplementary in respect of the previous question instead of this one. He actually said in the previous question what he has just said now, that he wanted to know the names of the 140, to see if any of them have the benefit of a Government contract and I told him to wait till he came to this question, when he might be surprised. Those are precisely my words of 10 minutes ago, and in fact what I have told him is, there are, as far as I am aware, nine *and only nine* of the 140.

1460 If I have tomorrow a partnership agreement with Barclays Bank, then presumably, by the logic of the hon. Member, I ought to announce that the Government has got a bank account with Barclays Bank, even though the bank account is not the bank account of the ETB and if I have a partnership agreement with Morrison, then I have to say that somebody from the Health Authority went across and bought something from Morrison's.

1465 Because he is asking me whether anybody in the 140 supplies anything to the Government.

1470 **Hon. D A Feetham:** [*Inaudible*] answer the question!

Hon. J J Bossano: Yes, that is the question. Yes, that is precisely the question: 'Has anybody who has signed an agreement with me makes... the benefit of a contract with the Government, any public authority, any Government-owned company, for the provision of any goods or any service?' So that means that if tomorrow the bus company buys petrol, I am supposed to be able to say to the hon. Member, 'Shell has got a partnership agreement with me and is now selling petrol to the bus company.' That is precisely what the question asks.

1475 My answer to him is there is no connection between the sale of petrol to the bus company and the partnership agreement with me. Whether there *is* a connection, or whether he could *impute* a connection or whether he could argue that there is a connection is in the one where the partnership agreement and the allocation of the work happens in the same place, and there are nine in that category.

1480 **Hon. D A Feetham:** He really does like to obfuscate and confuse issues and weave in and out and dodge –

1485 **A Member:** He's calling the kettle black. (*Laughter*)

Hon. D A Feetham: It is very simple. There are 140 private companies that have entered into a contract with the Employment and Training Company Limited. How many of those provide goods and services for Government?

1490 And you are refusing to provide me with the answer to a quite legitimate question. Is it because you have something to hide? Because that is the inference that I need to draw from your refusal to provide me with the information!

1495 **Hon. J J Bossano:** I am not surprised that he draws that inference, he served in a Government that had plenty to hide all the time! I am not at all surprised that he thinks that everybody is like they were – and he is wrong!

As far as I am aware, 131 do not supply anything to the Government, but I cannot guarantee him that tomorrow somebody is not going to buy a cup of tea in a coffee shop where there is a partnership agreement with me. In that case, that coffee shop will be selling something to the Government.

The inference that the hon. Member is trying to invent is that, somehow, the 140 companies have been selected in preference to competitors because they signed partnership agreements and others do not. That is complete and utter fabrication on his part, and there is no justification for it.

As far as I am aware, none of the other companies have anything to do with the Government in terms of any contract, as far as I am aware. But since I am writing to all of them, to see if they are happy to have their names revealed, I will say to them, 'Mr Feetham wants to have your name, because he suspects that I am bribing you with contracts. So please can you answer the two questions: (a) do you mind your name...; and (b) can I tell Mr Feetham that you're not being bribed' and that should keep him happy.

Mr Speaker: I think really we have quite exhausted the subject, unless there is a different question.

Hon. D A Feetham: No, no, Mr Speaker, he has either misunderstood or on purpose he really is clouding the issue. It is not a question of the provision of goods and services at a level of the tea lady or somebody buying some sandwiches for a meeting that the Chief Minister may hold at No. 6 Convent Place –

Mr Speaker: With respect –

Hon. D A Feetham: It is the benefit of a contract – that is the question.

Mr Speaker: No, with respect, I have got the question here –

Hon. D A Feetham: It is the benefit of a contract.

Mr Speaker: No, with respect, goods and services *of any kind* – which to me, includes tea and coffee.

Hon. D A Feetham: No, it is the benefit of a contract with the Government!

Mr Speaker: Yes, for the provision of goods and services *of any kind*.

Hon. D A Feetham: Yes, of course but – Yes, but it is the provision of a contract with the Government!

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Selling a sandwich [*inaudible*].

Hon. D A Feetham: It is the provision of a contract. (*Interjection*)

Mr Speaker: Order, order! I get the point. 'Of any kind' could relate either to the contract or could relate to the goods and services.

Hon. D A Feetham: No, no, it relates to the goods and services provided under the benefit of a contract. (*Interjections*) Nobody could be misled. There is no way in a million years that the hon. Gentleman could possibly, from this question, have the... 'Well, Feetham, what he really wants me to do is to provide him with information of how many sandwiches the Chief Minister actually buys from Amar opposite No. 6 Convent Place.' (*Interjections*) *It cannot possibly be the case!*

What we are asking is the benefit of contracts. Now, you do not want to provide me with the information – fair enough.

A Member: The Speaker has ruled!

Mr Speaker: I think the question has been posed and I have allowed it to be posed several times in as many variations as possible. I think the answer has been equally consistent in that manner. We really cannot pursue the matter much further.

Hon. J J Bossano: Can I make clear that my answer is, as far as I am aware, and I have no reason to believe that I am mistaken, the only nine people who are providing any kind of service on any kind of contract are the nine that I have mentioned. Is that clear enough for the hon. Member?

1560 **Hon. D A Feetham:** That is in relation to his Department. (**Hon. J J Bossano:** Yes.) Right.

Hon. J J Bossano: As far as I am aware, no other –

Hon. D A Feetham: That is not the question.

1565 **Hon. J J Bossano:** Mr Speaker, no other Department that issues contracts asks the prospective contractor, ‘Do you have...?’ None of the Departments know who I have contracts with and I do not know who they have contracts with, so there is no connection between the two! Does he not understand that? That is what I have been telling him all the time! If there are people in...

1570 If tomorrow, the Health Authority (*Interjections*) or the Tourist Office has given a contract out, it is not the case that in deciding between one offer and another offer, they ring me up to see whether there is a partnership agreement in place. That is *not* the case. The only Department that dishes out work to contractors in the construction industry and in the cleaning industry is my Department, in continuation of the policy introduced by the previous administration in 2010. (*Banging on desks*)

1575 **Mr Speaker:** I think really we have got as far as we can get with that question.

1580 **Gibraltar Savings Bank**
Question 739 withdrawn

Clerk: Question 739, the Hon. D A Feetham.

1585 **Mr Speaker:** I think that has been withdrawn, according to the note I have here.

Clerk: But he has got to do it formally. He has to formally withdraw it.

1590 **Hon. D A Feetham:** Yes, the Question is withdrawn – all aspects of Gibraltar Savings Bank business are actually exempt. I had a look at it in the Act.

HEALTH AND THE ENVIRONMENT

1595 **Commonwealth Park**
Budget for Park and car parking

Clerk: Question 740, the Hon. S M Figueras.

1600 **Hon. S M Figueras:** Yes, Mr Speaker, will the Minister for the Environment provide details to this House of the budget established for the creation of the Commonwealth Park providing, where possible, breakdowns in relation to anticipated expenditure on the Commonwealth Park itself versus the expenditure anticipated for the creation of the car parking facilities related to that project?

1605 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the works for the creation of the Park have still not been awarded, therefore it is not considered advisable to publicly state the budget allocated to the project.

1610 I am, however, very pleased to announce that the Kusuma Trust Gibraltar has expressed an interest in participating in the project with a view to enhancing certain aspects of the park area for the benefit of the people of Gibraltar along the lines of its previous involvement in the Europa Point project, when it constructed the Kusuma Promenade as part of a wider improvement of that area.

1615 The cost of the creation of the car-parking facilities related to the project is also the subject of Question 784/2012 and will be answered by the relevant Minister.

Hon. S M Figueras: Mr Speaker, I asked the question of the Hon. Minister, to whom I am grateful for the answer, and I am obviously... I thank the Minister specifically for informing us that the Kusuma Trust

1620 has expressed an interest in participating in a manner similar to which it did in relation to the beautification of the area of Europa Point.

However, the reason why I asked the question, Mr Speaker, fundamentally is because in a statement by the Chief Minister in Press Release 505/2012, which was part of an exchange that we had in relation to the Commonwealth Park openly, he said that:

1625 ‘The project was likely to be completed ahead of schedule and under the budget originally estimate.’

Now, Mr Speaker, it is really very easy for the Government – certainly it looks very easy from this side of the House – to say that something is coming in under budget and earlier than originally estimated, without those figures or those dates actually being made public. So I wonder whether perhaps the Minister will reconsider the question and share with us that budget which was originally estimated to give us the opportunity and anyone listening in, to assess whether or not the Park is coming indeed under budget and coming ahead of schedule.

1635 **Chief Minister (Hon. F R Picardo):** Mr Speaker, no, for this reason: because I have already dealt with this point on a number of occasions in this House in respect of a number of projects. We know what we think these projects were going to cost, because we costed our manifesto. The works have not yet been awarded. It does not make any sense to say what we think it costs to develop the Park, because if people who are going to offer to be the developers in a process of obtaining the work might be prepared to do it for less.

1640 In those circumstances, Mr Speaker, all we would be doing is spending more than is necessary of the taxpayers’ money in order to deliver these projects. If the hon. Member wants, at the end of the legislature, I will tell him what on our ledger we had as a potential cost for each of these projects, and what in fact they have cost, and then he can see which have cost less and which have cost more. I am even prepared to tell him how quickly we thought we could achieve the completion of certain projects, and then he can compare it to when we have. And that would be the appropriate time, Mr Speaker.

1645 I think I recall that in those exchanges I told him, also, that the Government was not going to be incurring more cost than it had to, to deliver its manifesto. Mr Speaker, the answer is the same in respect of this issue as it was in respect of the issue he was raising in those press releases, because what we will not do is allow those who may be seeking to do the work to know how much we had allocated it for it, so that even if they would do it for less, they will do it for more.

1650 **Hon. S M Figueras:** Subject to reservations in relation to the publication of those figures at that time, I am happy to accept that answer.

1655 **Hon. D A Feetham:** Mr Speaker, can I just ask the Chief Minister, what is the difference between providing my hon. and learned Friend the information in relation to those figures for this particular project and announcing that the extra floors plus the cladding at the ‘forgotten estates’ was £80 million?

1660 **Hon. Chief Minister:** Very simple, Mr Speaker, that those works were to be undertaken by GJBS. They were not going to go out for anybody to competitive tender.

Hon. D A Feetham: So effectively the position in relation to the cladding of the housing estates is that that is going to be done by GJBS.

1665 **Hon. Chief Minister:** Mr Speaker, we are in Parliament at Question Time to elicit information – not for information to be elicited *again*.

Mr Speaker, we have had this debate. He needs to go back to the *Hansard* and look at what we said then. It has already been clarified.

1670 **Hon. D A Feetham:** No, with respect, this has not been clarified. The importance of this is *consistency, consistency* on the Government side.

Hon. Chief Minister: This is ridiculous!

1675 **Hon. D A Feetham:** Now, you have – No, it is not ridiculous! (*Interjection by Hon. Chief Minister*) I am sorry, you may not like the question because you do not know the answer, or you make it along, as you go along.

1680 **Hon. Chief Minister:** That is silly!

Hon. D A Feetham: That is the problem. (*Interjections*) You provided an answer, you cannot provide the information because it is going to go out and it is commercially sensitive and I quite understand that. I have asked you what is the difference between that and the so-called forgotten estates' £80 million? You have said GJBS.

1685 So, I am just simply saying to you, the cladding therefore is going to be done by GJBS – and you do not want to answer (*Interjection*) because you do not want to –

Mr Speaker: Order! Order! Order!

1690 **Hon. Chief Minister:** And I am saying to you, in previous answers to previous questions, that has already been answered and you have forgotten, like you have forgotten the estates!

Go back and look at the *Hansards*!

1695 **Hon. D A Feetham:** And I am suggesting to you that you make things along as you go along! That is the problem with you.

Mr Speaker: Order! Order! Order!

1700 **Hon. Chief Minister:** And I would suggest many more things to you about what it is that you do!

Mr Speaker: Order! Order! Order!

That question has been put. An answer has been provided. Another question, if necessary, but not shouting across the floor, 'You have' or 'You haven't'.

1705 Next question.

**Western Beach pollution
Update on resolution**

1710 **Clerk:** Question 741, the Hon. S M Figueras.

1715 **Hon. S M Figueras:** Can the Minister for the Environment report such developments as may or may not have occurred in relation to the resolution of the Western Beach pollution issue, further to recent questions and discussions in this House on the matter?

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

1720 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, there have been no further developments to report at this stage, but the Government is continuing to pursue alternatives to attempt to resolve the matter as soon as possible.

1725 **Hon. S M Figueras:** Perhaps the Minister... I have to say I am obviously, as I imagine many of those concerned individuals listening in will be, I am quite disappointed by the answer, because this is a matter that has been going on now for some time. The Government has been in charge of resolving this since 9th December 2011 and whilst it has been acknowledged in this House by myself and by my learned Leader of the Opposition in debates with the Hon. the Chief Minister, it is a complicated issue, given its international dimension and the fact that it is out of our control, however, the Minister has assured us on a number of occasions that it is being dealt with as a matter of the highest priority, because certainly, I think there is agreement across the House that it is a matter of the highest priority.

1730 I recall that the latest position was that it was with the legal team that was assessing its options. Is the Minister able to provide any kind of update in relation to *that* process, given the fact that it has been a couple of months since we last discussed it?

1735 **Hon. Dr. J E Cortes:** Mr Speaker, I can report that fortunately, the levels of pollution at Western Beach this summer have been totally acceptable, or certainly within the acceptable limits.

1740 Mr Speaker, there are obviously legal implications to this, which, as I said in my answer, Government is continuing to pursue, but because of the sensitivity of this, it is not something that I would like to say here in public, but I am more than willing to share with my hon. Friend outside the session in the lobby.

Hon. S M Figueras: I am grateful for the offer, one which I shall certainly take up.

