



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 10.34 a.m. – 1.00 p.m.

Gibraltar, Friday, 20th October 2017

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The Gibraltar Parliament

The Parliament met at 10.34 a.m.

[MR SPEAKER: Hon. A J Canepa GMH OBE *in the Chair*]

[CLERK TO THE PARLIAMENT: P E Martinez Esq *in attendance*]

PRAYER

Mr Speaker

CONFIRMATION OF MINUTES

Clerk: Meeting of Parliament, Friday, 20th October 2017.

Order of Proceedings: (i) Oath of Allegiance; (ii) Confirmation of Minutes – the Minutes of the last meeting of Parliament, which was held on 15th and 20th September and 10th October 2017.

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Mr Speaker: May I sign the Minutes as correct? (**Members:** Aye.)

Mr Speaker signed the Minutes.

Questions for Oral Answer

10

DEPUTY CHIEF MINISTER

Q577/2017

The Mount –

Update and proposed future use

Clerk: (iii) Communications from the Chair; (iv) Petitions; (v) Announcements; (vi) Papers to be laid; (vii) Reports of Committees. (viii) Answers to Oral Questions.

We commence with Question 577/2017. The Hon. L F Llamas.

15

Hon. L F Llamas: Mr Speaker, can the Government provide an update on the Mount and its proposed future use?

Clerk: Answer, the Hon. the Deputy Chief Minister.

20

Deputy Chief Minister (Hon. Dr J J Garcia): Yes, Mr Speaker. The Government is currently in discussions with an interested party.

Hon. L F Llamas: Can the Hon. Minister explain or expand a little bit further as to what the proposed usage the interested party would be proposing to develop the area?

Hon. Deputy Chief Minister: Mr Speaker, the Government is not able to do that at the moment because obviously the discussions are ongoing, but the information will be made available to the public as soon as there is something concrete to make public. We do not have enough detail to be able to do that yet.

COMMERCE

Q578/2017

UK Dormant Bank and Building Society Accounts Act 2008 – Plans for similar legislation for Gibraltar

Clerk: Question 578. The Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, does the Government intend to introduce legislation along the lines of the UK Dormant Bank and Building Society Accounts Act 2008?

Clerk: Answer, the Hon. the Minister for Commerce.

Minister for Commerce (Hon. A J Isola): Mr Speaker, the Government has no present intention to introduce such legislation.

Hon. D A Feetham: Mr Speaker, is the Minister aware that the lack of legislation in this area has created a problem for a number of banks, particularly in a sector that is going through some reorganisation with some banks taking over other banks – there have been banks that have also exited Gibraltar – and during the course of that activity it has become clear that there are bank accounts, going back sometimes decades, where they have not been able to trace the holder of the bank account and therefore those banks are then left with a situation where they need to go to court in order to get directions from the court and sometimes, for example, setting up trusts?

Let me explain to the hon. Member – if I may, with the indulgence of the Chair – by way of a practical example the difficulty in this area. I have recently been involved in a case – and it has been made public, which is why I refer to it – where there are three bank accounts going back to the 1980s. The sums are relatively small: in total £115,000. The bank has been forced to go to court in order to obtain directions to set up a trust specifically in relation to these three bank accounts. You may say that banks make a lot of money, therefore what is the problem, but actually the problem is this: that under the UK Act, that money would have been, for example, donated to charity, so you could have had – *(Interjection)* Yes, after a process the money could be donated to – *(Interjection)* Absolutely, after a process the money is donated to charity if you cannot locate these individuals through advertising etc. All that has been done by the bank in my example. The legal costs have been upwards of £60,000. There is a clause – *(Interjection)* Well, before my hon. Friend Mr Clinton says ‘Sixty thousand pounds!’ I have been involved in another case where a counsel has been charging £250,000 a week. The problem is that these types of orders include a clause, for example, where there is then clawback in favour of the bank if these individuals are not traced. So, effectively, the bank comes out not a loser, it comes out the winner at the end of the day, and I just think that in this kind of situation it would have been painless and it would have been far more efficient for the bank just simply to go through the process that it has and then to have donated the money to charity, rather than ending up in the pockets of lawyers and then, through a clawback, back in the pockets of the bank.

Therefore, does the Hon. Minister agree with me that there are distinct advantages in having legislation of this kind here in Gibraltar and that perhaps the Government ought to consider it?

Can I also say that I have drafted already a draft Act based on the UK and it is my intention to send a copy to the hon. Gentleman and then perhaps he can consider that legislation, because it is really painless from the Government's point of view – it is legislation that will have a positive effect with very little downside indeed.

Hon. A J Isola: Mr Speaker, the position, as far as the Government is concerned, is that we are not aware of a problem. It has not been raised with Government by either the Gibraltar Bankers Association or indeed the Finance Centre Council. It is an issue that has never arisen before; this is the first time I hear it is a problem for us in Gibraltar.

I think the difficulty with taking the process that the hon. Member refers to is that it is very easy to pass legislation, but then it needs to be administered, managed and looked after. The way that the system works in the United Kingdom is that there is a not-for-profit organisation which is in charge of receiving the money, managing the money, investing the money and dealing with claims. The company is actually called Reclaim Fund Ltd – in 2014. When you have got the amounts of money that you are talking about in the United Kingdom, you may have sufficient critical mass of cash to be able to make that cost effective, but in Gibraltar, with the amounts that the hon. Member has conceded are particularly small, the cost of setting up this machinery to manage these funds could put that beyond the risk of reasonableness and common sense.

And so the question is not that we do not want to do it; the question is (1) that we have not had any approach from anyone in the private sector to do it, and (2) from our limited understanding – and it is limited – the cost of setting this machinery up would way exceed the benefit that it would deliver.

I think these systems make sense but the charitable donation, which is a little bit of a carrot, comes at the end of the rump, and even after the money has been taken into this Reclaim Fund Ltd and held, it is still able to be clawed back should a family relative or somebody with the legal right to that money make a claim at some stage in the future. So it is not just as simple as receiving money – not heard from them for 20 years, give it to the charitable fund and it is spent. There is a clawback from the individual who may be related to the very original account holder that they have not heard from for 20 years. So it is actually quite complicated and the extent of the work involved in doing this, in our view, at this stage, is that it is not worth pursuing at this stage, but I would be very happy to hear from the hon. Member and explore it further.

Q579-80/2017

e-Gov –

Cost to date; expected live dates for services

Clerk: Question 579. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide a schedule of money spent on e-Gov in each financial year to date since December 2011?

Clerk: Answer, the Hon. the Minister for Commerce.

Minister for Commerce: (Hon. A J Isola): Mr Speaker, I will answer this question together with Question 580/2017.

Clerk: Question 580. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide a road map of which e-Gov services are expected to be live and when?

Clerk: Answer, the Hon. the Minister for Commerce.

Minister for Commerce (Hon. A J Isola): Mr Speaker, we are unable to accurately provide the schedule requested within the limited time because what constitutes e-Government is extremely wide and could comprise software, hardware, websites, portals, design work, ITLD time and technical consultants. For example, servers and hardware are essential elements of e-Gov but they have not been purchased specifically for e-Gov, and the same applies to each of the other ones that I have detailed above.

With regard to Question 580/2017, our plans for e-Government are significant and exciting. They build on the successful introduction of the e-ID card in our first term, perhaps one of the most ambitious projects to hit the public service in a generation. I could spend a significant amount of time just going over the different facets of the project; however, in general terms we are focusing our efforts in two main areas: e-Administration and e-Services.

Mr Speaker, e-Administration is about investing in technology and innovation to create better and more efficient systems at the workplace, automating core business processes and repetitive tasks that can streamline procedures, minimise errors and facilitate better use of existing resources. We are developing the following systems, which are all at different stages of implementation: Source to Contract, or e-Procurement, which is at an advanced stage and we hope to complete by December of this year; Purchase to Pay, e-Invoicing, which we hope to test and roll out by March 2018; Enterprise Resource Planning, which is integrated finance, payroll and HR systems, which we will begin to implement in January 2018 and complete the entire rollout within 18 months; the central database – work has already commenced on the architecture and design but we do not yet have an estimated implementation date, but certainly within the next 12 months.

e-Services are about bringing Government services online. Government proposes to develop a new concept of e-Services, which will make public information and Government services available anytime, anywhere to citizens, businesses and officials alike. This is still work in progress. I can say that we are working on two systems, which again are at different stages of implementation: the e-Government portal and customer relationship management systems.

Mr Speaker, where I have given dates, at this stage these are best estimates on the information available today, but they may move – hopefully forward.

INFRASTRUCTURE AND PLANNING

Q581/2017

Vehicles emissions testing as part of MOT – Number of vehicles failing

Clerk: Question 581. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, is vehicle emissions testing conducted as part of the MOT; and, if so, how many vehicles have failed this part of the test since 1st January 2012?

Clerk: Answer, the Hon. the Minister for Infrastructure and Planning.

155 **Minister for Infrastructure and Planning (Hon. P J Balban):** Indeed, Mr Speaker, vehicle emissions testing is conducted as part of an MOT. This is a legal requirement.

DVLD has never kept statistics of specific vehicle failures as a result of mechanical faults or any other reason for failure. It would be a very laborious task to keep these sort of statistics, requiring extra human resources.

160

Hon. T N Hammond: Mr Speaker, I have recently put two vehicles through the MOT testing requirements and neither was tested for its emissions, so I am slightly baffled to understand that it is a legal requirement to undertake such testing – unless I was very fortunate, or unfortunate, to be the only person not to receive testing. So could the Minister just clarify that every vehicle, regardless of its age, once it is subject to MOT testing must be emissions tested?

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Hon. P J Balban: Mr Speaker, that is in fact correct and if the hon. Gentleman's vehicle was not tested ... I would need to check that, but it is a legal requirement and all vehicles should be tested for emissions.

Q582/2017
Electric car charging –
MidTown car park facilities

170 **Clerk:** Question 582. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, can the Government say whether there have been any unserviceabilities or failures of the electric car charging facilities at MidTown car park; and, if so, how often and for how long?

175

Clerk: Answer, the Hon. the Minister for Infrastructure and Planning.

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, the electric charging points at MidTown car park have not been commissioned yet. No interest has yet been shown. As part of the requirements of the STTPP and the environment, Government is, however, currently planning on commissioning a few parking bays for this purpose in the very near future.

180

Hon. T N Hammond: Mr Speaker, I am somewhat taken by surprise by the answer. My understanding was that the provision of such bays was to incentivise people to buy electric vehicles, in which case, if the facility is not available there is no incentive to buy, or there is less incentive, to buy the electric vehicle. My understanding was the commissioning of this would take place with the opening of the car park, which has now been open for well over a year and yet there is still no facility.

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When does Government plan to introduce that facility and will an announcement be made accordingly?

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Hon. P J Balban: Mr Speaker, as far as I am being told, there has been no interest shown. It would seem an awful shame to have – I do not know whether it is 15 or 20 spaces perhaps which are dedicated for this purpose ... to have them empty and not used, just waiting for an electric vehicle to turn up. Therefore, this is the reason why they have not been commissioned.

195

As part of the original reply, we are now going to be commissioning just a few for this purpose, again based on the fact that our policy is that we want to incentivise people to buy

200 them. People are not not buying electric vehicles because there is nowhere to charge them; that is not the case. MidTown has nothing to do with that – it is not the reason for it. As part of our policy – our environmental policy and our STTPP policy – we will not only be commissioning some of the electric points within the car park, a limited number as I have mentioned, but we are also looking at places on the public highway itself to try to encourage this. But again, a very limited amount of parking spaces because we do not want to get rid of parking spaces for the regular user. That is the intention and hence that is why we will be commissioning these quite soon. In fact, I am working together with the Ministry for the Environment for this purpose.

205 The actual machines in MidTown are ready to go, the system is in place and if anyone were to come in and request the facilities then this would have been accelerated and would have been done earlier. But I can guarantee the hon. Gentleman that that is the reason why and they will be rolled out very, very, shortly.

210 **Hon. D A Feetham:** Mr Speaker, with your indulgence – it arises out of the answer the hon. Gentleman has provided.

I understand the dilemma that the Government has, that if you are going to have 16 spaces at MidTown dedicated to electric cars, it is 16 spaces less for people to park.

215 I have noticed in recent times that the top two floors in MidTown car park have not been open for public parking for some reason. Has that been a recent policy change? I tell you why I am asking the question: in fact, I park at MidTown car park, in the public car parking spaces, and in the mornings, right up to quarter past nine, normally you can find parking at the MidTown car park. I think it is a wonderful resource, I have to say that to the Minister, but over recent times there has been a difficulty, over the last week or so, with the public car parking spaces there, and I did notice for the very first time that on the last two floors there is a makeshift sign that basically says that those are private car parking spaces. They are not marked in red, as the ones below, and I just wondered whether there had been a change in policy in relation to those two floors; and if it has changed, when did it change?

225 **Hon. P J Balban:** Mr Speaker, the very top two floors are monthly rentals and those are as a result of what used to be there before 2011 – the cars actually parked in that area when it was the old makeshift multi-storey car park. When the construction began, those cars were then moved on into the ICC and then brought back. So the top two floors of that parking area are for monthly rentals and have been like that for quite a while now.

230 The makeshift sign, if there is a sign there, could be because if cars have mistakenly made their way up there without reading the signage and have parked in someone's private space which is a rental space, and then you come along and want to use it and you are not able because there is another vehicle in your space ... That is probably the reason why there is a makeshift sign, but the signage is extremely clear, or should be extremely clear, and these signs are to make things even clearer in that respect.

Q583/2017

Varyl Begg Estate –

Loading/unloading bay for residents of Royal Sovereign House

Clerk: Question 583. The Hon. T N Hammond.

240 **Hon. T N Hammond:** Mr Speaker, on behalf of a constituent, can the Minister say if he would consider the placement of a loading and unloading bay in Varyl Begg Estate adjacent to Royal Sovereign House where there are currently red lines painted, in order to allow residents, many of whom are pensioners, greater facility in getting their shopping to their homes?

Clerk: Answer, the Hon. the Minister for Infrastructure and Planning.

245 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the existing red lines were painted following the completion of the resurfacing works at Varyl Begg Estate as a result of representations received from the tenants' association on behalf of garage owners who were then encountering problems entering and exiting their private garages.

I am advised that more recently the tenants of the estate approached the Traffic Commission directly and, as a result, a site meeting was held, including the Chairman of the Traffic Commission and the Highways Engineer, to consider how loading and unloading bays could be demarcated in the area of Royal Sovereign House to serve the needs of residents.

250 All requests of this nature are assessed by the Traffic Commission, who then advise on the viability of any proposal. The Traffic Commission have now identified several different locations where they propose loading and unloading bays could be demarcated in the future.

The Government would not have any objections to the provision of loading and unloading bays in this area, provided that the advice received is that this would be possible and not have a negative impact on garage owners – but the decision is one for the Traffic Commission.

260 **Hon. T N Hammond:** Mr Speaker, I thank the Minister for his answer.

To put this in context, I was actually invited to attend that particular site meeting and that took place nearly 18 months ago now, so I think the Minister will appreciate the frustration of some of the tenants who are waiting and waiting and are being, frankly, put off by the Traffic Commission.

265 I did write to the Traffic Commission over a year ago, encouraging them also in the same direction. The response I got was that, because the letter had come from me on parliamentary letterhead, the matter was now political and I should refer it to the Minister, which is why I have raised this question.

270 I am pleased to hear that there appears to be progress, but could I ask whether the Minister could look into the matter and just ensure that it is dealt with in as expeditious a fashion as is possible from this point forward, bearing in mind the length of time that some of these residents have waited for an outcome to this particular issue?

275 **Hon. P J Balban:** Mr Speaker, although it affects, obviously, the people who live there are negative, it is quite a minor issue on which the hon. Gentleman could have picked up the phone and given me a call, and we could have perhaps discussed where it was or whatever and then I would have been able to perhaps give it a push in the right direction.

280 But having said that, it is not Government's intention to make life difficult for anyone, as you obviously can understand, and the reason why these red lines were placed there originally was because cars indiscriminately, unfortunately, parked opposite the garages, and while they are not being used there is absolutely no problem whatsoever but if you are unlucky and the moment you want to take your car out you cannot and you have to do a five-point turn to get out ... It is always that 'a *momentito*' in terms of approach – 'I'm just going to be a few minutes and take my food home' – but that can affect someone, and in fact we had a complaint from someone who had a member of the family who was very unwell, constantly unwell, a permanent issue that the person had, and they could not get out of the garage to get the person to their medical appointment, and that created trouble. That is why the red lines were placed there, to avoid this sort of thing from happening in the future.

290 Obviously, I can understand now that the other half of the coin says, 'Well, how can I take my food home?' and that is a thing that we live with on a daily basis. We do want to get our cars as close to the place we are going as soon as possible and as quickly as possible – that is the convenience part of things – but we are looking ... The reason why it has taken so

295 long is because the car parking spaces there are allocated to individuals and we obviously
need to make sure that they do not affect ... there is always moving from one parking space
and LPS manages that for us.