**Jellyfish in Gibraltar waters
Management of issues**

1745

Clerk: Question 742, the Hon. S M Figueras.

1750

Hon. S M Figueras: Yes, Mr Speaker, Can the Minister for the Environment provide further detail of advice sought, if any, in relation to the various issues that have arisen from the prevalence of jellyfish in our waters in recent months and, in particular, whether the Government is considering taking any specific action in the management of this issue beyond raising public awareness?

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

1755

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the Department of the Environment obtained the advice of marine biologists and in-house environmental scientists regarding the recent upsurge in jellyfish number in our beaches. The advice received is consistent with published scientific literature, in that outbreaks of jellyfish numbers, particularly the ‘mauve stinger’, will continue into the foreseeable future.

1760

The accelerating degradation of the Mediterranean from overfishing, loss of predators such as marine turtles, eutrophication, decreased oxygen, climate change, and species introductions is believed to be expounding the problem of increased jellyfish numbers.

1765

In relation to any possible actions that can be undertaken, the Gibraltar Tourist Board, in close consultation with the Department of the Environment was specifically tasked with identifying possible measures to reduce jellyfish numbers at our beaches. Proposals have now been received from two local companies, which are currently being considered by Government.

1770

Furthermore, the Department of the Environment will continue with the Gibraltar Tourist Board to explore measures that could ameliorate the situation for the start of the next bathing season in 2013, apart from raising public awareness.

1775

Hon. S M Figueras: Mr Speaker, I am grateful for the answer. Is the Minister able to provide us with any more detail about specifically the last part of his answer and the measures that are being contemplated to ameliorate the situation before the start of the next bathing year, which is essentially where I was going fundamentally with the question?

1780

Hon. Dr. J E Cortes: Mr Speaker, a number of possibilities have arisen and in fact were considered this summer, including one which was discarded because clearly it would not have had a significant effect, which was the removal of some jellyfish, because with the numbers that there were in the region, no matter how many we removed from near our beaches, there would have been more coming in very, very quickly.

1785

One consideration that has been... one possible measure that is being considered – and as I say, it is being considered only – is the provision of exclusion nets to keep jellyfish out of parts, at least particular parts of our beaches, so that they cannot come in and have relatively safe bathing. This is similar, although at a very different scale, to shark exclusion that is done in other parts of the world.

1790

Hon. S M Figueras: And just by way of one final supplementary, more for clarification than for anything else, is this something that will continue to be considered and the policy of the Government is to pursue this, if the situation gives rise to the need for it?

1795

Hon. Dr. J E Cortes: Indeed, Mr Speaker, in the likelihood that, because of the degraded state of the Mediterranean, for all the reasons that I have mentioned, this could continue for a few years to come, this is something that we are already considering, with my hon. Colleague Mr Costa, in advance of next year’s bathing season.

**Barbary Macaques
Number exported since July**

1800

Clerk: Question 743, the Hon. S M Figueras.

Hon. S M Figueras: Can the Minister confirm whether any Barbary Macaques have now been exported since I last asked a similar question on this matter during the July session of Parliament, specifically Question 621/2012?

1805 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, no, sadly no Barbary Macaques have been exported since the last Parliament session. The International Primate Protection League and the Born Free Foundation are still pursuing the possibility of finding locations
1810 willing to accept monkeys from Gibraltar.

Hon. S M Figueras: Is the Minister or has the Minister been made aware by either the International Primate Protection League or Born Free Foundation of any avenues specifically that are being explored into which *some* inroads have been made in relation to their export?
1815

Hon. Dr. J E Cortes: Yes, Mr Speaker, in fact I have been in discussions for some time now. There is a possibility of one centre in the Netherlands which specialises in the conservation of Macaques and we are discussing various possibilities with them.

1820 **Hon. S M Figueras:** Is the Minister at liberty to say the numbers of apes we would be looking at in the Netherlands option?

Hon. Dr. J E Cortes: Approximately, in multiples of 30. They would be whole groups and it would either be one group or two groups; I doubt whether three, so it would be 30 or 60 or thereabouts. But we
1825 still do not have confirmation of destination.

Hon. S M Figueras: And finally, Mr Speaker, is the Minister able to provide us any kind of indication as to how long he expects this particular exploration of an option may take?

1830 **Hon. Dr. J E Cortes:** No, sir.

1835 **Thinking Green Conference**
Fees for former US Vice-President Al Gore and Juan Verde

Clerk: Question 744, the Hon. S M Figueras.

1840 **Hon. S M Figueras:** Yes, Mr Speaker, can the Minister for the Environment please provide details of the anticipated fees for attendance at the Thinking Green Conference in October of this year by former US Vice-President Al Gore and Juan Verde as key note speakers?

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

1845 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker the cost for Vice-President Al Gore's participation in the Conference is subject to final adjustment. It is anticipated that this sum will be paid by third party sponsorship of the event and not by Government.

A full account of the cost of the event will be published after it has been held.

1850 **Hon. S M Figueras:** I am grateful to the Minister for that answer, although, however, it is not the answer I was seeking from the question.

I understand that the cost will need to be adjusted because I have certainly, since I asked the question, become aware of the fact that there will be tickets sold and that therefore the cost will be adjusted by whatever income that may generate. The question itself was whether he was able to provide me with an
1855 estimate of the fees for attendance by the two speakers.

Hon. Dr. J E Cortes: Mr Speaker, as I said, this is still subject to final adjustment.

1860 **Hon. S M Figueras:** Mr Speaker, can the Minister confirm whether there is a ball park? I imagine that before signing a contract or even pencilling in the date for the arrival of a former US Vice-President there must have been some kind of ball park agreement of cost.

Hon. Dr. J E Cortes: Mr Speaker, because we are at the moment still sealing sponsorship deals, it is a matter that I think I should not go further on, at this stage, until we seal this and a full adjustment has
1865 been made. As soon as it is done, I am very happy to make that information available.

Hon. S M Figueras: Mr Speaker, I am grateful and I am fully understanding of the situation that the Minister is alluding to.

1870 However – and I shall not press further than this supplementary – whilst I understand that money secured by sponsorship will adjust the ultimate cost to the Government of the project, the attendance fee is something that will be set by the speakers in question. I note that the Minister does not want to share that figure in the House this afternoon, but I wonder whether the Minister would be as kind as to offer that information on a confidential basis, behind the Speaker's Chair.

1875 **Hon. Dr. J E Cortes:** Yes, the information will be shared and, obviously, as I said earlier, a full account of the costs will be published. I am very happy to have a conversation with the hon. Member opposite, who I know directly is looking forward to the event.

1880 **Hon. S M Figueras:** Indeed, Mr Speaker.

**'Dog Parks' in residential areas
Progress**

1885 **Clerk:** Question 745, the Hon. E J Reyes.

1890 **Hon. E J Reyes:** Mr Speaker, can Government state what progress it has made to date in respect of its manifesto commitment to provide 'Dog Parks' in residential areas, so as to prevent the problem of indiscriminate dog fouling?

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

1895 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, I think this is my first response to a Question from Mr Reyes, so I just highlight that. We go back a long way.

The Government has produced a proposed design for the first dog park in an area west of Harbour Views which has been presented to the Estates Management Company and will shortly be tabled at the Development and Planning Commission.

1900 This project will be the first test case and further ones will be delivered subsequently. Additionally, there are plans in hand to provide a dog park of some substantial size in the reclamation area that can be used by any dog owner wishing to provide exercise to their dog.

1905 It must be clear that dog parks are *not* designated dog fouling areas, so these are not being created as a means of preventing the indiscriminate dog fouling problem. They are meant as areas where dog owners can allow their dogs to exercise freely in a controlled environment.

The problem of indiscriminate dog fouling is being tackled separately, through an awareness and subsequent fining campaign, which will commence in early October this year.

1910 **Hon. E J Reyes:** Thank you, Mr Speaker.

My choice of wording here of the 'provision of dog parks in residential areas so as to prevent the problem of indiscriminate dog fouling' is taken directly verbatim from the manifesto, which is why I chose those words so there would not be any misunderstanding.

Can I press him, I think the Hon. Minister said that they are in the process now of presenting to the DPC a possible project West Harbour Views, did I hear correctly?

1915 **Hon. Dr. J E Cortes:** Mr Speaker, I said that it is being presented to the management company and would then be tabled at the DPC.

1920 **Hon. E J Reyes:** So subsequent to that, Mr Speaker, will due notice be given to the general public of when the DPC is to deliberate on this matter? Because I must declare my vested interest. I live within the Harbour Views Estate and I know that a very, very large number – and I wish to underline and put in bold print, '*large number*' – of residents have already expressed great concern about the dog park, noise pollution, not to include the smell pollution as well, that could possibly come out of it, so I want to make sure that the residents of the area may sleep soundly tonight, knowing that due notice will come out, so that they may make their due representations, as residents of that area.

1925 **Hon. Dr. J E Cortes:** Mr Speaker, in this new era of democracy that Gibraltar has entered on 9th December, all documents and the Agenda of the Development Planning Commission are published in

advance on the website, so clearly they can sleep peacefully tonight, hopefully without too many dogs barking.

1930

Hon J J Netto: Mr Speaker, if I may, first of all let me declare an interest here, because I do have a dog and I do live in Harbour Views.

Now, unfortunately, there are many dog owners who do not actually clean up after the dog has done its business. Unfortunately, I have to say that the whole perimeter pavement around Harbour Views is in a *dreadful, dreadful* state of affairs, which is really bad.

1935

I think the Hon. Minister did say that he was going to start a campaign of ensuring that the law is complied with. I congratulate him on that and, by all means, do start in that particular area, because there are some good owners who do the correct thing. So, that is in relation to that.

But the other thing is that this particular area, the dog park which he mentioned, is that the one which is adjacent to the football/basketball pitch in front of the Promenade?

1940

Hon. Dr. J E Cortes: Mr Speaker, I believe it might be, but I am not absolutely sure. I have not been dealing with this personally. It has been officials dealing with it, but I can confirm that and advise the hon. Member.

1945

I believe, some people I know who live in the area have told me that the cleaning of the area has increased recently, after they made representations. In any case, I can confirm that, early in October, we will be starting an awareness campaign which involves the Police, the Environmental Agency, the Department of the Environment, the responsible pet owners, the veterinary clinic and Rocky, who is our dog who will be leading this campaign. We will have awareness leaflets on television and an awareness day in October, where I think the whole question of dog fouling will be put across, I think in a humorous manner but taking the message home that we really have to be responsible dog owners.

1950

1955

Procedural

Clerk: Question 746, the Hon. Mrs I M Ellul-Hammond.

1960

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain –

Chief Minister (Hon. F R Picardo): Mr Speaker, sorry, if the hon. Lady will allow me, is this a convenient moment to perhaps break for 15 minutes?

1965

Mr Speaker: Is that convenient to all hon. Members?
The House will recess for 15 minutes.

The House adjourned at 5.30 p.m. and resumed its sitting at 5.55 p.m.

1970

EDUCATION, FINANCIAL SERVICES, GAMING, TELECOMMUNICATIONS AND JUSTICE

1975

Cover for maternity/paternity leave Number of teachers for year

Clerk: Question 798, the Hon. Mrs I M Ellul-Hammond.

1980

Hon. Mrs I M Ellul-Hammond: Mr Speaker, under ‘Cover for Maternity/Paternity’ in this year’s Estimates Book on page 64, £490,000 is earmarked; can the Minister for Education explain how many teachers on maternity or paternity leave does this reflect for the year?

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

1985

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, in the same way as a Question which was asked earlier, this really is a matter

which should have been raised in the course of the Committee Stage of the debate on the Appropriation Bill.

1990 Nonetheless, I will explain that the provision of £490,000 was based on an estimate of 20 teachers taking up their full maternity entitlement for 2012-13. This figure also includes cover for paternity leave entitlement for teachers.

1995 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, considering that over 40 teachers on the supply list have been employed, are there enough supply teachers to cover for these maternity and paternity leave absences, with enough supply teachers left to cover routine absences?

2000 **Hon. G H Licudi:** Mr Speaker, the result of the engagement of the 47 new teachers from the supply list is – I do not have the exact number – but I understand there are well over 40 teachers still on the supply list. On the basis that we have estimated 20 teachers on maternity leave at any particular time, there are still teachers available on the supply list to cover other absences and we have got to remember, Mr Speaker, that it is a matter of policy of this Government that supply workers are only used to cover *temporary* absences and not to cover vacancies. If a vacancy arises, then the vacancy will be advertised and will be filled in the normal way.

2005

**Examination Expenses
Increased forecast outturn**

2010

Clerk: Question 799, the Hon. Mrs I M Ellul-Hammond.

2015 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, in this year's Estimates Book, on page 65, an increase of £275,000 from last year's forecast outturn is assigned to Examination Expenses. Can the Minister for Education explain why there is such an increase?

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

2020 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the same issue arises in respect of the Committee Stage of the Appropriation Bill.

2025 However, I can confirm that the increase of £275,000 from last year's forecast outturn is attributed to a general increase in the fees charged per subject and entry. Other general costs, such as exam software upgrades have also increased.

**GDC staff member for training purposes
Grade and duties**

2030

Clerk: Question 800, the Hon. Mrs I M Ellul-Hammond.

2035 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, on page 65 of the Estimates Book under 'Other Charges – Contribution to GDC', £53,000 is assigned to a GDC staff member for training purposes, as explained by the Hon. Minister for Education at the Committee Stage of the Appropriation Bill. Can the Minister for Education tell us what the grade of this post is and the duties assigned to it?

2040 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

2045 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the post is Bleak House Administrator, which is a GDC Grade 5 post. The core duties include the management and administration of Bleak House.

I do in fact have further details of the job description, where the role is described as:

'To be responsible for the management and administration of all activities taking place within the institute'

– within Bleak House. The duties are:

2050 'To be responsible for the administration and management of all professional and vocational courses taking place in Bleak House; to provide all relevant resources for such courses; to liaise with the training officer for the provision of courses within the institute; to liaise with external training providers with a view to accommodating their needs within the institute; to manage industrial and non-industrial staff at Bleak House; to ensure that Bleak House facilities are kept in a fit state; to undertake any other duty required by the Director of Education commensurate with the grade.'

2055

Hon. Mrs I M Ellul-Hammond: Mr Speaker, is there a course or required specific qualifications for this particular post that this individual needs to undertake, in order to offer the duties that have been assigned to him or her?

2060

Hon. G H Licudi: The person who is in post... Is the hon. Member asking what qualifications the specific person in post has, or what qualifications were required when the post was advertised?

Hon. E J Reyes: Mr Speaker, £53,000 does seem a considerable sum of money –

2065

Hon. G H Licudi: It is not a salary.

Hon. E J Reyes: No, £53,000 is the cost of the training, isn't it?

2070

Hon. G H Licudi: Mr Speaker, the £53,000 that the hon. Member refers to appears on page 65, under 'Contribution to Gibraltar Development Corporation – Staff Services'.

2075

If the hon. Member were to have looked at page 156 of the Book, which is Appendix B, which deals with the Gibraltar Development Corporation, there is a provision there which says, 'Head 17 – Education – Salaries – £44,000.' So the salary... This is a GDC Grade 5 employee; that is the equivalent of an SEO, as I understand it, and £44,000 is within the scale of the SEO. In fact, I understand that the SEO goes up to about £47,000, but because this is a contribution to the GDC, there is also an additional £9,000 in respect of social insurance and pension contributions in respect of that particular post, but the salary is in fact £44,000, and it is shown in the Book.

2080

Hon. E J Reyes: Thank you for that, Mr Speaker. It does clarify. I clarify for the Hon. Minister: we were a bit under the impression that it was training that was going to be undertaken by the individual. No, so it is a contribution that offsets that. It does not necessarily mean that the individual is going to have to undertake any further training herself. That person was chosen and it is just a contribution for services really rendered, that is, it's services done to the Department of Education, hence why the virement of sums, yes?

2085

Hon. G H Licudi: Yes, Mr Speaker, it is a contribution by the Government under the budget of the Department of Education. That is why it appears under Head 17. It is a contribution to the GDC in respect of *all* the costs attributed to that particular post.

2090

Hon. E J Reyes: Most grateful, Mr Speaker. It has certainly clarified the misunderstandings we had from this side. Thank you.

2095

**Earlier opening for first schools
Women's Association desire for 8.30 a.m. start**

Clerk: Question 801, the Hon. Mrs I M Ellul-Hammond.

2100

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education tell us if he concurs with, or will consider, the Women's Association desire to see First Schools open their school gates 15 minutes earlier, at 8.30 in the morning?

2105

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

2110

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the Government has received representations from the Gibraltar Women's Association and from a number of working parents expressing a desire to see First Schools open their school gates at 8.30 a.m. The Government is currently considering those representations.

It should be noted that opening schools at 8.30 a.m. does not simply involve opening the school gates. It requires that pupils arriving at school should be supervised during this time. The Government is taking on board the views of all stakeholders and is analysing the possible educational impact of this move, before arriving at a final decision on this matter, in consultation with the Gibraltar Teachers' Association.

2115

**Bayside School students
Repeating failed GCSE core subject exams**

2120

Clerk: Question 802, the Hon. Mrs I M Ellul-Hammond.

2125

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Education advise whether Bayside School students, who have failed their GCSE core subjects, are able to repeat these exams after a year of study, as per the set up at Westside School in their year 12G?

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

2130

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the Department is working closely with the senior management team at Bayside School, so that students who fail their GCSE core subjects are afforded the same opportunities as Westside students.

2135

Clerk: Question –

2140

Hon. E J Reyes: Sorry, Mr Speaker, yes, I think the Hon. Minister will agree, what happens at the moment is if you are female, it means you can go back to your school to resit, for example, mathematics and English and if you are male, Bayside School says it cannot cater for that.

I understand the Minister wants to enter into discussions with the professions and so on. Does he have a target date of when this might be achievable?

2145

Hon. G H Licudi: Yes, Mr Speaker – I may have misunderstood the supplementary – this is not something that we are discussing with a view to considering. The matter has been considered already and the answer that I have given is that we are already working closely with the management team at Bayside, so that those students *are* afforded the same opportunities.

2150

It is my own view that it should not matter, when it comes to getting the best possible educational experience, whether you are a boy or a girl. It should not matter at all, but this is a system that we have inherited. This is not a system that we would certainly put in place. It is not intended to make this political or to start making allegations as to it is your fault or it is our fault, but this is a system that we have inherited. I am certainly, as Minister for Education, not happy at all with students in one school getting some benefit which students in another school do not get.

2155

Therefore, the instruction has been and the discussion, in consultation with the professionals of the Department and now with the management team at Bayside, is that students from both schools have to have the same opportunity. It was not possible for logistical reasons, because the matter was raised during the course of this year, it was not possible to put together the arrangements for September of this year, but I am certainly intending that this should be in place by September of next year.

2160

Hon. E J Reyes: Thank you for that, Mr Speaker. This side of the House concurs completely with the Minister for Education and he can count on the full support of us to make this a reality as soon as possible.

2165

Hon. G H Licudi: Thank you very much.

**Excessive noise from motor vehicles
Persons reported and prosecutions**

2170

Clerk: Question 803, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Government provide details to this House of the number of persons reported for process for offences of excessive noise in the context of motor vehicles, broken down by vehicle type and source of noise during the last 12 months, broken down by month and compared with the number of successful prosecutions during the same period, expressed on a month-by-month basis?

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

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, the information requested by the hon. Member is set out in a schedule that I now hand to him.

SCHEDULE TO QUESTION 803/2012

Month	Offence	Type of Vehicle	Number of Cases	Prosecution Outcome
Jul-11	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	4	1 caution
				3 pending court proceedings
Aug-11	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	27	1 caution 1 withdrawn in court 25 pending court proceedings
Sep-11	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	4	All pending court proceedings
	Defective Exhaust	M/cycle	1	
	Excessive Noise	M/cycle	1	
Oct-11	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	6	All pending court proceedings
	Defective Exhaust	Car	2	
	Defective Exhaust	M/cycle	2	
	Excessive Noise	Car	2	
	Excessive Noise	M/cycle	5	
Nov-11	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	11	All pending court proceedings
Dec-11	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	2 Cars	2	All pending court proceedings
	Defective Exhaust	M/cycle	1	
	Excessive Noise	M/cycle	1	
Jan-12	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	7	All pending court proceedings
	Defective Exhaust	M/cycle	2	
	Excessive Noise	M/cycle	1	

Feb-12	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	2 Cars	2	All pending court proceedings
	Defective Exhaust	Car	1	1 caution
	Defective Exhaust	M/cycle	2	2 pending court proceedings
	Excessive Noise	M/cycle	4	All pending court proceedings
Mar-12	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	4	All pending court proceedings
	Defective Exhaust	M/cycle	2	
	Excessive Noise	M/cycle	5	
Apr-12	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	9	All pending court proceedings
	Defective Exhaust	Car	1	
	Defective Exhaust	M/cycle	2	
	Excessive Noise	M/cycle	5	
May-12	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	3	All pending court proceedings
	Defective Exhaust	Car	1	
	Defective Exhaust	M/cycle	2	
	Excessive Noise	M/cycle	6	
Jun-12	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	5	All pending court proceedings
	Defective Exhaust	M/cycle	2	
	Excessive Noise	M/cycle	6	
Jul-12	Operating a Loudspeaker 2100hrs & 0800hrs (Public Health Act - Annoyance)	Car	1	All pending court proceedings
	Excessive Noise	M/cycle	1	

Total Operating a loudspeaker from cars (annoyance)	85
Total Defective Exhaust Cars	5
Total Defective Exhaust M/cycles	16
Total Excessive Noise Cars	2
Total Excessive Noise M/cycles	35

2185 **Hon. S M Figueras:** Mr Speaker, I will just start my line of supplementaries which will not be too long, with one relating specifically to the information that I have just had a very quick opportunity to look at. That is at the total at the very end of the schedule of information, there is a very helpful totalling of the offences. The total for defective exhausts on motorcycles is 16 and the total for excessive noise from motorcycles is 35.

2190 Is the Minister in a position to explain what the total other excessive noise from motorcycles may be down to? I know he may not, but if he is, I would be grateful for the assistance.

2195 **Hon. G H Licudi:** I am afraid I cannot help him very much, other than, in the schedule, there is a distinction drawn in respect of motorcycles between defective exhausts and excessive noise. I do not want to speculate, but one can speculate that a motorcycle might make excessive noise without necessarily having a defective exhaust.

I can find out, if the hon. Member really wants me to, (**Hon. S M Figueras:** Yes.) but I do not have the information.

2200 **Hon. S M Figueras:** Yes, I cannot imagine there would be that loud a turn or indicator signal! (*Interjection*)

2205 I am grateful for his attempt to assist and would be grateful for some clarification on that, insofar as it may be helpful, because the point of the question, Mr Speaker, is that I am approached regularly by concerned individuals and note myself that there seems to be an increasing number... well, I do not know whether perhaps if 'increasing' number is the correct way to describe it, but a very significant instance of

very, very loud motorcycles in particular, sporting after market exhausts which cause what is to the minds of these concerned individuals, and certainly myself, excessive noise.

2210 Is the Government in a position to explain what its policy is in relation to this, specifically in relation to this trend that seems to have emerged in recent times for excessively loud exhausts which are not necessarily defective?

2215 **Hon. G H Licudi:** Mr Speaker, we do not have any particular policy on that. The matter simply has not been brought to my attention as being an area of concern. If the hon. Member tells me that there are hundreds or thousands of motorcycles out there making this excessive noise, then it is a matter that we would look at.

2220 What we do have in respect of excessive noise by motorcycles, over a period of one year, in fact the information provided spans to 13 months, because it starts in July 2011 and ends July 2012 inclusive of the two July's – so it's 13 months – there are 35 reports over 13 months. I am not sure whether we can classify that as a major problem that needs to be looked at as a matter of policy or not. But if the hon. Member tells me of different specifics as to the nature of the problem, I am happy to discuss that with the Police.

2225 **Hon. S M Figueras:** Yes, Mr Speaker, I am grateful for the Minister's intervention. The total amount of 35 certainly, in the context of 13 months, does not strike one as a worrying figure at all. However, what I would say to the Minister – and perhaps this will assist – is that some of the concerned individuals are police officers, who explain that the issue is that these exhausts are not defective; that they are designed in a way that they are indeed louder, and that – (*Interjections*)

I can wait for the Ministers to confer.

2230 What I am given to understand, Mr Speaker, is that these exhausts are not defective in any way but can be modified in a very, very simple way so as to arguably increase performance or make more noise, which is the net effect of making that very simple modification, and that in instances, if it is not the trend, upon reporting for process for excessive noise, which may be what it is in fact referring to, that schedule, – excessive noise – by the time the noise can be measured at the Test Centre, which I believe is the manner in which these matters are dealt with and assessed – and I am happy to be corrected if I am wrong

2235 – the simple modification can be undone, so as to avoid the detection.

This is the issue that perhaps you have not yet been made aware of. It is clear that you have not. I wonder whether the Minister will be happy to consider reviewing the situation, if I can bring some more information to his attention on this matter.

2240 **Hon. G H Licudi:** Yes, Mr Speaker, I will do that in conjunction with my hon. Colleague, the Minister for traffic, who tells me that, in fact – and I did not know this – when these vehicles are made, then the motorcycle or the car is in fact referred to the MOT Test Centre for some sort of [*inaudible*] –

2245 **Hon. S M Figueras:** Testing, yes.

Hon. G H Licudi: Whether there is any power to actually undo what has been done... There is a power to report somebody in respect of an offence. The matter then is reported for process and ends up in the Magistrates' Court. The court will have whatever powers it has in respect of sentencing for that particular offence.

2250 But off the top of my head, I cannot think that there is any power for members of the MOT Department simply to rectify something that has been done privately –

Hon. S M Figueras: Perhaps the Minister will give way?

2255 **Hon. G H Licudi:** – but it is something that perhaps we can look at.

2260 **Hon. S M Figueras:** Yes, in fact there is, Mr Speaker, a recommendation that was made to me, that was mentioned to me in passing and that was that the issue may well be resolved, by the acquisition by the relevant authorities of a device that can measure the noise level on the spot. That was one of the suggestions that was made.

I understand that we are not going to get any further with this, given the fact that the Minister is certainly not aware of it and I understand that fully. I will be happy to continue this conversation outside the Chamber to see whether perhaps a solution can be reached.

2265 **Hon. D J Bossino:** Mr Speaker, just if the Minister could assist me in understanding the schedule which he has kindly passed over to the Opposition, and that relates to the description under the column entitled 'Prosecution Outcome'. Do I take it that all 'pending court proceedings' – or more particularly,

pending court proceedings which seems to the description which applies to almost all of the offences – means that technically, it is before the court, but it is awaiting a court hearing? Is that a proper interpretation?

2270

Hon. G H Licudi: That is correct.

2275

**Offence of feeding apes
Persons reported and prosecutions**

2280

Clerk: Question 804, the Hon. S M Figueras.

Hon. S M Figueras: Mr Speaker, can the Government provide details to this House of the number of persons reported for process for the offence of feeding apes over the last 12 months, compared to the number of successful prosecutions over the same period, also broken down on a monthly basis?

2285

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

2290

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, during the past 12 months, no persons have been reported for process for the offence of feeding apes.

Hon. S M Figueras: Mr Speaker, I fear I may be walking into a lion's den – *(Laughter and interjections)*

2295

A Member: An apes' den!

Hon. S M Figueras: Indeed, well, yes! I am sure apes are incapable of such vicious behaviour as I may well incur by embarking upon this supplementary journey!