But as I said, it has got to be a happy balance – the bays that we find could well be too far
away for this purpose. So it is not as simple as we get the bays closest to this property,
300 because there are other blocks which will also want the same thing. So it is a bit complicated
in that respect as there are two sides of the coin, each requiring different things, and that is
why I think we have been stuck on this for a short while.

Hon. T N Hammond: Mr Speaker, again I thank the Minister for his comprehensive
305 answer and I fully understand why the lines were painted originally; the irony is that now
garage users are actually taking advantage of the situation – I have seen it for myself – and
parking vehicles directly outside their garages, occupying an extra space, which defeats the
object and actually is unfortunate and obviously creates further frustration for those who
simply wish to have an unloading bay.

310 That is what we are speaking about. We are not talking about someone who has ... People
should be fined if they park in the unloading bay and choose it as an overnight parking, but
this is very much just for people to take their shopping or whatever other items out of their
vehicle somewhere closer to their house, as I say, bearing in mind many are pensioners who
may have parking spaces 100 metres or 200 metres away in the estate, and obviously that is
315 undesirable. At present, the red line means no waiting, which means if you stop at all, as the
Minister knows, it is a £100 fine, which is quite concerning for those residents.

So, if the Minister can assure me, so that I can go and assure the people who have
approached me, that the matter is being looked into as a matter of urgency, I will take that
back to those residents and provide that assurance.

320 **Hon. P J Balban:** Mr Speaker, the only thing I can assure the hon. Gentleman about is that
there is a procedure, there is a way of doing things and it is via the Traffic Commission, which is
the authority which will make the decisions, so obviously that is in course.

To touch upon a few of the things that you have mentioned, the red line is a red line for
325 everyone, regardless of whether the red line is outside your garage and you are the owner of the
garage and you wish to park outside your garage to obstruct your own garage. It is still an
offence. Red lines mean red lines for all. Obviously it is something that is quite naughty, to park
your car outside your garage, because you are causing an obstruction, even if it is to your own
property. If the authorities come round at that moment in time they will be dealt with, but
330 obviously we cannot have people everywhere at the same time and now, obviously, many
people, the majority of people would get away with it – let's be frank.

A £100 fine: yes, the Traffic Commission decided that that should be the offence because that
would disincentivise people from doing not to do that, because if you say it is just a regular FPN,
and because you are caught so infrequently – because obviously you would have to have a
335 policeman there all the time – then it is well worth the gamble, whereas if it is £100 and you are
caught once, you will say, 'Well, I'm never going to do that again.' So that is the reason for that.

Just to complete the circle, there is a Commission that deals with these things and obviously I
will see where that is, but they will come back to me in a timely manner, I will ensure, and we
will see what the way forward is.

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Q584/2017
Speed cameras –
Repairs following failure

Clerk: Question 584. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, can the Government say whether there have been any unserviceabilities or failures of the speed cameras since their introduction; if so, how many and how long was it before repairs were effected, if those repairs were covered by warranty and, if not, what was the cost of the repairs?

Clerk: Answer, the Hon. the Minister for Infrastructure and Planning.

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, the information requested by the hon. Member is provided in the schedule which I will now hand over.

Mr Speaker: I will give the hon. questioner an opportunity to look at the schedule and you can ask supplementaries later on, if you so wish.

ANSWER TO QUESTION NO 584/2017

Speed Cameras Down Time Log

Camera Serial No.	Date of purchase	Out of service Date	Reason Transcript as per reporting officer	Back in service Date	Total days out of service	Cost of repair	Warranty Y/N
		08-May-17	Went live with cameras. Started issuing fines				
1174	06-Mar-15	09-May-17	Camera constantly beeping and we cannot connect to it. Sent to the UK for repairs	02-Jun-17	24	£0	N
1174 / 1173	03-Jun-17	03-Jun-17	Camera 1174 was replaced by camera 1173 at no cost to us.				
1173	06-Mar-15	03-Jun-17	Camera seems to have problem with motherboard. We received a new replacement camera under the terms of the guarantee	13-Jun-17	10	£0	Y
1179	06-Mar-15	11-Jul-17	Camera by Europa Advance Road had loose cable	13-Jul-17	2	£0	N
1173	06-Mar-15	08-Sep-17	Camera sent to the UK for repair. Problem with the Security System	26-Sep-17	18	£0	Y
1223	01-Aug-17	08-Sep-17	Motherboard needed changing. Camera sent to UK for repair	06-Oct-17	28	£0	Y

Q585/2017
Development and Planning Commission –
Submission of Government projects for approval

Clerk: Question 585. The Hon. D A Feetham.

Hon. D A Feetham: When will the Government submit Government projects to approval of the DPC rather than for advice and guidance?

Clerk: Answer, the Hon. the Minister for Infrastructure and Planning.

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, contrary to the advice received from Members opposite, who repeatedly urged us not to even submit Government projects for guidance and advice, the new Town Planning Act which is currently being drafted requires Government to obtain approval from the DPC and not just recommendations.

Hon. D A Feetham: That is certainly welcome news from this side, ignoring the barbed comment that he made to start his answer, but can he give some kind of a timeline as to when that legislation will be completed and will be published?

Hon. P J Balban: Mr Speaker, without actually wishing to pin myself down to a specific date – clearly, for obvious reasons – the Act is at the final stages. I can comfortably say it is virtually finished, but we are awaiting a response from the Government Law Officers on one aspect and there are also a few minor amendments that will need to be made before it is finally ready.

At the same time, they are also at the final stages of the draft and the regulations that will accompany this Act. So again, without wishing to say dates, I am told that ... again the word 'soon' is the word that we debate about, but it will be soon.

Q586/2017

Private parking spaces – Planning applications

Clerk: Question 586. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, since December 2011, can the Government provide a schedule with details of how many planning applications to build private parking spaces or garages on private properties have been approved or refused, including (a) the area in Gibraltar, (b) the reason for approval or refusal and (c) the number of public parking lost?

Clerk: Answer, the Hon. the Minister for Infrastructure and Planning.

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, this is publicly available information.

Hon. L F Llamas: Mr Speaker, unfortunately, when you go on the Government portal, or even sometimes in the minutes, you do not actually get to see what parts of the application have been approved and which parts have not. That is the only reason why I have brought this question to the House, because there are aspects of the application which get refused but do not get recorded.

Is there any way that the Government could look into this and perhaps email in the future with a potential answer to this question?

Hon. P J Balban: Mr Speaker, the answer provided is what is available: it is actually publicly available information. What is there is what is available for us to be able ... When the hon. Member asked the question I asked my staff to look for a reply and the reply is that. What is available publicly is the only information that we have to be able to give to the hon. Member.

Q587/2017
Redibikes –
Service user information

Clerk: Question 587. The Hon. L F Llamas.

405 **Hon. L F Llamas:** Mr Speaker, since the Redibikes came into operation, can the Government provide a daily schedule with a number of users who use the service?

Clerk: Answer, the Hon. the Minister for Infrastructure and Planning.

410 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, the information requested by the hon. Member is detailed in the schedule that I will now hand over.

Mr Speaker: Let's move on to the next question and come back to the previous one, if necessary.

Answer to Question 587/2017											
May		June		July		August		September		October	
Day	Rentals	Day	Rentals	Day	Rentals	Day	Rentals	Day	Rentals	Day	Rentals
1		1	11	1	6	1	4	1	2	1	11
2		2	5	2	5	2	3	2	2	2	4
3		3	7	3	5	3	0	3	5	3	1
4		4	4	4	2	4	4	4	4	4	1
5		5	12	5	10	5	6	5	4	5	2
6		6	4	6	6	6	16	6	1	6	3
7		7	0	7	6	7	9	7	0	7	9
8		8	10	8	7	8	7	8	4	8	7
9		9	7	9	1	9	15	9	2	9	6
10		10	4	10	2	10	4	10	2	10	3
11		11	5	11	0	11	5	11	3	11	2
12		12	9	12	2	12	4	12	1	12	2
13		13	2	13	16	13	55	13	0	13	2
14		14	7	14	8	14	54	14	2	14	6
15		15	5	15	3	15	0	15	2	15	
16	6	16	1	16	11	16	28	16	0	16	
17	6	17	4	17	1	17	93	17	2	17	
18	10	18	1	18	6	18	15	18	2	18	
19	6	19	2	19	2	19	7	19	1	19	
20	4	20	3	20	4	20	3	20	2	20	
21	8	21	2	21	1	21	17	21	0	21	
22	3	22	1	22	4	22	4	22	0	22	
23	5	23	3	23	9	23	3	23	5	23	
24	4	24	3	24	5	24	6	24	7	24	
25	8	25	9	25	0	25	2	25	8	25	
26	6	26	5	26	6	26	1	26	7	26	
27	10	27	1	27	7	27	10	27	0	27	
28	13	28	1	28	2	28	8	28	1	28	
29	16	29	7	29	4	29	2	29	1	29	
30	2	30	5	30	8	30	9	30	7	30	
31	1			31	5	31	13			31	

Q588/2017
Storm drains –
Maintenance

415 **Clerk:** Question 588. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, is the Government carrying out year-round maintenance on storm drains? If not, when was the last time they were surveyed and resolved their conditions?