2300

Is the Minister able to assist or has he any information that may enlighten us as to why there seems to have been a lack of enforcement of this particular provision in the last 12 months?

2305

Hon. G H Licudi: Mr Speaker, as the hon. Member well knows, matters of enforcement in respect of the law are matters for the Police, and if he does not know, the hon. Member to his left will clearly tell him. It is a matter for the Police to enforce the legislation.

What I can tell him is that the information I have is that during the relevant period, there have been no complaints by members of the public in respect of this particular offence – sorry, I should say, no complaints *to the Police* in respect of this particular offence.

2310

Clerk: Question 805, the Hon. J J –

Hon. D A Feetham: Can I just say to the Hon. the Minister for Justice that... I live up there, in the Upper Rock... I think it is actually, 100 yards from the apes' den. I drive up there every day, and I habitually see the feeding of apes by members of the public!

2315

A Member: You should report it. *(Interjections)*

Hon. D A Feetham: I do and in fact I have on a number of occasions stopped my car and actually told people –

2320

A Member: Citizen's arrest! *(Laughter)*

Hon. D A Feetham: Yes – a citizen's arrest! I have told people that that is not something that they ought to do.

2325

How far are we from a situation where the Government is going to perhaps have somebody up there who might help with this particular point? Because ensuring that if anybody does this kind of thing, that it is reported to the Police, or that by having somebody up there, obviously it is going to mean that this does not occur with the frequency that it does at the present moment.

2330 **Hon. G H Licudi:** Mr Speaker, I am not sure... I would have to take a reference of 'having someone up there', whether the hon. Member is suggesting that police officers should be permanently placed there or whether it is a matter of ape management. But the hon. Member who is responsible for the Upper Rock perhaps can enlighten us.

2335 **Minister for Health and Environment (Hon. Dr. J E Cortes):** Mr Speaker, the Macaque Management Plan is virtually complete and I am having meetings next week, which I hope will finalise it and that would include provision for supervision up on the Rock.

2340 As far as elsewhere in Gibraltar where it is just as illegal as on the Upper Rock, we will shortly be seeing some signs going up, advising the public that they are *not* to feed the monkeys. One takes the view that we should warn people, because it is even advertised abroad that people can come to Gibraltar to feed the monkeys. We need to make that perfectly clear to all to be fair, before the Police may or may not – it is entirely up to them – choose to take this up. But the signs will be going up in some parts of Gibraltar shortly.

2345 **Hon. J J Netto:** But, Mr Speaker, if I may, signs in the Upper Rock have been there for many, many years, and people have never paid...

Hon. Dr. J E Cortes: Mr Speaker, I said *other* than on the Upper Rock.

2350 **Hon. J J Netto:** It seems that people have never paid any notice whatsoever of the signs, regardless of the size of the board which is quite enormous.

2355 So the point that my hon. learned Friend was making is that if the Police for whatever operational reasons do not go to the Upper Rock to enforce the law as it stands, I think what he was hinting at was whether the Department of Environment would be employing some kind of wardens, which may have certain powers, just like traffic wardens have in relation to complying with certain traffic matters. I think that is what he was pointing at, and perhaps he could enlighten us whether this is in the pipeline to be done.

2360 **Hon. G H Licudi:** Mr Speaker, let me make one thing absolutely clear: I did not say what he suggests, that the Police do not go to any part of Gibraltar to enforce the law. (*Interjections*) He said, 'not go to the Upper Rock to enforce the law.' The Police do go wherever it is necessary –

Hon. J J Netto: For whatever *operational reasons*.

2365 **Hon. G H Licudi:** – in order to enforce the law. Sometimes there are complaints by members of the public. I note that the hon. Member seems to be suggesting or has suggested that he has seen offences being committed but he has not –

Hon. D A Feetham: Habitually, every single day.

2370 **Hon. G H Licudi:** Habitually, but he does not call the Police to report the offence. I do not know whether that makes him an accessory or anything like that, (*Laughter*) but that is a matter for his own conscience.

2375 But I just wanted to refute the suggestion that the Police do not enforce the law. It is a matter for the Police, how they enforce the law, but clearly if offences are committed, the Police will –

2380 **Hon. J J Netto:** Mr Speaker, if the Hon. Minister will give way, there are many good, operational reasons why the Police would not go up to the Upper Rock, either most days or some days. I am not questioning that; but the fact remains that a person is not there on a permanent basis, to enforce the legislation.

2385 Given that we have that and given that we know that apes should not be fed – which is not good for their health – the point should be whether we should have some other kind of presence there, in the form of wardens. Therefore, if this is something that the Hon. Minister for the Environment, who is keen to stand up and give us an answer, says is something that is in the pipeline, and if it is so, whether these wardens have certain powers to be able to fine people on the spot if they were to be feeding apes, or in fact contravene any other aspect of the Upper Rock.

Hon. Dr. J E Cortes: Mr Speaker, the hon. Member well knows, when he was my Minister for the Environment, during which there was a long and very cordial and, I think, fruitful relationship, this has always been a problem, which we are addressing in this Macaque Management Plan and which *will* be

2390 addressed, (*Interjection*) which I have said earlier on today and I have said on other occasions in Parliament.

I must add that zero charges, prosecutions, in nine months is probably statistically more significant than zero in 16 years, but in order not to blame it all on the previous Government, I think that since the law was passed prohibiting the feeding of apes in 1918, there have been three prosecutions. I suspect that that may largely be the cause of why we have problems with the macaques at this point in time, but obviously we are going back almost a hundred years.

Hon. D A Feetham: Yes, on that basis, nearly the entire community are accessories to a crime, because we have all probably seen it done!

A Member: Indeed.

2405 **Juvenile crime**
Details of under-18s in court

Clerk: Question 805, the Hon. J J Netto.

2410 **Hon. J J Netto:** Can the Minister for Justice state how many juveniles below the age of 18 have appeared before the Courts of Gibraltar during 2012, broken down by months and including the following: their sex; their age; the charges; whether the Courts have found any of them guilty; and the sentence?

2415 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

2420 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, the information requested, subject to what I will say in a moment, is set out in a table which I now hand to the hon. Member.

The hon. Member asks in his Question for details concerning juveniles below the age of 18. The information provided in the schedule, however, deals with persons below the age of 17.

2425 Under the Criminal Procedure Act 1962, a young person is defined as a person who has attained the age of 14 years and is under the age of 17 years. A child is a person under the age of 14. A differentiation is therefore made, for the purposes of court and police records, of persons charged and appearing in court who are under the age of 17 on the one hand and those who are 17 and over on the other. That is why the information provided concerns persons below the age of 17.

2430 The position will be different once the Criminal Procedure and Evidence Act 2011 comes fully into force in early October 2012, which I know the hon. Member will be very happy about. Juveniles are defined in that Act as persons below the age of 18. It will therefore, as from then, be possible to provide hon. Members with details of all persons below the age of 18 who appear in court.

Mr Speaker, perhaps I should also – because I had some difficulty following the table originally, when I got it – explain to the hon. Member how the table actually works.

2435 The table is related to persons charged to appear. Although the Question relates to persons appearing in court, the table goes a little bit further and gives, in fact, a little bit more information than the hon. Member has sought.

2440 The hon. Member will see the first column is ‘Month’; the second column is the number of persons arrested; then the breakdown by age... males and females; and then the breakdown by age of all those persons arrested; and then we see the number of persons charged from those arrested. Clearly, the number of persons charged will not total the number of people arrested.

2445 In the first row, Mr Speaker, where it says ‘Possession of Drugs – 1’, ‘Taking a Conveyance – 2’, ‘Common Assault – 3’, that is the number of people. So he should not take it that there is a correlation between the age and the charge that is right beside it. They are totally separate and distinct columns. One gives the breakdown of age and the other one just gives the numbers of juveniles charged in respect of each of those particular offences.

In the final column, which talks about the sentence imposed if convicted, again, where it says ‘Conditional Discharge – 4’, it simply means that four of the people who were charged were given a conditional discharge, three were given fines and six are still pending in respect of court proceedings.

So that essentially explains how this table has been put together.

Schedule to Question 805/2012

Juveniles Charged to appear before the Juvenile Court - 1st January to 31st August 2012

Month	Number of Juveniles Arrested	Males	Females	Breakdown by Age	Juveniles Charged	If Convicted, Sentence Imposed
Jan-12	24	24	0	6 x 12yrs 2 x 13yrs 2 x 14yrs 6 x 15yrs 6 x 16yrs 2 x 17yrs	Poss of Drugs - 1 Taking a Conveyance - 2 Common Assault - 3 Obstructing Drugs Misuse Act - 1 Poss of Tobacco - 2 Robbery - 4	Conditional Discharge - 4 Fines - 3 (ranging from £100 to £500) Pending - 6
Feb-12	25	24	1	1 x 13yrs 1 x 14yrs 7 x 15yrs 8 x 16yrs 8 x 17yrs	Poss of Drugs - 1 Common Assault - 1 Robbery - 1 Poss Offensive Weapon - 3 Causing Damage - 1 Theft - 1 Handling Stolen Goods - 1 Taking a Conveyance - 2 Obstructing Police - 1 Exporting Tobacco - 1	Attendance Centre Orders - 2 Fines - 3 (ranging from £30 to £200) Pending - 8
Mar-12	18	17	1	1 x 12yrs 1 x 14yrs 5 x 15yrs 8 x 16yrs 3 x 17yrs	Poss of Drugs - 2 Theft - 1 ABH - 1 Taking a Conveyance - 3 Burglary - 1	Attendance Centre Orders - 2 Fines - 2 (ranging from £50 to £200) Pending - 4
Apr-12	20	16	4	4 x 13yrs 4 x 14yrs 4 x 15yrs 4 x 16yrs 4 x 17yrs	Obstructing Police - Drugs Misuse Act - 2 Poss of Drugs - 4 Violent Behaviour - 2	Conditional Discharge - 3 Fines - 3 (ranging from £50 to £70) Pending - 2

May-12	21	16	5	6 x 13yrs 2 x 14yrs 4 x 15yrs 7 x 16yrs 2 x 17yrs	Poss of Drugs - 3 Theft of Motor M/C - 2 C/Damage to vehicle - 3 Arson not Endangering Life - 1 Common Assault - 1	Attendance Centre Order - 3 Conditional Discharge - 1 Fines - 3 (ranging from £50 to £100) Pending - 3
Jun-12	20	18	2	5 x 13yrs 5 x 14yrs 4 x 15yrs 5 x 16yrs 1 x 17yrs	Failing to comply with Court Order - 2 Poss of Drugs - 2 Supplying Drugs - 1 Assault on Police - 1 Poss Offensive Weapon - 1 Poss Firearm / Ammunition - 2 Causing Damage - 1 Violent Behaviour - 1	Fines - 2 (ranging from £40 to £100) Proved No further penalty - 1 Payment of Compensation £250 and No Separate Penalty - 1 Probation Order for 12 months - 1 Pending - 6
Jul-12	12	12	0	1 x 12yrs 2 x 13yrs 1 x 14yrs 2 x 15yrs 4 x 16yrs 2 x 17yrs	Poss Prohibited Import - 1 Poss of Drugs - 2 Obstructing Police - Drugs Misuse Act - 1 Poss Commercial Quantity Tobacco - 1 Burglary - 1 Possession of a Firearm/ Ammunition - 1	Fines - 2 (ranging from £200 to £340) No separate Penalty - 1 Conditional Discharge 12 months - 1 Pending - 3
Aug-12	22	20	2	1 x 9yrs 3 x 13yrs 4 x 14yrs 10 x 15yrs 2 x 16yrs 2 x 17yrs	Burglary - 6 Poss. of Drugs - 5 Conduct Likely to Cause a Breach of the Peace - 2 Burglary Dwelling House - 2 Taking a Pedal cycle - 1 Taking a Conveyance - 1 Breach of Bail Conditions - 1 Theft - 2	Fined - 1 (£50.00) Pending - 19
Totals	Arrests 162	Male 147	Females 15	N/A	Juveniles Charged to appear in court - 90 NOTE - Additionally, out of the initial number of 162 juveniles arrested, the remaining 72 would have been dealt with by way of a formal Police Caution, Released from Arrest without charge, or in more recent cases, may still be on Police Bail.	39 Juveniles Dealt with - 51 are Pending

2450 **Clerk:** Question 806.

Mr Speaker: The Hon. Daniel Feetham.

2455 **Hon. D A Feetham:** Just in relation to July and also June of this year, it says 'Possession of a Firearm/Ammunition' on both. Are we talking in terms of possession of firearms... Are we talking possession of what is called in Spanish *escopeta de perdigones*, or are we talking about proper actual firearms, guns? Does he know that at all, or not?

2460 **Hon. G H Licudi:** The answer is that I do not know which specific weapon is referred to when it comes to possession of firearms, but 'firearm', as the hon. Member knows, under the Firearms Act, includes the air rifles and air pistols, so all those that the hon. Member has described includes 'firearms'. There is no distinction as to what is a proper firearm and what is not –

2465 **Hon. D A Feetham:** No, I do understand that.

Hon. G H Licudi: – but I do not have the information as to which particular category of firearm that charge relates to.

2470 **Hon. D A Feetham:** I am asking because it would be very worrying indeed if you had two separate incidents in June and July of possession of firearms other than pellet guns. It is not justified – it is against the law – but pellet guns are in a different category to other types of firearms that are far more serious.

2475 What about the possession of offensive weapons in June 2012 and also February 2012? Does he have any information about those, as to whether they relate to knives, for example, or does he not have any information?

Hon. G H Licudi: No, Mr Speaker, I do not have the specific breakdown of the type of weapon, but I am happy to find out for the hon. Member.

2480 **Hon. D A Feetham:** Please.

Domestic violence Breakdown of cases

2485 **Clerk:** Question 806, the Hon. J J Netto.