420 **Clerk:** Answer, the Hon. the Minister for Infrastructure and Planning.

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, yes, sir.

425 **Hon. L F Llamas:** Mr Speaker, I am sure the Hon. Minister is aware – and I did file this question before we had the little downpour the other day – within 20 minutes many of the areas in Gibraltar started to flood and I am sure if you do take a walk around you will see that many of the storm drains are actually clogged up with sand, dirt, cigarette butts and what have you. Clearly, many of them do not seem to have had any maintenance in quite some time – years, or God knows how long.

430 Has an actual survey been carried out throughout the last year, or at least in the dry months, in order to prepare for the upcoming wet winter months?

435 **Hon. P J Balban:** Mr Speaker, this is done by routine. There is year-round maintenance of storm drains, the sewers and the culverts within the public highway. This also includes the cleansing of road gullies. Regular inspections do take place and that is carried out by the infrastructural section of Technical Services department. So, regardless of whether there is ... When it rains in Gibraltar it tends to rain quite aggressively for a short period of time, and even with the best of drainage there will always inevitably be some accumulation of water, especially at the beginning of the year. But rest assured that there is a very detailed maintenance scheme and the works that are carried out are extremely extensive. Whether a particular drain has had extra leaf fall, that could happen, but the maintenance is there and it is carried out on a routine basis.

445 **Chief Minister (Hon. F R Picardo):** I do not know whether it is helpful for me to rise and just assist in this respect, and I do not know whether the hon. Gentleman watched the scenes on the Spanish news bulletins in the past days – and I find the Spanish news bulletins these days compulsive viewing, not necessarily because of the meteorological occurrences – but he might have seen that in Jerez and in Malaga cars were floating in the streets. We live in a part of the world where it is such a privilege to live, but we suffer the same meteorological events as those towns around us, and although on particularly bad days the Rock acts like a storm culvert itself – and there is an area at the entrance to Main Street that no Government in our history has ever been able to deal with, other than perhaps thinking about the conversion to a swimming pool between the months of November to February – we have never seen cars floating in the streets in Gibraltar.

455 Our systems, which are dealt with by the Technical Services department, as the Hon. Minister has said, ensure that we have the ability to get as much storm water out into the sea as possible so that those events do not occur. So, where we have perhaps a couple of inches of annoying water above the soles of our shoes when the water is not moving as quickly as perhaps we would all like it to, in the towns next door vehicles made of metal are floating because that level of water is falling. So I do think we need to keep in perspective and understand the excellent job that is being done by the Technical Services department to ensure that Gibraltar has the benefit that it has in such meteorological events.

465 **Hon L F Llamas:** Mr Speaker, I am grateful for that answer and I do understand, obviously, that we do deal relatively well in terms of flooding. I am just saying that there could be more to mitigate, because it is not an isolated storm drain in the south district or the north district – there seem to be many which would possibly prevent ... and resource us better, so that we would never have to see those sorts of scenes that we see on Spanish TV.

470 **Hon. Chief Minister:** Mr Speaker, I do not agree, because we have never seen those scenes in Gibraltar. That demonstrates that the work that is being done is the right work.

A few cigarette butts and a few leaves do not mean that a drain is blocked. The first rains sometimes just completely deal with that. A packet of crisps on the street is an annoyance, it is litter and it should not be there, but it does not make for a blocked drain. I think this is what is important, that we put into perspective what it is that the issues in Gibraltar may be, we understand where we may be able to improve but we do not denigrate that which is being done, which ensures that we do not have problems of that sort. If our storm water drains were blocked, as the hon. Member is suggesting that they are, we would have those scenes, and not of a few centimetres of water sometimes at worst – we would have cars floating on our streets, which is something we do not have in Gibraltar. We do not have rubbish bins floating on our streets.

When that has happened and we have had a little bit of a few inches of rain accumulate, it has been for a short period as the water gets out through the storm drains, not because the storm drains are blocked – because the storm drains, which are relatively impossible to widen because they are laid when infrastructure is laid and roads are built, and going into the Upper Town in particular and under Queensway would be ... nothing is, in engineering terms, impossible, but almost impossible ... just cannot take that amount of water in a moment. They can take it sometimes in five minutes, they can take it in 50 minutes. The hon. Gentleman will know that Queensway, Saluting Battery, even the area in front of the old ABN AMRO premises at the entrance to Main Street, if it is flooded it is flooded for minutes, not hours, as the water goes. That demonstrates that it is not a question of a blocked drain; it is more a question of capacity and the impossibility of creating further capacity without major civil engineering works that would make it very difficult to act without seriously disrupting the life of the city. You have to put that in the balance of the context of a few minutes, on a very, very, very, rainy day, of water moving slightly more slowly than we might all like to see it moving.

But it is not blocked drains; blocked drains would not be undone. You could have an instance of a blocked drain – it is impossible to say that that is not the case – despite the maintenance schedule that we ensure is proceeded with every year.

Hon. D A Feetham: Mr Speaker, may I? Indeed, Mr Speaker, I do not know whether the Hon. the Chief Minister travelled, for example, just to the neighbouring town of La Línea on Wednesday and on the stretch of road towards *El Higuérón* the entire area was in fact flooded because of the rain water that had actually fallen on that particular day. So, by way of supporting what the hon. Gentleman has said, by parity of reasoning, if our drains had been in exactly the same state as theirs, we would have had that kind of water in our streets and it did not happen here in Gibraltar.

Hon. Chief Minister: And if I may say so – I am grateful for the hon. Gentleman's route indication towards that particular area of the flat of La Línea – Gibraltar benefits from this beautiful, magnificent, monolithic Rock that we all call home, which in effect channels all water that falls on a particularly rainy day on the western side towards the flat. The area of *El Higuérón* is completely flat and most of the water that falls is just falling straight on the flat.

We deal with the water that falls on the flat – namely Main Street, Queensway, Saluting Battery etc. – and with all of the water that falls on the Rock, which comes like a culvert down to the flat as well, and we deal with it much more efficiently than hon. Members have rightly indicated is the case in the context of the neighbouring town. And not just the neighbouring town, which hon. Members will have seen recently describe itself as long suffering and lacking in investment, but even in capitals like Malaga and Jerez. In Jerez they had to cancel operations in the hospital because their hospital was completely flooded, and they had to cancel all classes in schools *for the rest of this week*.

It is right that we want to ensure that our nation operates at the best that it can, but it is also right that we put in context a few centimetres of water. We had an incident last year where St Mary's was flooded for a day – we had never seen so much rainfall in 24 hours – but within

24 hours we were operating the school again. That was an engineering error that appeared to have been made some time ago, literally a decade or so ago, when a new development was put up and a culvert was sent the wrong way, and on this particular occasion when it rained so much we found out where the culvert was pointing: straight at the school.

So we have to understand and put in context how we are dealing with these things. We are dealing with them very well. Where there is a problem it is an ad hoc problem. It must be dealt with as soon as possible, but we must not allow ourselves to fall into the trap of thinking that we have a major issue here.

Hon. L F Llamas: If the Government were to simply have a look, for example, at the storm drains at the bottom of Bell Lane and Bedlam Court, obviously Main Street is pitched towards the north and if those drains which are currently clogged – and I believe they still are, and they are full with sand and dirt so it is not just that you see it is moist, you can see it is really, really dry and it will take a little bit of manpower to unblock them ... If that water is coming down from Castle Steps, which is notorious for its rainfall and accumulation of water, and comes down through Bell Lane, there is nothing there to collect it because they are blocked and it goes on to Main Street and Bedlam Court, which cannot cope either, and then all that water does end up at the north end of Main Street, for example, and instead of having five inches of rain whilst the drains that are at the northern end of Main Street try to manage the water that is pouring in, you have 10 inches because there is so much water coming in from different directions and there is nothing to mitigate along the way. That is simply my question for the Government

Hon. Chief Minister: Well, Mr Speaker, I think his question has been asked and answered by an act of God, because clearly his questions must have been filed before the rain, in good faith no doubt, but his supplementary must have been thought up before the rains as well because we had the rains this week. The water came down from what is known as *El Caño Real* – in other words, it was itself the great culvert from the Rock down to that point at the bottom of Bedlam Court etc. and Bell Lane, and there was not an accumulation of inches of water, there was not, and there was – *(Interjection by Hon. L F Llamas)* But, Mr Speaker, this is what I am saying to him. Those same 20 minutes was the same meteorological event: it passed here and went eastwards, caused the flooding and the closure of the hospital in Jerez.