2490 **Hon. J J Netto:** Mr Speaker, can the Minister for Justice state if there have been any cases of domestic violence reported to the Royal Gibraltar Police since Question 163/2012 to date, showing the number of persons affected by such violence, their age, sex, the number of persons arrested and the persons charged?

2495 **Clerk:** Answer, the Hon. the Minister for Education, Financial Services, Gaming, Telecommunications and Justice.

2500 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, a total of 60 reports of domestic violence, affecting 85 persons, of which 67 were females and 18 were males, have been made to the Royal Gibraltar Police from 1st February 2012 to 12th September 2012. A total of seven persons have been arrested of whom four have been charged.

The ages of the persons affected are shown in the schedule, which I now hand to the hon. Member.

Schedule to Question 806/2012

AGE OF PERSONS AFFECTED	NO. OF PERSONS
12 YEARS	1
16 YEARS	1
18 YEARS	4
19 YEARS	1
21 YEARS	4
22 YEARS	4
23 YEARS	2
24 YEARS	3
26 YEARS	5
27 YEARS	3
29 YEARS	4
30 YEARS	3
31 YEARS	1
32 YEARS	3
34 YEARS	2
36 YEARS	4
37 YEARS	3
42 YEARS	5
43 YEARS	4
44 YEARS	3
45 YEARS	6
46 YEARS	3
49 YEARS	4
51 YEARS	3
52 YEARS	4
53 YEARS	3
66 YEARS	1
67 YEARS	1
TOTAL	85

2505 **Hon. J J Netto:** Mr Speaker, looking at the schedule that the Minister has so kindly provided, I notice at the very top... and I would not want to, across the floor of the Chamber, necessarily go into the detail, but I notice that there is one person who is 12 years old and one person who is 16 years old. They may be, to some degree or other, affected as a result of this.

Is the Minister perhaps in a position to say whether, in relation to those two cases I have referred to, they required any kind of support perhaps from Social Services in relation to counselling or something of that kind, given the age of these particular persons who are affected?

2510 **Hon. G H Licudi:** Mr Speaker, I do not have that specific information, but I will check whether Social Services were involved and I will let the hon. Member know.

Mr Speaker: The Hon. Isobel Ellul-Hammond.

2515 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, yesterday the United Kingdom Government announced that the Home Office is changing the definition of domestic violence by including coercive control, such as psychological abuse, as part of it. Will the Government consider following this lead and updating Gibraltar's definition too?

2520 **Hon. G H Licudi:** Mr Speaker, we are fast, but not that fast. If this announcement was made by the UK, I certainly have not got any information or knowledge of that, but I am happy to look at what proposed changes are being made to see whether we can improve in any way our legislation in Gibraltar. Certainly every effort will be made to protect individuals from domestic violence.

2525 **Hon. Mrs I M Ellul-Hammond:** Yes, I am grateful for that. That is why I said 'would the Government consider'.

2530 **Sexual assaults on juveniles
Breakdown of cases**

Clerk: Question 807, the Hon. J J Netto.

2535 **Hon. J J Netto:** Mr Speaker, can the Minister for Justice state if there have been any persons during 2012 who have been charged with sexually assaulting juveniles, broken down by months, and provide the following information: (a) the possible number of victims suspected as a result of the charge of sexual assault; (b) how many cases have now been heard in our courts or are waiting to be heard; (c) of those heard, how many have now been concluded; and (d) the sentence of those found guilty?

2540

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

2545 **Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi):** Mr Speaker, from 1st January 2012 to 12th September 2012, a total of two persons have been charged with sexually assaulting juveniles. One person was charged in January 2012 with sexually assaulting one victim, and another was charged in March 2012 with sexually assaulting two victims. Court proceedings are still ongoing.

2550

**Child pornography
Breakdown of cases**

2555 **Clerk:** Question 808, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Justice state how many persons have been charged with the illegal download of pornographic pictures of juveniles during 2012, broken down by months, and provide the following information: (a) the number of persons who have been found guilty in the courts and the sentence given; (b) the number of cases pending a hearing at the courts; and (c) the age and sex of those awaiting a hearing and of those found guilty?

2560

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

2565

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, from 1st January 2012 to 12th September 2012, one person has been charged with the illegal download of pornographic pictures of juveniles. The person concerned is a 67-year-old male. Court proceedings are still ongoing.

2570

**St Bernard's Hospital site
Government's plans**

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Clerk: Question 809, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Development and Planning explain what plans the Government has for the old St Bernard's Hospital site that was earmarked by the former GSD Government as a joint first and middle school?

2580

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

2585

Minister for Education, Financial Services, Gaming, Telecommunications and Justice (Hon. G H Licudi): Mr Speaker, there are no concrete plans for the site as yet.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, in February, the Hon. Minister for Education answered to this Question that they were still considering various options. Can he say what those options are that are being considered?

2590

Hon. G H Licudi: No, Mr Speaker, the Government still has an open mind as to what those premises are going to be used for and is still considering a number of options. I would not like to give details of what those options are until we decide what we are going to do with that site.

2595

HEALTH AND ENVIRONMENT

**Hospital meals
New arrangements**

Clerk: Question 746, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain the new arrangements for hospital meals and where the new kitchens will be sited?

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

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the proposal presented by the Catering Department to revert to bulk meal service was approved and discussions with the relevant Departments have taken place in order to phase in this service. Introduction dates to the new services have not been established and agreed to date. The new Catering Facility will cater for bulk food distribution.

A feasibility study to relocate the Catering Facility to St Bernard's Hospital has been commissioned and proposals for possible sites are being considered. The Government Architect will be presenting scheme designs shortly, and in fact I spoke to him yesterday and I expect them on Monday or Tuesday.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, does the Minister know what will be happening to the old kitchen site on the North Mole?

Hon. Dr. J E Cortes: No, Mr Speaker. No decision has been taken on that site.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, as part of this new meal service, will patients be given a choice of food, which they could order the day before, according to the dietary needs – for instance, vegetarian or diabetic, celiac or gluten free, or intolerant and so on?

Hon. Dr. J E Cortes: That is the intention. The first step is to have the bulk service and once that is established, the intention is to do what should have always been done and that is to give the patients a choice.

**Nursing assistants and registered general nurses
Eight-month contracts**

Clerk: Question 747, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health advise how many nursing assistants and registered general nurses, as per the advert in February for their recruitment, are on the eight-month contracts as advertised, and is it the intention of the GHA to permanently employ such persons upon the successful completion of the eight-month contract?

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

Minister for Health and Environment (Hon. Dr. J E Cortes): Mr Speaker, the nursing assistant vacancies advertised internally in March 2012 were, as indicated in the advert, for appointment on indefinite permanent terms, and I can confirm that 18 appointments were made.

Further vacancies were advertised internally in April 2012 on the same terms and conditions, and a further 14 appointments were made.

As far as the registered general nurse vacancies are concerned, these were advertised on a short-term contract for 10 months. One appointment was made and although it was the GHA's intention to permanently employ that person on completion of the contract, the appointee resigned shortly after.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, is this recruitment part of the GHA's drive to employ over 20 new nurses and increase the complement as announced during the Budget?

Hon. Dr. J E Cortes: Yes, Mr Speaker.

GHA review
Findings by UK consultants; recommendations

2660

Clerk: Question 748, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain what the overall findings of the GHA review by the UK consultants were and what measures will be taken to implement the recommendations?

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

2670

Minister for Health and Environment (Hon. Dr. J E Cortes): Mr Speaker, the contents of the review will be made public shortly and will be considered by the Gibraltar Health Authority and GHA management with a view to preparing an implementation plan.

2675

Hon. Mrs I M Ellul-Hammond: Mr Speaker, when will the GHA be in a position to inform the people of Gibraltar as to the results of the review?

Hon. Dr. J E Cortes: There are meetings being held next week of both the Health Authority and GHA management in order to discuss a timeframe for this.

2680

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister say if part of the findings of the GHA review was to restructure the GHA's management?

2685

Hon. Dr. J E Cortes: Mr Speaker, the restructure of management is something that has been ongoing since... maybe not the 9th, but certainly 10th December. I have been involved in discussions with the Executive of the GHA and others.

I have, as this House is aware, also looked at models in other jurisdictions, so that partly this is happening anyway, but there are suggestions and recommendations in the Report which do have a bearing on the restructure and which will be taken into account, as this restructure is finalised.

2690

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister advise if part of the findings of the GHA review was that Dr McCutcheon should resign as Chief Executive of the GHA?

2695

Hon. Dr. J E Cortes: Mr Speaker, I want to resist... I have already offered information, but only in as far as there are recommendations on restructure, which will surprise no one, but I do not think that I should say anything further while the Health Authority and the management of the GHA have still not deliberated and considered this review. As it will be made public, then that information will be available shortly and I dare say more than likely before the next sitting of Parliament, and obviously then I would be willing and able to take questions.

2700

Health and Safety Committee of the GHA
Membership, qualifications and duties

2705

Clerk: Question 749, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain who comprises the Health and Safety Committee of the GHA, what their qualifications are and what they do?

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

2715

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the Health and Safety Committee is comprised of the following staff members: Mr Chris Wilson, Director of Human Resources, who chairs representing the GHA; Evelyn Cervan, Deputy Director or acting Director of Corporate Services representing the GHA; Edward Holmes, Deputy Director of Nursing Services representing the GHA; Lloyd Ocaña, Craftsman who represents Unite, I believe, this is the staff side; Harold Zammit, Linen Supervisor, also Unite; Paul Tremayne, Emergency Medical Technician, also representing the Union; Darren Cerisola, Emergency Medical Technician, also representing the Union; Linda Castro, Dermatology Nurse Specialist, representing the Union; Marilyn Bramble, Nursing Assistant representing the Union; and Jane Marzan, a Personal Secretary representing the GHA.

2720 Their role is to conduct audits and inspections and address any issues that arise from these or otherwise brought to their attention.

2725 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, is any one of those in the Committee the Health and Safety adviser, or is that still being considered?

Hon. Dr. J E Cortes: Mr Speaker, this is a Committee that looks overall at Health and Safety issues within the GHA. None of them is specifically a or the Health and Safety adviser.

2730 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister explain how they assess risk assessments – how they are conducted?

2735 **Hon. Dr. J E Cortes:** Mr Speaker, that is not information I have available. I have explained who comprises, what they are and what they do in carrying out audits, but any further details I would need notice of.

Clerk: Question –

Mr Speaker: The Hon. Jaime Netto.

2740 **Hon. J J Netto:** Mr Speaker, first of all, the first comment I would like to put as a premise is that obviously one welcomes the fact that there is an established Committee in the GHA which is composed from management and the union in order to discuss and highlight issues in Health and Safety, and that in itself is a welcome step in the right direction.

2745 But as the hon. Member knows, back in February or March of this year, I did ask him specifically whether the GHA would consider having a permanent person qualified and specialised in Health and Safety as a Health and Safety adviser or officer, and at the time, the hon. Member did say that they were conducting a review of management needs in the GHA and he would certainly look into that.

2750 What I am about to ask him is that if he looks at the numbers of Health and Safety advising officers, as applied by the Hon. the Minister for Health and Safety in various Government Departments, Authorities and Agencies, he will be able to see from the previous list – and I say this because there is another Question on the Order Paper which may be updated from the old one that I have available – that there are some Government Departments... in fact, the City Fire Brigade has a specialised Health and Safety adviser officer and Customs has another one. Both Departments, both numerically in numbers and perhaps in the diversity of functions, do not come anywhere near the size of the GHA, both in people employed and the diversity of functions that the GHA provides across the board. So basically, I think it is not fair to say that the onus of responsibility for risk assessment and audits of this kind should go on people, who may be very qualified in management and be very good qualified in many things in the trade union field, but not necessarily be a specialist in Health and Safety, because in the UK, as far as I am aware, Health and Safety adviser officers do require to have a number of qualifications in that particular field.

2760 So what I am asking the Hon. Minister, and I am glad for your indulgence in my prelude to this, is whether he has considered the development of a particular post on a permanent basis for the GHA or whether this is in the pipeline?

2765 **Hon. Dr. J E Cortes:** Mr Speaker, I chair a complex large multi-disciplinary organisation that I have inherited and I suspect that I could probably list more shortfalls myself than anybody else present in this House at the moment. So the fact that there is no such adviser is certainly not of my making or this Government's making.

2770 Having said that, it is an important role to be played in any organisation of this size and it is certainly something that is being looked at.

Hon. J J Netto: So is it part still of this review that has not finished?

2775 **Hon. Dr. J E Cortes:** This review did not, as far as I can recollect, address specifically the Health and Safety issue. It was more looking at clinical governance and management procedures.

Hon. J J Netto: I am referring to the view that you referred back in February or March where the GHA was going to consider this.

2780 **Hon. Dr. J E Cortes:** Yes, this is being considered, but it is not part of the review that we were referring to earlier. It is being considered within management.

2785 **Hon. J J Netto:** Does the Minister have an indication by when they will be in a position to know whether they will or will not have a Health and Safety adviser or officer – which is another option perfectly legitimate for him to take, if he wants to take it? He can also say, ‘Well, look, I will satisfy my obligations under the management of Health and Safety legislation, not necessarily by employing someone permanently in the GHA, but by outsourcing the function to someone else, in support of the management who has the responsibility to comply with that.’ That is another option he can take. It is up to him.

2790 **Hon. Dr. J E Cortes:** Mr Speaker, that is already happening. The Government’s Health and Safety Inspectors have carried out Health and Safety audits of some parts of the GHA, including the kitchen facilities, which were found *very, very, very* lacking, and we have already taken steps to correct most of those faults which again I have inherited. It was a particularly scathing report that we got very early on, on the kitchen, but that is by the by.

2795 So they have carried out a number of Health and Safety inspections within the GHA, so it is not that nothing of this sort is happening. It is happening, but we have to consider, as the hon. Member rightly says, whether with the size of organisation we should have one person specifically employed for that or whether we should outsource, as we are already doing, with Government Health and Safety Inspectors.

2800 **Hon. J J Netto:** Mr Speaker, in this last statement that the Hon. Minister has just said, he said that a number of *audits* – in plural – have been carried out in GHA, and then he went on to mention the one in the kitchen. If I were to write – because obviously he would probably need notice of the question – to him asking him what other Departments within the GHA the audit has been done, will he be able to supply me with that information?

2805 **Hon. Dr. J E Cortes:** Certainly.

2810 **Cancer Nurse Specialists
Administrative support**

Clerk: Question 750, the Hon. Mrs I M Ellul-Hammond.

2815 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health advise if the Cancer Nurse Specialists will be receiving administrative support, as per the concern raised on page 9 of the Director of Nursing’s Report to 17th July GHA Board meeting?

2820 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, administrative support for the Cancer Nurse Specialists is being considered in the context of the overall need to boost specialist services, including nurse-led services. No details have yet been decided.

2825 In the interim, however, Nurse Management’s administrative staff has been providing support on an *ad hoc* basis.

2830 **Finance and Procurement Directorate
Management structure**

Clerk: Question 751, the Hon. Mrs I M Ellul-Hammond.

2835 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, does the Minister for Health concur with the Director for Finances’ statement on page 2 of his Report to 17th July GHA Board meeting which says:

‘The overall management structure within the Finance & Procurement Directorate, inclusive of this new middle management post, is not robust enough to effectively deal with a portfolio and budget of this size.’

2840 And, if so, what measures will the Minister implement to address this?

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

2845 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, I cannot, at this point in time, agree or disagree until such time as the recruitment of the HEO, expected shortly, takes place. Once the post has been filled for a period of time, I will be able to make an informed judgement. I do note however that again the Director of Finances makes this criticism of the structure left behind by the party opposite.

2850

**GHA Information Management and Technology
Permanent office space**

2855 **Clerk:** Question 752, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health advise when the IM&T Department will be given permanent office space, as per the concern raised on page 8 of the Acting Director for Information Management and Technology's Report to the 17th July GHA Board meeting?

2860

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

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the issue of space is being addressed in the wider context of the usage of space in the GHA as a whole.

2865

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister say what options are available for the additional space or relocation for this Department?

2870 **Hon. Dr. J E Cortes:** Mr Speaker, it is very complex. The St Bernard's Hospital, in the short time in which it has existed, has had different departments springing up in different areas and the layout is not altogether to my satisfaction.

2875 IM&T certainly have a very cramped situation, again which I found on visiting them actually, but there are other areas where the use of space is not really to my satisfaction and we are looking... We have a committee being put together to look at the whole issues of space in the context, of course, as well, of the new kitchen and the ambulance. This is all coming together to see how we can improve the efficiency of the use of space.

2880

**Ambulance facility
Project commencement and location**

Clerk: Question 753 the Hon. Mrs I M Ellul-Hammond.

2885 **Hon. Mrs I M Ellul-Hammond:** Then you have partially answered this Question already!
Yes, Mr Speaker, can the Minister for Health advise, as announced in his Budget speech, where the new larger Ambulance facility will be and when the project will commence?

Hon. Dr. J E Cortes: Mr Speaker – Sorry.

2890

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

Minister for Health and the Environment (Hon. Dr. J E Cortes): Sorry, Mr Speaker. Apologies to the Clerk for jumping my cue – I didn't used to do that too often in my acting days! (*Laughter*)

2895 The facility is, as I have already said, currently – (*Interjection and laughter*) I have no comment to make at this point! – being planned in conjunction with the redeployment of other services and all space issues within the GHA.

Clerk: Question –

2900

Hon. Mrs I M Ellul-Hammond: Mr Speaker, does the Minister have a time frame for the movement and creation of new areas and movement of facilities?

Hon. Dr. J E Cortes: Okay, again it is difficult because of the complexities and the number of different groups and patient groups and so on involved. But certainly, I would like to have a clear picture

2905 by the end of this calendar year, certainly of things like the kitchen and the ambulance which are a clear commitment. Certainly within this calendar year, we will know where we want everything to be.

2910 **Charities**
Encouraging contribution to Health Service

Clerk: Question 754, the Hon. Mrs I M Ellul-Hammond.

2915 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health explain further the statement in his Budget speech in relation to the work that charities do for the Health Service of, and I quote:

2920 'Rather than discourage their work and contributions, as was often the case before, I encourage it as adding value'

and give examples of where the GSD discouraged the work and contributions of charities?

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

2925 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, it is the GSD who could, of course, better answer this question. I can only go by personal experience in my last occupation, when I was discouraged by my Minister from approaching charities for contributions, as the then Chief Minister was not keen on these. It was only after a great deal of insistence on my part that I was able to access such funding.

2930 I am aware of at least one project that was executed in La Línea because it was not authorised by the then Government. Also, an offer from a charity to pay for the refurbishment of children's playgrounds was declined, which resulted in these then being paid for by the taxpayer and possibly being of lesser quality.

2935 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, and in relation to the Health Services?

Hon. Dr. J E Cortes: As I say, Mr Speaker, those are the examples that I can give from direct experience. I have heard of other instances, but my experience in the courts tells me that hearsay is not something that I should present in this House. I have been asked to give examples and examples I have given.

2940 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, could the Minister then clarify what he did say in his Budget speech and he said – I will read it –

2945 'I would like to take this opportunity to publicly express my appreciation for the work the charities, large and small, do for the Health Service. Rather than discourage their work and contributions, as was often the case before, I encourage it as adding value to our work and giving ownership to our people. Likewise, I would like to thank the Health Users' Forum...'

2950 So it was stated within the context of Health, within the Health section of your Budget and I am asking for examples of where charities within the spectrum of Health Services... where their work and contributions were discouraged by the previous Government?

2955 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I am delighted to give particular examples. I understand that a number of charities were prepared to purchase equipment and they were discouraged from doing so by the previous Administration. I am happy to give the hon. Lady the names of those charities and the type of equipment that we are talking about, outside the Chamber.

Hon. Mrs I M Ellul-Hammond: I appreciate that, thank you.

2960 **Hon. D A Feetham:** Can I ask the Hon. the Minister for Health, why does it necessarily follow that, simply because the Government took a decision as a matter of principle to fund the parks, that they would be of lesser quality than if they had been funded by a charity?

2965 **Hon. Dr. J E Cortes:** From personal experience, the only park that was in fact funded by that particular charity ended up being – coincidentally or otherwise – within the Alameda Gardens and, in fact in my opinion, it is of far better quality than the others that were put up in the rest of Gibraltar. As it was

the same charity that was going to fund them, I could only extrapolate that conclusion and say that they would have been of better quality. Certainly they would have cost the people less.

2970 **Hon. D A Feetham:** Certainly they would have cost the people less, yes, but why...? I do not understand... It is very easy to make these kinds of very broad sweeping statements in the House, which are difficult to actually verify. What is it that you are basing yourself on in terms of the quality of the parks that were the parks – ? *(Interjection by Hon. Chief Minister)*

2975 May I just ask the question? I know the Chief Minister is very eager to give instructions to his Minister.

Hon. Chief Minister: I can whisper as much as I like.

2980 **Hon. D A Feetham:** Well, yes but please pay me the courtesy, because of course, I am asking a question and you are whispering to your – *(Interjection by Hon. Chief Minister)* And you are still talking! Do you have something to say? I will sit down –

Mr Speaker: Order! Order! Order!

2985 **Hon. Chief Minister:** I do have something to say and I am grateful for the hon. Gentleman giving way.

I will talk to my Ministers and my Ministers will talk to me, as we desire and we will abide only by the rules of Mr Speaker and his rulings – something which I know Members opposite these days do not seem to like to want to do, and we will not have ourselves brought to order by the hon. Gentleman.

2990 **Mr Speaker:** May I invite the hon. Member who has asked the question, please feel free to ignore whatever is going on behind the scenes, if I might call it that, and proceed with your question and leave it to them to sort it out.

2995 **Hon. D A Feetham:** But Mr Speaker, I find it –

Mr Speaker: It may be disconcerting, but –

3000 **Hon. D A Feetham:** It is very off-putting and it is a matter of common courtesy that one obviously listens to the questioner, rather than be talking amongst themselves when I am asking the question. It is a matter of common courtesy, but look, the Chief Minister –

Mr Speaker: The Speaker does not really –

3005 **Hon. Chief Minister:** Mr Speaker, it is a matter of common courtesy. I agree it is a matter of common courtesy. It is a common courtesy that is not extended to us by the hon. Members opposite on a number of occasions and, therefore, the behaviour in this House has been that both sides have acted in that way.

3010 The hon. Gentleman does not like it when it happens to him. Well look, so be it. If he does not like it when it happens to him, he has got to put up with it, if the rest of us have to put up with it when it happens to us.

3015 **Mr Speaker:** The Speaker does not control the communications between Members of this House on either side between themselves, as long as such communication does not really interfere with the progress of proceedings. I appreciate that the hon. Member may find it off-putting and disconcerting. All I can suggest is ignore what is going on and just get on with the question. You might be asked to repeat the question, but that is the best I can help, really.

3020 **Hon. D A Feetham:** Mr Speaker, well, on that basis, I have no further questions. I have to say that it is *extremely, extremely* disappointing that Mr Speaker says that, because it is within Mr Speaker's authority that if you have a situation where somebody is asking a question to somebody opposite and effectively they are talking amongst themselves in a way that is discourteous to the person who is asking the question, that surely must be a matter for Mr Speaker. But I am not going to push it further.

3025 What I will say is this: that the Chief Minister is becoming as high handed as he used to accuse us when we were in Government of being. He is slowly morphing into the very thing that he always criticised.

Hon. Chief Minister: Mr Speaker, that is not a question; that is a remark made for the purposes of trying to persuade people who may be listening of a party political issue which he wants to raise.

This is Question Time Mr Speaker. I complained about many things when I have been in Opposition. I stand by all those criticisms. Anybody who makes an objective assessment of what used to happen before and what happens today – an *objective* assessment, not the hon. Gentleman's subjective self-serving assessment – will realise just how different things are.

I get up to answer that point, Mr Speaker, because the hon. Members think that they can use Question Time, by a side line sometimes, to make political points. They can try, Mr Speaker, but they will have political points made back at them.

Hon. Dr. J E Cortes: Mr Speaker –

Mr Speaker: Order

Hon. Dr. J E Cortes: – if I may, there was enough of a question by the hon. Member for me to be able to extract what he was asking, so I would like at least to give an answer.

Mr Speaker: I will allow the Hon. Minister to do so, but allow me just to... I do regret that the Hon. Daniel Feetham feels disappointed, but with respect, there are limits to what the Speaker's powers are. What I have never done to either side in the past is treat the members like school children, saying, 'Behave yourself, be quiet', and things like that. There have always been conversations held behind the scenes, so to speak, on this side and on that side, no matter who has occupied which side. It has always been the case.

I do not propose at this stage of my tenure to reduce myself to being – no, sorry, wrong word – to *behave* like a school teacher. As long as the conversations that are held in private do not interfere with the proceedings, I have never found it necessary for me to interfere with those private conversations. I can only encourage a Member to proceed with his speech or his question and just ignore what is going on on the other side. That is my position and that is it.

The Hon. the Minister for Health and the Environment.

Hon. Dr. J E Cortes: Mr Speaker, in my opinion, the playground that was created, or paid for by that charity is of better quality than the other playgrounds. It is my opinion only, based on what I have seen and on the experience that I had managing an area which included playgrounds, which were partly my responsibility and which used to sit approximately 15 metres from my office.

Hon. J J Netto: If I may, the hon. Gentleman just said that the facilities, the attractions in the park by the Alameda is a much better quality than the one that the Government provides, yet, as far as I understand, he overruled a charity in one of the particular attractions because he felt they were not safe enough, and that particular attraction is now for the benefit of the people in La Línea, who have got it across the other side of the border.

Hon. Dr. J E Cortes: Mr Speaker, that was an action which I took in a previous profession, as Director of the Botanic Gardens, for which I believe I am not answerable here.

But in any case, the facts are not correct. The issues to do with that were purely related to the suitability of that facility in the heart of a botanic garden and nothing to do with anything else.

Mr Speaker: The Hon. Edwin Reyes.

Hon. E J Reyes: Mr Speaker, I am grateful that the Hon. Minister did qualify his statement by the prefix that it was in his opinion. Is the Minister aware that whilst I was the Minister for Sports and Leisure, and therefore had an input in the purchase of equipment – that Government officials expressed to me their views that the playground equipment provided at taxpayers' expense was in no way inferior or of lesser standards than those that ended up in the Botanical Garden and that is a professional view expressed to me, as a Minister of Her Majesty's Government, during my tenure as Minister for Sports and Leisure.

Hon. Chief Minister: Sorry, Mr Speaker, I think it is impossible for the hon. Member to answer that question, because how can we know what the hon. Member was told? I think this side of the House is happy to accept that he says he was told it, but we cannot accept or deny whether that was actually the case.

3090

**Society for Cancer Relief
Support for new hospice facility**

Clerk: Question 755, the Hon. Mrs I M Ellul-Hammond.

3095

Hon. Mrs I M Ellul-Hammond: Mr Speaker, will the Minister for Health explain the detail of support, announced in his Budget Speech, that the Government will be giving the Society for Cancer Relief in order to run their new hospice facility?

3100

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

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the Gibraltar Health Authority will be releasing a member of staff who will dedicate time both to the hospice facility and to cancer patients within the GHA, so ensuring continuity of care and smooth liaison between the charity and the Authority.

3105

Other ways in which the hospice can be supported are currently being studied.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Hon. Minister tell us who the member of staff is? Is it a nurse or a doctor or a specialist, a GP?

3110

Hon. Dr. J E Cortes: I do not feel comfortable in releasing the name without talking to the person in advance. The person is aware that he or she is the one designated for that, not currently practising as a nurse, but I believe with nursing qualifications.