What looks to him, or whoever it is that he is working with these days, like a little bit of dry sand and a few fags – not an attractive sight; I know there are those who photograph aircraft and photograph trains, but I did not realise the hon. Gentleman had a fetish for the inside of drains – it is not an attractive sight, but one minute of rain clears it and if that were not the case we would have had a blockage, whether it was one minute, five minutes or 20 minutes of rain.

So I put it to him that he should go back and look at the drain which he has asked the supplementary about and he might be satisfied to see that those 20 minutes of rain dealt with it. Otherwise, Mr Speaker, I will be left with thinking that his next slogan should be *Aquí no se curra* because he might like to sit for a while and think of questions but he does not follow up with the hard work of making sure that what he is asking about is right.

Mr Speaker: We move on, then, from the rain in Spain, or in Gibraltar, to the next question.

Hon. T N Hammond: Thank you Mr Speaker, can I just go back to Question 587 on Redibikes?

Just looking at the figures, clearly August was a good month. The rest of the months around August seem to be fairly steady. Did Government have in mind, when they introduced the Redibikes, what would constitute a successful ... or did they have in mind a target for the number of users on a given month? The figures are quite random, August definitely being a good month, which I presume is tourists but obviously I guess there is no way of knowing that. But around those months there does not seem to be any kind of rise in the use of the bikes.

Hon. Chief Minister: If you are so keen, we would be surprised not to see you on the bikes.

Hon. P J Balban: Mr Speaker, in my mind any usage whatsoever is one trip less that is carried out by any other means – unless it is walking, clearly – and so we did not have any idea what we would expect to see in terms of numbers but clearly, we are aiming, our aim, and, through the work that we are carrying out, our intention is to promote this means of transport and we are hopefully expecting more usage.

We have, as the hon. Member is aware, clearly, recently reviewed the prices of Redibikes in case it was that perhaps people needed that little bit of incentivisation in terms of lowering the cost of usage, so what used to be a £2 daily fee has now become a £1 daily fee. But I think more than anything it is a question of really encouraging the mode of transport and trying to encourage people to use it. That is what we need to do. I do not think this is to do with price in that respect because I do not think the reduction in price has had that effect on usage. As you rightly say, the month of August is a good month and we can assume that there are more people who come across the border or on a cruise ship etc., tourists, who may be using the bicycles more.

But I am very happy with the progress so far. Clearly I would like it to be much, much more – that is what it is all about – and our efforts now will be to try to encourage the use of bicycles. In fact, tomorrow Redibikes will be used for the Peddling for a Cure event at Casemates. As well as in support of the charity, they are also there so people can use them, because it is imperative that people start using more sustainable modes of transport.

Hon. T N Hammond: Mr Speaker, I certainly agree with the Minister that people should be encouraged to use other means of transport, but it does concern me that the Redibike scheme has been in place for coming up to six months now and there does not seem to be an upward trend in terms of the local usage.

The figures for July are probably slightly better than the figures for September, in fact, which seem to amount to about 70 uses of bikes for the entire month. That is just two bikes a day and, considering the number of bikes available, that would seem to me to be a very small uptake from the community. Clearly that to some extent takes into account the reduction in price, though as the Minister said, the reduction in price has not impacted.

It slightly goes back also to the question that was asked earlier reference the charging points – Government is indicating it has a policy but there is no demand. Are we in a position where we have again a policy but people are not being incentivised in a way that makes it a meaningful policy, and what does Government plan to do to further incentivise people, hopefully, to take to this mode of transport?

Hon. P J Balban: Mr Speaker, I disagree with the hon. Gentleman in terms that we are only looking at a few months' worth of statistics. I think we need to look at the much wider picture. If you look at the statistics for the month of May and June it went up in June. It was about 108 rentals in May and it went up to 140 in June, went up to 154 in July and 407 in August. So there has been an increase in usage. Now the first month has shown a decrease but if you look at this month, which is October, it seems to be on the up again because we have got statistics about midway and it is close to already reaching the full month of September. So again, I think looking at such a small window is unfair and I think we will need to have this analysis later on in the day, once we see exactly what the full year of usage is and maybe compare that in the future as well.

I myself am a cyclist, as you know. I see a lot more people out there cycling, a lot of people buying them... There is also the issue of bicycles being quite inexpensive as well, so they might try the Redibikes and say, 'Well, I'm going to buy one now, and that again will have an effect.' But I think we need to look at this in a much broader way, not just the results of a few months.

Hon. T N Hammond: Mr Speaker, I do accept that point by the Minister. I think it is reasonable to wait longer and we have limited statistics. It was just that I was slightly disappointed by the numbers presented, which is why I asked, and the way the Minister answered the last question made me think maybe there is a target figure or something that you would like to see after a year of use of the bikes. We have seen the figures rise and fall again, perhaps rising again.

Can the Minister confirm that there is no ballpark figure that they would like to see as a monthly usage for the bikes for them to consider the scheme to have been a success?

Hon. P J Balban: Mr Speaker, it is very difficult. We have no value. Remember that the question that has been asked ... I think you need to look at the comparison: how many people were using bicycles before. I think just to have a ballpark figure of what we expect ... We do not know what usage is generally, so we did not pin it down to a certain usage. The fact that we had 407 people using Redibikes in the month of August means that there were 407 people not getting other modes of transport, be it the bus, be it a taxi, be it walking – well, walking would have been even better, but a car or private transport etc.

So again it is very difficult to see where these originate from. Do people come in their cars, park their cars and then get a Redibike, or do these people walk across the Frontier, or do these people come off ships? Obviously, I would like to see this becoming extremely popular and I am pretty positive it will because I can just see the number of people cycling nowadays compared to just a short while ago. Even the number of bicycles you see, the number of bicycle racks we are having to place – the demand for bicycle racks is incredible recently, and still we are struggling because still people are having to park bikes elsewhere because they cannot fit them. As I said earlier, it is the whole concept of cycling. Redibikes is just one of those vehicles, but this may encourage people to purchase bicycles and I think we are achieving our aim if they do go down that route as well.

Q589/2017

Foreign licensed vehicles – Numbers towed for parking in restricted areas

Clerk: Question 589. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, since December 2011 can the Government provide a monthly schedule of how many foreign licensed vehicles have been towed away for being parked in a public parking during restricted times such as cleaning campaigns?

Clerk: Answer, the Hon. Minister for Infrastructure and Planning.

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, the information requested by the hon. Member is provided in a schedule that I will now hand over.

ANSWER TO QUESTION NO 589/2017

Foreign vehicles towed away*

	2012	2013	2014	2015	2016	2017
January	0	1	2	3	1	8
February	0	1	10	1	1	6
March	0	3	2	6	1	7
April	0	14	3	4	1	12
May	0	3	8	3	2	101
June	8	6	24	9	2	38
July	7	14	9	7	0	34
August	6	2	20	9	6	40
September	12	17	27	9	1	25
October	10	3	17	2	6	14
November	4	14	10	8	9	
December	8	1	5	1	0	

*The above figures pertain to foreign registered vehicles which have been towed away for being parked on the public highway during such time parking restrictions were in place specifying specific times. This includes but not limited to cleaning campaigns.

Figures in bold sourced from GCPL/DVLD records; figures in italics sourced from GPMSL records Information prior to June 2012 is not available.

665 **Mr Speaker:** Could I ask the hon. Minister at his convenience to provide an explanatory note to be included in the schedule as to what GCPL/DVLD stands for, and GPMSL, at his convenience, and we will incorporate it into the schedule.

670 **Hon. P J Balban:** Just to address that point, GCPL is Gibraltar Car Parks Ltd; DVLD is Department of Vehicle Licensing – what is colloquially known as the MOT; and GPMSL is the company that runs the parking enforcement, Gibraltar Parking Management Services Ltd.

675 **Hon. L F Llamas:** Mr Speaker, obviously we have seen a rise in 2017 of vehicles being towed, and I can talk from experience, having seen some vehicles towed the other day. I actually asked one of the employees of one of these companies why they were towing away and it was based on the cleaning campaign so that they could clean better. I could understand it if they were properly hosing down the area with water, but given that they were simply just using a broom and passing around vehicles, which is not going to do much in terms of cleaning the atmosphere, I could not understand why, apart from having to have the Fixed Penalty Notice, these vehicles were being towed away. And, Mr Speaker, what was even worse was they were being towed away whilst vehicles were returning to park in the area. I asked why, if the cleaning campaign had actually finished, why were they still being towed away – and they were unable to answer and said, 'Oh, that's a very good question.'