I do not think I should go further than that.

3115

Hon. Mrs I M Ellul-Hammond: Mr Speaker, is the GHA considering funding a palliative doctor or helping the hospice fund a palliative doctor for the hospice?

3120

Hon. Dr. J E Cortes: Mr Speaker, as I said, other ways in which the hospice can be supported are currently being studied and that could include medical support. Quite how that would be achieved is what is being considered at the moment.

3125

**Sponsored Patients
Definition of 'disabled'**

Clerk: Question 756, the Hon. Mrs I M Ellul-Hammond.

3130

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain what the Government constitutes as 'disabled', with reference to the extra 50% allowance for Sponsored Patients, introduced in the Budget?

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

3135

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, in this context, the Government constitutes the entitlement of 'disabled' as follows: people with Disability Pension, who have severe disability from birth; and people with a Disablement Pension – loss of faculty due to an injury at work.

3140

Hon. Mrs I M Ellul-Hammond: Mr Speaker, does not the definition of 'disabled' also include the description given in the Equal Opportunities Act 2006?

3145

Hon. Dr. J E Cortes: Mr Speaker, this is the way that the Sponsored Patient in advance of the review is dealing with this, because these are the particular definitions that we have currently in Gibraltar, related to disability. That is what we have to work with.

Any changes in that – any, for example, disability register which my colleague is developing and so on – may have a practical effect on who is entitled to that 50%. At the moment, and pending those reviews, that is what is happening at this point in time.

3150

Hon. Mrs I M Ellul-Hammond: Mr Speaker, the Equal Opportunities Act 2006 adds another description which says:

'A person who has cancer, HIV infection or multiple sclerosis is to be deemed to have a disability and hence to be a disabled person.'

3155 Will that not be taken into account as part of this description?

Hon. Dr. J E Cortes: I am advised that that relates specifically to the work environment and does not fall within the definitions that are currently used for this, but if any other evidence can be presented, then certainly we will have a look at that.

3160 I must say that, in the review, of the Sponsored Patients process, we have to look at all possibilities, including that.

3165 **Hon. J J Netto:** Mr Speaker, if I may, if I understood the Minister correctly, he said that right now, the only ones who benefit under those definitions are either disabled people at birth, obviously getting Disability Allowance, or people who have sustained an accident at work and are getting... I am not quite sure of his exact words but something like a pension derived from an accident at work, or words to that effect. So that is the criteria, the yardstick that is being applied.

3170 He also mentioned in that sentence that his colleague sitting next to him is conducting a review that may broaden out the definition of disability. Is that exactly what he is saying? I was not sure.

Hon. Dr. J E Cortes: No, what I was referring to is a disability register, which is being worked on. That is what I was referring to.

3175 **Hon. J J Netto:** So that will not impact in any way the definition the Social Security Department has for people who have an accident at work who then get a pension derived from an accident at work? The reason why I am saying this is because that definition, as far as I understand it, goes all the way back to when the Social Security Benefits Scheme took place in 1952 or 1954. So one can argue, and quite rightly, that it needs a review and needs to be broadened. This is why I was trying to find out whether this review he was alluding to, by the Minister for Social Services, is something that will impact on Social Security benefits.

Hon. Dr. J E Cortes: No, Mr Speaker, I did not mean to imply that at all. It is outside my area completely.

3185 I have answered the question. I have been asked, who do we pay this to? I have said who we pay it to. If there is a future policy change, then there might well be, and then we can obviously be taken to task for it, but at the moment, that is the answer that I have.

Chief Minister (Hon. F R Picardo): Mr Speaker, I might be able to assist the hon. Gentleman.

3190 If he looks at our manifesto, I think it is page 82, what we say about disability laws, that would have, potentially, the effect the hon. Gentleman is talking about. It is a different type of assessment of the definition of disability.

3195 **Hon. J J Netto:** I am grateful for that information, but just to try to develop it a little bit further, therefore, consistent with that manifesto commitment, is the Chief Minister then saying that there is a review taking place which may produce a broadening of the definition?

Hon. Chief Minister: This is it, Mr Speaker. There are different references to disability in our laws. The difference may be wider in some areas and narrower in others.

3200 The commitment here is to establish a different definition of disability for the purposes of a general definition, which may be applicable in some instances, and not in others, depending on which type of entitlement we are dealing with, which moves away from simply a disability an individual is born with. So people may find themselves eligible for disability benefit etc, where today they do not, because they are not born with a disability.

3205 The hon. Gentleman may know a number of cases where people have become disabled six months after being born, let alone 45 years after being born and in an industrial accident, but they are not recognised as 'disabled' under our laws. I think most administrations have tried to use such discretions as have been available to them, but nobody has actually faced up to the need to look at that core definition, and that is certainly something that we are looking at.

3210

**Colon Cancer Screening Programme
Details**

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Clerk: Question 757, the Hon. Mrs I M Ellul-Hammond.

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Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health provide details, as announced during the Budget, for which £300,000 has been earmarked, of the Colon Cancer Screening Programme and how it will take effect?

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

3225

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, the £300,000 provided as start-up capital for the service is as follows: Pathology for histology equipment, £35,000; IM&T scoping and specifications, £5,000; IM&T development and implementation, £25,000; Surgery, four flexible colonoscopes, £160,000; Surgery, disinfectors, £50,000; Surgery, drying and storage unit, £25,000; making a total of £300,000.

3230

At this point, arrangements are in the process of being made to procure all the necessary equipment prior to commencing with the programme. The details of implementation are currently being discussed by a multi-disciplinary team.

3235

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister give an indication of when the GHA would like to start the screening programme?

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Hon. Dr. J E Cortes: Clearly as soon as possible, Mr Speaker, but this is complex because it requires a lot of different disciplines. It involves also a system to advise potential members of the community for the screening, so it is something that is being developed at the moment, and I cannot give an implementation date at this point in time.

3245

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister say if the screening will be taking place within St Bernard's Hospital?

Hon. Dr. J E Cortes: It is likely, but I cannot confirm that, at this moment. That is the likely place that this would happen.

3250

Hon. Mrs I M Ellul-Hammond: And Mr Speaker, can the Minister advise which sector of the population will be targeted? Is it above a certain age or would be a certain type of person who will be invited for screening?

3255

Hon. Dr. J E Cortes: The specifications are being developed by the multi-disciplinary team. It is above a certain age. I am not sure whether it is 55. I am not absolutely sure, but I can provide that information separately.

But as I say, the details of implementation are not just who is going to do what and how people are going to be called, but also who are the people who are going to be targeted in this? So that is hopefully what this team will come up with very shortly.

3260

Hon. Mrs I M Ellul-Hammond: Mr Speaker, does the GHA have a gastroenterologist to form part of this screening programme and will the images be read here, or sent to the United Kingdom?

3265

Hon. Dr. J E Cortes: Mr Speaker, we have recently recruited a new surgeon who specialises in this type of intervention. Whether he will be the one carrying it out or not is something that is part of this discussion.

3270

As I say, details of implementation are currently being discussed by a multi-disciplinary team. I do not want to say anything here that the multi-disciplinary team may have discussed a week ago, and may not have got back to me on, and I am going to say something that the clinicians do not support, because it is absolutely essential that it is the clinicians who decide how this goes forward and not the politicians. Therefore, when I have the information from the multi-disciplinary team, I will clearly share it. In fact, our whole community will know because it is the community that hopefully will benefit – that *will* benefit.

3275

**Patients' appliances
Decrease in forecast funding**

3280 **Clerk:** Question 758, the Hon. Mrs I M Ellul-Hammond.

Hon. Mrs I M Ellul-Hammond: Mr Speaker, can the Minister for Health explain why there is a decrease of £30,000, from the forecast outturn of 2011-12 to the 2012-13 estimates, in funding for 'Patients' Appliances', found on page 170 of the Estimates Book?

3285 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

Minister for Health and the Environment (Hon. Dr. J E Cortes): Mr Speaker, as we have seen before in this session, this is really a matter that should have been raised during the course of the Committee Stage of the debate on the Appropriation Bill.

3290 Nonetheless, I will explain that the final spend for 2011-12 on Patient Appliances was around £181,980 and not £230,000.

3295 The forecast outturn figure presented on page 170 of the Estimate Book 2012-13 was that provided halfway through the year and was calculated based on the spend at the time. The spend in the last six months of the year was not as high as expected. Therefore, the £200,000 provided is expected to be adequate.

**Dressings, medical gases and tests
Decrease in forecast funding**

3300 **Clerk:** Question 759, the Hon. Mrs I M Ellul-Hammond.

3305 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, can the Minister for Health explain why there is a decrease of £100,000, from the forecast outturn of 2011-12 to the 2012-13 estimates, in funding for 'Dressings, Medical Gases and Tests', on page 170 of the Estimates Book?

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

3310 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, with the same preamble regarding the Committee Stage, I will explain, similarly, that the total final spend for last year was around £1,281,000 and not £1,300,000. The forecast outturn presented on page 170 was that provided again halfway through the year and calculated based on the spend at the time.

3315 The spend in the latter part of the year was lower than expected. The actual decrease is therefore about £80,000, not £100,000, which is not unreasonable, given the lower trend towards the end of the year. In any case, this does not mean that should there be a need to increase the spend, the necessary items will not be bought – because they will.

**Procurement of equipment and medicines
Ensuring value for money**

3320 **Clerk:** Question 760, the Hon. Mrs I M Ellul-Hammond.

3325 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, with regard to the subhead of 'Other Recurrent Expenditure, Equipment and Related Expenses' on page 170 of the Estimates Book, can the Minister for Health explain how will the GHA ensure value for money and waste elimination in the procurement of such equipment and medicines?

3330 **Clerk:** Answer, the Hon. the Minister for Health and the Environment.

3335 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Mr Speaker, with a similar preamble about the Committee Stage, I will explain that, as in previous years, the GHA follows tender procedures as per Government procurement processes.

**Ambulance and public transfer vehicles
Fuel expenses**

3340 **Clerk:** Question 761, the Hon. Mrs I M Ellul-Hammond.

3345 **Hon. Mrs I M Ellul-Hammond:** Mr Speaker, if the fleet of ambulances and public transfer vehicles has increased, can the Minister for Health explain why the funding for 'Fuel Expenses', in the Estimates Book on page 170, has gone down by £20,000 on last year's forecast outturn?

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

3350 **Minister for Health and the Environment (Hon. Dr. J E Cortes):** Yes, Mr Speaker, because the fuel expenses for the ambulance fleet is met from the recurrent ambulance budget and not from the motor vehicles and fuel expenses account.

EQUALITY AND SOCIAL SERVICES

3355

**Care Agency
Trainees**

3360 **Clerk:** Question 762, the Hon. J J Netto.

3365 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services state how many trainees, if any, have been placed in the Care Agency by the Employment Services or through the Government company 'ETCL', and state the training being provided, the location within the Care Agency, how long the training will last, will such training deliver any recognisable qualification or qualifications, and if so, which ones?

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

3370 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the Employment Service does not place anyone in employment. There are currently 35 ETCL trainees placed as care workers within different departments of the Care Agency. They are not always in the same department.

3375 The trainees who are taken on as care workers undertake the Care Agency's generic core training which is delivered by the Care Agency, following which they undertake training within the various departments of the Care Agency in which they are based. The modules in the generic core training have been modified so that they can serve as a precursor to a Diploma in Health and Social Care.

3380 The training can last for a period of up to 11 months. There are four ETCL employees working in general administration as part of their acquisition of office skills, but they are not in the Care Agency permanently and are rotated. There is one labourer, and the same principle applies.

**Care Agency
11-month contract holders**

3385 **Clerk:** Question 763, the Hon. J J Netto.

3390 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services provide the information on the following: (1) have any of the persons given an 11-month contract, as stated in Question 636, now ended such short-term contract, and if so, how many of them have been provided with an indefinite contract stating their grade and nationality; and (2) have any of the 11-month contracts been issued since this Question was last asked in Question 636 in the Care Agency, and of those: (a) what are their nationalities; (b) their grades; and (c) their location.

3395 **Clerk:** Answer, the Hon. the Minister for Equality and Social Services.

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, none of the 11-month contracts referred to in Question 636 have yet ended. Seven new 11-month contracts have been

issued since this Question was last asked in Question 636. I am handing the hon. Member a table with the breakdown requested.

3400

ANSWER TO QUESTION 763 OF 2012

Number of new 11 Mths Contracts issued	Grades	Nationality	Location
7	5 Registered General Nurses	1 Brit/UK 1 Irish 3 Spanish	Elderly
	1 Social Worker	Brit/UK	Social Services
	1 Domestic	Brit/Gib	Elderly

**Mount Alvernia
Nursing Co-ordinator post**

Clerk: Question 764, the Hon. J J Netto.

3405

Hon. J J Netto: Mr Speaker, can the Minister for Social Services state if the vacant position of Nursing Co-ordinator at Mount Alvernia has now been filled, and, if not, by when does the Care Agency intend to fill such post?

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

3410

Minister for Equality and Social Services (Hon. Miss S J Sacramento): Mr Speaker, I can confirm that the vacant position of Nursing Co-ordinator at Mount Alvernia is currently being filled, albeit in an acting capacity.

3415

Hon. J J Netto: Is the person acting in this particular post an employee of the Care Agency, or an employee of the GHA or perhaps outside the GHA?

Hon. Miss S J Sacramento: It is an employee of the Care Agency, Mr Speaker.

3420

Hon. J J Netto: And when does the hon. Lady think that such a position will become regularised, in the form of advertising internally within the Care Agency the vacancy?

Hon. Miss S J Sacramento: Mr Speaker, there is currently a review of the structure of the Care Agency, so once the review is undertaken and finalised, then we will be able to take a position on vacant posts.

3425

Hon. J J Netto: Is the hon. Lady perhaps saying that the review...? I am not anticipating what the conclusion of a review can be, but at least to the extent that the review might say that they will do away with the position of Nursing Co-ordinator.

3430

Hon. Miss S J Sacramento: Quite possibly.

**Care Agency
Chief Executive post**

3435

Clerk: Question 765, the Hon. J J Netto.

3440

Hon. J J Netto: Can the Minister for Social Services state if the position of Chief Executive of the Care Agency has now been appointed on a permanent basis, and if so, when did this happen, or is the current incumbent still carrying out these functions on an acting basis?

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

3445 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the Chief Executive for the Care Agency has not been appointed on a permanent basis. It continues to be covered on an 'acting' capacity by the same person appointed by the hon. Member on 29th November 2011.

3450 **Hon. J J Netto:** Is there any particular reason why, given that the Members opposite have now been in Government for something like nine months, such a crucial and important post as the Chief Executive of such a big organisation... Can the hon. Lady sit down and let me be allowed to finish? Thank you

Hon. Miss S J Sacramento: Finish the question.

3455 **Hon. J J Netto:** Well, I am, if you calm yourself down.
Given that this is quite a large organisation, employing a substantial amount of people there... that perhaps it has taken such a long time. Is this perhaps part of the review she was referring to before?

3460 **Hon. Miss S J Sacramento:** No, Mr Speaker, it is precisely because it is such a crucial role and because we are a new Government and because the Care Agency has the enormous problems that it has, that the Chief Executive continues to be the same person, because at least there will be a period of continuity by someone who was there before this Government came in, Mr Speaker.

3465 **Hon. J J Netto:** Mr Speaker, does the hon. Lady have any indication as to by when she thinks that she will be in a position to place this vacancy out so that people in the Care Agency can apply on a permanent basis?

3470 **Hon. Miss S J Sacramento:** Mr Speaker, by way of example, the post of General Manager for GBC was vacant for four years, the post of Chief Secretary, which is an even greater role than that of Chief Executive of the Care Agency, was vacant for 18 months. This is a post on which the person who is currently acting has been acting for a little over 10 months, Mr Speaker.

It is likely that there may be a change soon. In fact, this is also a post that will be considered in the review, but for the time being, Mr Speaker, it is not unusual or extraordinary that the person that the hon. Gentleman placed in an acting position a few months ago continues to be acting now.

3475

**Care Agency
Disabilities Team Leader post**

3480 **Clerk:** Question 766, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Social Services state how long the vacancy of team leader has been vacant for and if it is the intention of the Care Agency to fill such vacancy?

3485 **Clerk:** Answer, the Hon. the Minister for Equality and Social Services.

3490 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, if the hon. Member is referring to the Disabilities Team Leader post, I can confirm that it is currently being filled in an acting capacity. This post has been vacant since 19th July 2011, when the previous incumbent retired. The vacancy was never advertised at the time. This post is currently under review.

3495 **Hon. J J Netto:** Will the review take into consideration whether the team leader's post will be someone – although at that particular grade – perhaps who specialises in disability? Is that part of the review or part of the issues that will be taken into account?

Hon. Miss S J Sacramento: Mr Speaker, one would naturally expect that the position filled by the Disabilities Team Leader would be someone with experience in the field of disabilities, yes. I do not think we need a review for that, Mr Speaker.

3500 **Hon. J J Netto:** Mr Speaker, if she does not need a review for that, can she then tell me when is the vacancy going to be advertised?

3505 **Hon. Miss S J Sacramento:** Mr Speaker, it is not the qualification of the person; it is the nature of the role. That is what is being reviewed at the moment.

Hon. J J Netto: Mr Speaker, the hon. Lady has had nine months to review the role? Is she saying that she is going to take three-and-a-half years to look at the role, given that she knows already that the person has to be a specialist person in disability? The role is not something that requires... We are not talking about rocket science; we are talking about a role within the management of disability issues. How long is it going to take: another nine months, another two years, three-and-a-half years? I do not know.

Hon. Miss S J Sacramento: Mr Speaker, first of all, let me repeat what I said earlier: that the post is currently being filled by someone in an acting capacity, so it is not as if the role is vacant. Second, Mr Speaker, the person who left the role left on 19th July 2011, so the hon. Member had the months of July, August, September, October, November and December to advertise that role, (**A Member:** Five months.) and that is a role that they created, so clearly they were satisfied with that role, so they had no excuse not to advertise the role, Mr Speaker.

We are reviewing the role, the structure and the function of the Disability Service, Mr Speaker, but in the meantime the role is covered, so I can assure the hon. Member that it is covered and that the Disability Service is covered.

Unfortunately, Mr Speaker, the hon. Member has left me with such a mess that I have had to deal with all sorts of problems.

A Member: Hear, hear. (*Banging on desks*)

Hon. J J Netto: Mr Speaker, let me tell her why the delay of five months on my part. The delay was simply because –

Hon. Miss S J Sacramento: Where is the question, Mr Speaker?

Hon. J J Netto: Mr Speaker, I am having a preamble to then ask a question.

Mr Speaker: Not a very long one – a preamble, yes, but not a very long one. Go ahead with the preamble and then the question.

Hon. J J Netto: The only reason why there was a delay of five months is because there was an agreement between the union, the GGCA and the Government in which that particular post had to be a social worker, not necessarily a person who had to be specialised in disability, and those were issues that had to be negotiated with the union. That was part of the delay. Having said that, I am not aware whether once they got into Government they have continued with the union to pursue whether the agreement can verify in any way where, not necessarily a senior social worker, a team leader in this particular case, would fit into that particular post, because my view at the time was that it would be much better to have a person specialised in disability for that.

But having said that, Mr Speaker, given that she has now said that there is a person acting while the consideration is taking place, is the person acting someone who is either a social worker or a senior social worker, or whether it is someone who has a speciality in disability?

Hon. Miss S J Sacramento: Mr Speaker, the person who is acting in the role is the same person who was acting in the role when the previous incumbent retired.

Hon. D A Feetham: Sorry, what do you mean by the phrase ‘the previous incumbent’? Do you mean my hon. Friend Mr Netto?

Hon. Miss S J Sacramento: No, the previous incumbent of the role – the person who was the Disabilities Team Leader. That person retired in July last year and someone was acting in that position. The person who is acting now is the same person.

Hon. D A Feetham: Sorry. It is just that I had thought that what you were saying was the position had remained vacant from July until December and that you had put somebody in, in an acting capacity, and at the very least you had done that. So the position then is that there has been acting, since July of last year and that person continues to act as from July of last year – the five months that he was responsible and the nine that you were responsible.

Hon. Miss S J Sacramento: Actually, Mr Speaker, I understand that someone was not acting continuously between July and December, but that from time to time somebody acted during that period. The person who is acting now is the person who intermittently acted during that period. I hope that is clear.

Hon. J J Netto: Mr Speaker, the actual person that the hon. Lady is mentioning is a person who is not a social worker or a senior social worker, but a person who was the assistant nursing co-ordinator in Mount Alvernia. The only reason why he actually went to act at the time, when the previous person retired, was because it was more or less at the same time where we had employed new nurses to provide nursing duties in Dr Giraldi Home and it was important to ensure that we marry all different types of facilities, and this particular person had a specific timing or acting there to ensure that the smooth reforms were taking place.

So have the duties that were assigned at the time, for a specific period of time – certainly much shorter than five months, because it should not have been more than perhaps two or three months – now been extended, or whether that particular person has been made... I would not say ‘permanent’, because you told me it is on an acting basis?

So the person has been extended well beyond the brief that was done by the Care Agency at the time and obviously this has given a situation where you continue to act for this person, but the review is taking place. Eventually that particular person, if the review says, is not going to be a senior nursing grade, he is going to be someone specialised in disability and would have to return back to Mount Alvernia. Is that the case?

Hon. Miss S J Sacramento: Regardless of what the recommendation is, it will be a review of the structure and not the person. That person is acting and that person will return to that person's post in Mount Alvernia when the acting period finishes.

If the vacancy then arises and that person wishes to apply for it, then so be it; but there is no question of that person then being made permanent there because that person is acting.

Hon. J J Netto: Mr Speaker, what I am saying... perhaps I have not made myself sufficiently clear.

The substantive position of that particular person is not to be team leader of the Care Agency in terms of disability. The substantive position of that person is to be the assistant nursing co-ordinator up in Mount Alvernia. Therefore, there has to be a definite time when he has to finish the acting, to be able to go back. Or is it that he has no place there whilst somebody is acting in his post at Mount Alvernia?

Hon. Miss S J Sacramento: Mr Speaker, he is placed there temporarily while he is acting and someone is acting in his place in Mount Alvernia.

First of all, I think it is important to remind the hon. Member that the Dr Giraldi Home has a manager in any event, and we are talking about the post of the team leader, which is a management post, and then co-ordinates both the manager at Dr Giraldi Home and the manager at St Bernadette's.

The hon. Member will be happy to know that we have spent a considerable time reviewing this post, reviewing the structure, and in fact this is one of the posts that will be advertised very, very shortly. As he alluded to earlier, this also involved negotiations with the unions. So I hope that the answers are now clear.

Hon. J J Netto: Mr Speaker, I am somewhat confused because I seemed to have picked up that she is now saying that the advert is going to be shortly advertised, when before she was telling me it was part of a much bigger review. The review has now concluded, obviously, and this is why you are in a position to... or the Care Agency are in a position to actually get out the vacancy to be published. So it seems like your previous intervention is contradicted by your latter one.

Hon. Miss S J Sacramento: No, Mr Speaker, because I said that the review was the reason as to why the post had taken nine months to be advertised. The review has been undertaken by many professionals, in consultation with the union, and the review is almost complete and we are in a position where we are now able to take a decision.

Hon. D A Feetham: Can I just ask, have you taken a decision or is it that you are in the process of taking the decision? Has the review completed or are you in the process of completing the review?

Hon. Miss S J Sacramento: In relation to this post a review has been undertaken. It is almost finalised and we expect to be in a position to be able to take a final decision very shortly – hopefully next week, if not the week after. (*Interjections*)

Hon. J J Netto: I am accepting that now, but she also mentioned that there have been discussions, perhaps negotiations with the union. Can I ask her then whether the union – the GGCA in this particular case – is satisfied and happy to change the original role of the team leader, which used to be a social worker, to perhaps being someone who is not necessarily a social worker but perhaps someone of another profession, but certainly someone who is specialised in this disability?

3630 **Hon. Miss S J Sacramento:** Mr Speaker, the hon. Member is assuming that the professionals involved in the review think that the post should not be undertaken by a social worker.

3635 **Hon. J J Netto:** No, no, it is not me who is saying that. This is the position of the GGCA. What I am trying to ascertain is whether the union, in part of this negotiations that you are now alluding to, has consented that the change can take place. It is not my view; it is the view of the union.

Hon. Miss S J Sacramento: Mr Speaker, the union would only have to consent in the event that there was a change. I am not saying that there has been a change, Mr Speaker.

3640 **Hon. J J Netto:** Therefore, if there is not going to be a change, it means that it is not going to be someone of a profession who specialises in disabilities; it is going to be someone who comes from a social worker's background.

3645 **Hon. Miss S J Sacramento:** Mr Speaker, perhaps it may be news to the hon. Gentleman, but most people who specialise in disabilities have a social worker background.

3650 **Care Agency
Residential Home Manager post**

Clerk: Question 767, the Hon. J J Netto.

3655 **Hon. J J Netto:** Mr Speaker, can the Minister for Social Services say how long the position of Residential Home Manager has been vacant for and if it is the intention of the Care Agency to fill such a post in Tangier Views?

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

3660 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the position of the Residential Home Manager has been vacant since 5th September 2011. It is being covered in the same way that it was under the previous administration. The structure of residential care is under review.

3665 **Care Agency
Assistance for former Looked After Child**

3670 **Clerk:** Question 768, the Hon. J J Netto.

Hon. J J Netto: Mr Speaker, can the Minister for Social Services say what assistance, if any, is the Care Agency providing to the former Looked After Child, now back with the family, as stated in answer to Question No. 632 of 2012?

3675 **Clerk:** Answer, the Hon. the Minister for Equality and Social Services.

3680 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, the Looked After Child was formally discharged from care on 9th July 2012 following a formal LAC review which identified the support that was required, and a support package was provided.
Further details will be provided to the Opposition on a confidential basis.

3685 **Care Agency
Training for Looked After Children**

Clerk: Question 769, the Hon. J J Netto.

3690 **Hon. J J Netto:** Can the Minister for Social Services state if further progress has been made in finding suitable training programmes for the remaining Looked After Children referred to in Question 632/2012; and, if so what the training will consist of, when the training will start, who will provide such

training, and in the absence of a training programme placement, what measures is the Care Agency taking to ensure the Agency fulfils its parental responsibilities towards these children?

3695 **Clerk:** Answer, the Hon. the Minister for Equality and Social Services.

3700 **Minister for Equality and Social Services (Hon. Miss S J Sacramento):** Mr Speaker, this question now applies to two Looked After Children because one of those referred to in Question 632/2012 is no longer in care. One has been in employment through ETCL since 30th July 2012 and the other is registered with ETCL.

Given that this answer only applies to two children, further details will be provided to the Opposition on a confidential basis to avoid the risk of them being identified.

3705 **Clerk:** Question 770.

Chief Minister (Hon. F R Picardo): Mr Speaker, if that is a convenient moment, I propose to move the adjournment now to 2.30 p.m. tomorrow.

3710 **Mr Speaker:** I now propose the question which is that this House do now adjourn to Friday, 21st September 2012 at 2.30 p.m.

I now put the question, which is that this House do now adjourn to Friday, 21st September 2012 at 2.30 p.m. Those in favour. (**Members:** Aye.) Those against. Passed.

3715 **Mr Speaker:** Carried. This House will adjourn until Friday, 21st September 2012 at 2.30 p.m.

The House adjourned at 7.48 p.m.