680 So I am concerned at the fact that so many tourists are actually being towed away rather than just clamped and made to pay the fee. Can the Government enlighten me as to why this policy is being implemented rather than just the clamping of vehicles?

Hon. P J Balban: Mr Speaker, vehicles are towed away if they are causing obstruction to the public highway. If it is as a result of the street-cleaning campaign, generally the principle is that an FPN is placed and, to be able to achieve that FPN and to make sure that the vehicle does not

690 go across the Frontier and abscond in that respect, then a clamp is placed. The clamp has no extra charge, it is just to ensure, and that is the same policy that was used in the past.

Again, it is only if a vehicle is causing an obstruction that the vehicle would be towed away. Other than that, it is a clamp. If it is a vehicle which is presumed ... it could be a derelict vehicle and it is not moving ... then that could be another reason why a vehicle is towed away.

695 **Hon. L F Llamas:** Mr Speaker, unfortunately, those that I have witnessed have not been as a result of derelict ... or causing an obstruction, other than impeding the cleaning strategy at certain areas. At £60 a pop I can understand that they would have to pay the Fixed Penalty Notice, but to additionally burden and place tourists having to find where the vehicle has been
700 towed to, rather than just simply placing the clamp, as has always been the case ...

Can the Government investigate at least as to whether this is simply a one-off or whether this is happening on a weekly basis, and therefore this could seriously be impacting the tourist experience in Gibraltar?

705 **Hon. P J Balban:** Mr Speaker, the policy is that cars should not be towed away unless they are causing an obstruction on the public highway, so I will obviously have a look at that and see why ... If the hon. Gentleman would like to give me further details as to where it was and the date, I can then –

710 **Chief Minister (Hon. F R Picardo):** We do not accept the argument on its own. He has to give us the details.

Hon. P J Balban: Of course, he needs to give us the exact details – let me know where it was and I will look at it, but it is not something that happens. Cars are only towed away when it is
715 absolutely necessary that they are towed away. Otherwise, either an FPN is placed or a clamp is placed to ensure that the FPN is paid for, but otherwise there is no towing away.

Hon. L F Llamas: Mr Speaker, I shall gladly expand further behind the Speaker's Chair, but I can assure the opposite side that I could have recorded the conversation I had with the
720 employees when I challenged it and they simply could not answer the question, other than they were doing it just to make extra money.

Hon. Chief Minister: Mr Speaker, that is, if I may say so, a ridiculous thing for an employee of a company that is not receiving remuneration based on how much money they make to give to
725 the hon. Gentleman and for the hon. Gentleman to believe it. There is nothing about the people who are involved in parking management and nothing about their remuneration – there is no bonus structure, there is no remuneration to the company – that is based on how much they fine or clamp or tow. So, if he is told that, then he should have the presence of mind to say to them, 'It doesn't make any sense what you are saying to me,' or to record them, as he has
730 suggested he would do, to add to the *telenovela* that he is treating us to on Facebook of his daily grind.

Nobody must listen to this debate and think that there is a policy on the part of the Government of towing a car that is not causing an obstruction. Only cars that cause an obstruction will be towed.

735 But I must tell him as a pedestrian that it is absolutely right that cars that are causing an obstruction should be towed, because I push a pram every morning when I walk to work and it is disgraceful the number of vehicles, which are foreign and locally registered, that are illegally parked and causing an obstruction not just for other vehicles, because we must not just look at the possibility of other vehicles being obstructed but of pedestrians being obstructed, and that
740 means people who are pushing prams, people who are on wheelchairs and their ability to traverse a road and their ability to get into town, and they must be the ones we stand with.

There is no question of this being done for the purposes of making money or raising funds or profit, and if he has been told that I would be very grateful indeed if he indicated to the Hon. Minister when he was told and at what time, so that we can determine who said it so that we can put them bang to right, because that is not the policy of the Government, and in fact if it has happened it has happened contrary to the policy of the Government, which is entirely unacceptable to the Government.

Hon. L F Llamas: Mr Speaker, just for clarification, the Hon. Chief Minister is referring to the public highway and I would like to support the Government in the sense that obviously anybody who is obstructing the public highway, the pavements and so forth, should be reprimanded regardless – but my question was specifically based on public parking. That is why there is a little bit of confusion.

Hon. T N Hammond: If I may just ask one supplementary, Mr Speaker, I would just like to say I do endorse, regarding the public highway where obstructions occur, that certainly the vehicle should be removed from causing that obstruction.

I just wonder – and I will come back with a question if he does not have the answer: there is a spike in the figures for May 2017 of 101 vehicles being towed, which is about three times more than the monthly average. Is the Minister aware of any particular event or reason why the numbers are so high in that given month? If not, I will come back with a written question.

Hon. P J Balban: Mr Speaker, yes, there were a number of reasons why we saw a spike. In fact, a cleaning campaign was conducted at Western Beach, Bayside Road and Grand Parade, and that resulted in around 39 vehicles being towed away. Also there were pay and display areas ... they were actually within residential estates, general obstruction and mainly red lines.

So, in summary, the main reason was a cleaning campaign. When there are cleaning campaigns, obviously you will see an increase. There are various cleaning campaigns in a given month and if people leave their vehicles there, then obviously you will see a spike in that respect.

Mr Speaker: Next question.

Q590/2017

Electric hoverboards and scooters – Update re regulation

Clerk: Question 590. The Hon. L F Llamas.

Hon. L F Llamas. Mr Speaker, can the Government provide an update to Question 99/2017 relating to electric hoverboards and scooters?

Clerk: Answer, the Hon. the Minister for Infrastructure and Planning.

Minister for Infrastructure and Planning (Hon. P J Balban): Mr Speaker, Government continues to work with HM Customs, the RGP and the Gibraltar Law Officers in relation to the importation and use of hoverboards and other similar self-balancing devices.

Hon. L F Llamas: Mr Speaker, these talks with the law enforcement agencies have been ongoing for quite some time and obviously we are seeing an increase in further scooters and electric hoverboards being used on our streets and pavements without regulation.

This was first chastised by the Government in December 2015, together with the drones. We have seen that the Government is taking a far more serious approach to drones, given their importance; however, I would urge the Government to look into this, especially when we know from the media that there can be issues of fire and safety with certain products which are not up to European standards, and therefore these could be being imported and end up causing a fire hazard in some of our buildings.

Hon. P J Balban: Mr Speaker, the position under the law is that all these devices are illegal imports. These bikes in Gibraltar are considered motor vehicles – their motor is an electric motor, but still it is a vehicle. They should not be driven. They should not be in Gibraltar in the first place, let alone be driven on a public footpath or even on the public highway. It is a matter of policing in that respect.

The legislation itself will see whether there is any potential use for these vehicles as part of Gibraltar. We were considering perhaps having areas for them and considering whether some could be classified as toys more than modes of transport. Some of these things really will not be able to work properly on the road because they are made for flat surfaces. Those are also illegal imports and those are generally the ones that have been accused of catching fire – the toy models.

But the biggest issue I think we have with the legislation is that these things are changing all the time. There is a massive evolution of types of vehicles and it is difficult to specify what these are. Recently I saw in Dubai the police testing a drone-type motorcycle, so things could even get worse if we continue down that line. But the way things are at the moment it is clear in the law that they are illegal imports, illegal on the highway and they should not be used.

CULTURE, THE MEDIA, YOUTH AND SPORT

Q591/2017

Gibraltar Music Festival – Vehicles hired by Government

Clerk: Question 591. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, regarding the transport arrangements in place for the GMF, can the Minister say if any vehicles were hired by Government to support the event; if so, how many, were the drivers employed Government drivers and what was the cost?

Clerk: Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

Minister for Culture, the Media, Youth and Sport (Hon. S E Linares): Mr Speaker, no vehicles were hired by Government.

Q592/2017

Gibraltar Sports and Leisure Authority – Vacancies

Clerk: Question 592. The Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, sir, can the Minister for Sport provide details of any vacancies which may currently exist within the Gibraltar Sports and Leisure Authority?

Clerk: Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

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Minister for Culture, the Media, Youth and Sport (Hon. S E Linares): Mr Speaker, at present there is an Administrative Assistant, GSLA Grade 9, vacancy within the GSLA.

830

Hon. E J Reyes: Mr Speaker, can the Minister clarify: I know in the past he has informed me that they were undergoing some type of staffing review and so on – would the Minister like to enlighten us as to whether this position has not been advertised because of the still-ongoing staff review, or has that now completed and then it is just a question of starting the recruitment process to be initiated?

835

Hon. S E Linares: Mr Speaker, the restructure has already taken place, which is most of the managerial and administrative part of the GSLA. This is a post that was left vacant at the end because, as he can see, it is one of the AAs at the bottom of the scale of the management. As I understand it, we are trying to recruit someone within the GSLA itself to see if there is anybody interested in getting that post. If not, it will just go through the normal procedure that we have done with the other posts.

840

Hon. E J Reyes: So, just for clarification, Mr Speaker, when the Minister says ‘we are trying to recruit someone from within the GSLA’, am I right in concluding that an internal advertisement for the vacancy has happened and then, subsequently, subject to the interest shown and a suitable person being identified, it will become public or not?

845

Hon. S E Linares: Yes, sir.

Q593/2017
Sports-related grants –
Payments made

Clerk: Question 593. The Hon. E J Reyes.

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Hon. E J Reyes: Can the Minister for Sport provide details of all payments made during this financial year in respect of any sports-related grants?

Clerk: Answer, the Hon. the Minister for, Culture, the Media, Youth and Sport.

855

Minister for Culture, the Media, Youth and Sport (Hon. S E Linares): Mr Speaker, I now hand over to the hon. Member opposite details of all payments that have been made towards sports grants during this financial year.

I would like to inform the hon. Member that this information is updated periodically online on the HM Government of Gibraltar statistics website.

Answer to Question 593/2017

Grants Awarded for sports development projects

Pistol Shooting	709.00
Badminton Association	606.75
Rowing Association	2,881.56
Hockey Association	3,684.00
Athletics Association	3,502.30
Basketball Association	814.04
Karate Association	961.00
Taekwondo Association	311.99
Ice Skating Association	397.23

Grants Awarded for International Competitions

Island Games	98,257.67
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Grants Awarded to Sporting Societies

Netball Association	13,340.51
Target Shooting	5,745.93
Shooting Association	11,933.61
Darts Association	15,812.50
Hockey Association	15,587.41
Tenpin Bowling Association	2,631.06
Athletics Association	6,302.11
Basketball Association	6,644.10
Triathlon Association	2,685.00
Rowing Association	2,381.56

Hosting of Special Sports and Leisure Events

Gibraltar Darts Trophy	132,245.20
Gibraltar Kennel Club	10,012.50
World Pool & Snooker Championships	248,176.00
Commonwealth Games	5,221.80
Gibraltar Classic Vehicle Association	1,200.00
Gibraltar Int Backgammon Tournament	37,500.00
Hockey Challenge Cup	850.00
Cleaning of Gibraltar Music Song Festival	192.00
International Bike Rally	241.64
Harley Davidson Club Rally	4,500.00
Maccabi Gibraltar International Competition	4,000.00
Cleaning of Boxing event	38.40
Eurafrica Trail	22,507.50
Gibraltar Int Junior Chess Championships	40,000.00
Bowling Tournament	16,000.00
Philharmonic reception	250.00
Squash Open	6,000.00
Queens Baton Relay catering expense	1,200.00

860 **Hon. E J Reyes:** I am grateful for the schedule, Mr Speaker.

Yes, the Minister has informed me in the past that something is available. For the record, on the day that I had to sit down and prepare this notice, the Government website said to me that it was undergoing maintenance and therefore I could not access any details whatsoever. Although I accept what the Minister has answered, he also has to accept my inability to obtain that information within the 48 hours one has in which to submit questions.

865

Hon. S E Linares: Mr Speaker, there is nothing much I can do if the IT department is doing a maintenance programme. All I am stating is that it is on the website, and if on that occasion it was not, well there is not much I can do.

Q594/2017
Cultural grants –
Details of awards

870 **Clerk:** Question 594. The Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can the Minister for Culture provide details of all cultural grants awarded this current financial year?

875 **Clerk:** Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

Minister for Culture, the Media, Youth and Sport (Hon. S E Linares): Mr Speaker, I now hand over to the hon. Member opposite the information requested.

880 I take this opportunity to remind the hon. Member opposite that it is updated and posted on the HM Government website with the proviso 'unless it is going under maintenance'!

Answer to Question 594/2017

Cultural Grants for financial year 2017-2018

MH Bland & Co Ltd - Book Grant 'What on Earth?' 'The Story of Gibraltar'	5,000.00
Gibraltar Productions - Sponsorship for the Gibraltar World Music Festival	50,000.00
State Media Ltd - The Art Bermondsey Project Space	4,000.00
M.O Productions - Organisation staging and production of the 16th Gibraltar International Dance Festival	5,000.00
Gibraltar National Dance Organisation - GNDO for IDO affiliation fee/dance workshops	11,700.00
Bayside & Westside Drama Group to travel to Medway Theatre in Rochester, UK to participate in the Duncan Youth Festival	2,000.00
Urban Dance - support to cover costs of participation at the "Vive tu Sueno" European Dance Finals in Paris	2,000.00
Gibraltar Face & Body Paint Association - Assistance for the Gibraltar Body Painting Festival 2018	3,000.00
Regina Danino - Installation costs for exhibiting work with group of artists at Bermondsey Project	3,000.00
Ayelet Shay - Book grant for the translation, production & printing of her book 'Relocation Darling Relocation'	6,250.00
Stylos Studios in support of their participation at the World Dance Movement Competition in Italy in July 17	3,000.00
Shane Dalmedo - Purchase of materials and tools for the project of the Encyclopedia of Migrants	2,000.00
Gail Francis Tiron - Book grant for the production and printing of book 'Don't You Just Love Them'	4,100.00
Sunbow Projects - Virtual Gibraltar Festival	10,000.00
Miss S A McLaren - Assistance for final year at the Northern Ballet School in Manchester, UK	4,260.00
Group 2000 - Assistance for the WW1 play presentation at the Gibraltar Garrison Library	500.00
The Gibraltar Photographic Society - Purchase of equipment	1,700.00
The Gibraltar Philharmonic Society - Support for various concerts promoting classical music	10,000.00
Gibraltar Cultural Services Ltd - Gibraltar Berlin Artist Exchange student sponsorship	6,000.00
R Barabich - The reprint of the book "The memoirs of Arnold Barabiscio"	1,320.00
Davinia Baglietto - Assistance for Return Flights post Mrs Europe Pageant	488.00
Gibraltar Cultural Services in conjunction with Leisure Cinemas Ltd - Cultural Development Programme	500.00
Gibraltar Horticultural Society - Forthcoming events and projects	2,000.00
Gibraltar Artisans Market - Support towards the Gibraltar Christmas Village 2017	5,000.00

Clerk: Question 595. The Hon. E J Reyes.

885 **Hon. E J Reyes:** Mr Speaker, before I read out Question 595 – I know you will allow us to come back – can I ask a very quick question in respect of the schedule of 593, which was in respect of the sports grants or sports payments made.

I see here, on the second page of the schedule under the subheading ‘Hosting of Special Sports and Leisure Events’ there is an expenditure for ‘Cleaning of Gibraltar Music Song Festival’.
890 Is that just a one-off payment, or an additional payment despite some other grant that was made? I do not quite understand why the cleaning part – one takes it to be post the event – is specified here. Sometimes, for the ease of book-keeping references, it is detailed like that, but it brings that question to mind: is it an additional supplementary funding, or whatever?

895 **Hon. S E Linares:** Mr Speaker, I will find out exactly why that is there, but I am assuming – but I will find out – that this is because the Music Song Festival comes under the cultural grants. What has happened, I assume, is that there have been issues with how they leave the Tercentenary Hall, and therefore the GSLA has seen it fit to get it under events, albeit that they are not sporting events but it is in the Tercentenary Hall. I will find out for the hon. Member
900 exactly why it is there, but I am assuming it is that.

Hon. E J Reyes: Yes, Mr Speaker, the Minister is right and I accept that he needs to look into it. One of the reasons why I brought it up is that two or three lines further down there is ‘Cleaning of Boxing event’ and obviously boxing immediately one connects with a sporting event
905 and automatically comes to mind the use of the Tercentenary Hall, which is where I think the Minister and I both agree. It was just that the Song Festival did stick out like a sore thumb and perhaps the answer could be that it was not left clean to a satisfactory standard and in order not to delay other sporting events that have been allocated you just bring in an external cleaning company and someone has to pay.

910 But I can wait patiently, Mr Speaker, and then the Minister may want to look up as well the boxing, just to double check on the event.

Hon. S E Linares: Yes, Mr Speaker, probably the CEO will do what they call a ‘JV’ in which the account is moved to another department. He might have got the money that time from there
915 and that is why it is in the list, and now he probably will claim the cultural side, those £192. But I will find out, thank you.

Hon. R M Clinton: Mr Speaker, just one supplementary.

920 The amount given by way of hosting special sports and leisure events for the world pool and snooker championships of close to £¼ million does seem in a different league to lots of the other grants – for example, Island Games, £98,000. Could the Minister explain to the House or perhaps give an explanation whether that close to £¼ million is purely costs, or was there an element of prize money in that number – and, if so, how much?

925 **Hon. S E Linares:** Mr Speaker, these are two major events. It is not only one, it is two. The only thing is that the company that runs these events is the same one. So probably it is one payment for two events. The hon. Member could well split that in two halves, because I do not know whether the hon. Member knows that the pool, for example, was live on Sky for four solid days and that is why it would cost around half of that. The snooker is the same, so these have a
930 lot of exposure for Gibraltar. They are very, very important tournaments, but they have been put together and that is why you are seeing it as a high expenditure. But if the hon. Member looks at, for example, the darts trophy, there is £132,000 there. These are, like I said, major events, very big events that are televised and have a lot of value. Pool and snooker I know are the same

company, and therefore it might have been paid together. So that is what it is, but they are two
935 separate tournaments.

Hon. R M Clinton: Mr Speaker, I am grateful to the Minister for his clarification.

I just have two further questions: if he would be kind enough to identify what company he is
referring to; and also, would he then expect that effectively the payment will cover any prize
940 money paid out?

Hon. S E Linares: Mr Speaker, the moneys ... there is a whole list of things that it covers. For
example, I can let the hon. Member know that when a snooker tournament is done here in
Gibraltar, if he cares to go down to the Tercentenary Hall, they bring all the tables, they bring up
945 all the equipment, the cameras – everything comes from abroad to the Tercentenary. They take
over the Tercentenary, they convert it into the tournament area and that is all included in the
price, apart from any other things like the prize money and many other things.

The hon. Member must understand that, like I said, it has got a lot of value to have these
here, and like, for example, the darts, the value of the darts is that there are many people now
950 coming to Gibraltar, so it is events-led tourism, whilst for the snooker and the pool the value is
the exposure on television that there is. It is not so much ... For example, not many people from
the UK come for a snooker tournament to Gibraltar, but it has a value because snooker is on TV
for about four solid days – many, many hours – which is worth millions in the exposure.

Hon. R M Clinton: Mr Speaker, again I am grateful to the Minister but I did not quite catch
955 the name of the company that I was asking for.

Hon. S E Linares: Match Room Sports.

Hon. E J Reyes: Mr Speaker, still on Question 593 – the Minister may know the answer now
960 or may wish to inform us later on – under the heading ‘Hosting of special sports and leisure
events’, the fourth line down is the Commonwealth Games. Perhaps I am being over critical in
my narrative but we have never hosted the Commonwealth Games in Gibraltar, so perhaps
some clarification of why does it come under the heading of host.

Hon. S E Linares: Mr Speaker, it is the Commonwealth Games but it is the Commonwealth
Games Association who brought over all the Executive Committee to Gibraltar and that is why it
has been put as one of the events. So all of the executive came here, they hosted meetings of
the executive here and therefore this is the expenditure. I think we had one reception and then
970 somewhere else, so basically some expenditure, which is £5,221, was what the Gibraltar
Commonwealth Games Association applied to us to host these meetings here.

Hon. E J Reyes: So, Mr Speaker, then it would be correct for me if I were to amend this to
either the ‘Gibraltar Commonwealth Games Association’ or ‘hosting of meeting’ or something,
975 just for any future reference? I know what can happen, Mr Speaker: come Budget time or
whatever, I am looking back at some notes and then I am not clear on the actual meaning of
‘Commonwealth Games’.

Hon. S E Linares: Yes, I will do.

Q595/2017
Europa Point shooting facilities –
Plans for relocation

980 **Clerk:** Question 595. The Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can the Minister for Sport inform this House in respect of the Government's plans for the possible relocation of the shooting facilities presently sited at Europa Point?

985

Clerk: Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

Minister for Culture, the Media, Youth and Sport (Hon. S E Linares): Mr Speaker, the Government is working very closely with the Gibraltar Target Shooting Association to relocate the association to adequate premises. An announcement will be made once the necessary plans have been finalised.

990

Hon. E J Reyes: Mr Speaker, is the Minister in a position to at least identify possible areas that are being looked at?

995

Can he confirm as well that unfortunately, in trying to identify a location, there is a stipulation from the international regulations that these shooting ranges should now be sited north-south facing as opposed to the non-restrictions before, where we ended up with east-west – because that could enlighten the situation as to why some areas cannot be looked into as feasible?

1000

Hon. S E Linares: Mr Speaker, I can tell the hon. Member that this has been a very, very challenging exercise to try and relocate the Gibraltar Target Shooting Association and it is to do precisely with what the hon. Member is saying, because not only has it got to be facing south-north – the shooters are on the south shooting towards the north – but, imagine in Gibraltar, it has to be 30 metres by 70 metres, and therefore it has been a massive challenge. We have had many areas where we have tried, we have looked at it, you say, 'Right, okay, there's 70 by 30 here ... Oh, but no, it's not facing north-south.' So it has been very, very, very challenging to try and find an area. We have identified a few, we have gone through planning and then we have had to come back because it is not quite exactly what their needs are.

1005

1010

But we are confident that, working closely with them, as in the answer to the question, we will get there and an announcement will be made very soon.

Mr Speaker: Next question. The Hon. Roy Clinton.

1015

Hon. R M Clinton: Yes. Thank you Mr Speaker. Could the Minister confirm that ... or at least advise the House if they are still seriously considering the top of MidTown car park for siting this range?

Hon. S E Linares: No, sir.

1020

Mr Speaker: Next question.

Q596/2017

Victoria Stadium –

Government/GFA negotiations re sale

Clerk: Question 596, the Hon. L F Llamas.

1025 **Hon. L F Llamas:** Mr Speaker, is the Government able to explain why the GFA and Government have not yet agreed on the sale of the Victoria Stadium.

Clerk: Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

1030 **Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, HM Government and the GFA are finalising lease negotiations in respect of the sale of the Victoria Stadium.

Q597/2017

Island Games –

Building of sporting facilities

Clerk: Question 597. The Hon. L F Llamas.

1035 **Hon. L F Llamas:** Mr Speaker, is the Government confident it will be able to build the sporting facilities in time for the Island Games without the need to use taxpayers' moneys, as stated in their announcement?

Clerk: Answer, the Hon. the Minister for Culture, the Media, Youth and Sport.

1040 **Minister for Culture, the Media, Youth and Sport (Hon. S E Linares):** Mr Speaker, yes, sir.

ENVIRONMENT, ENERGY, CLIMATE CHANGE AND EDUCATION

Q598/2017

Camp Bay –

Remedial works

Clerk: Question 598. The Hon. T N Hammond.

1045 **Hon. T N Hammond:** Mr Speaker, are any improvement works planned to remedy the poor state that Camp Bay currently finds itself in?

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1050 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, as in previous years, remedial works at Camp Bay and all other public beaches will be carried out prior to the 2018 official bathing season, addressing all problem areas and making these good in the best possible way.

1055 Further to this, extensive repairs and maintenance works will be carried out at the Camp Bay pools and its pumping, filtration and chlorination system. These works are scheduled to commence by the end of this month and once concluded the pools will be covered and prepared for the winter.

1060 A fully comprehensive resurfacing and refurbishment programme for the entire Camp Bay area is also being currently considered by Government. However, given the magnitude of the works required, works would probably have to be staggered over a period of at least two years.

1065 **Hon. T N Hammond:** Mr Speaker, I fully appreciate that there is a degree of routine maintenance and works that must take place. The reason I raise Camp Bay specifically is because (a) concerns have been raised with me directly about its condition and (b) because it is one of the areas that is not just used in the summer – of course there are playgrounds there, people take their children there to ride their bicycles and there are all sorts of other activities that take place there throughout the winter as well, which is why the concern was specifically raised about Camp Bay.

1070 I can fully understand the bathing season and its applicability to the other sandy beaches, but perhaps would Government consider bringing the works forward to at least make the area, first and foremost, safe but also user friendly to the users of Camp Bay over the winter months?

1075 **Hon. Dr J E Cortes:** Well, it is precisely because the area is used regularly throughout the year that we will have to stagger it. Clearly, we will have to carry out any major works in the winter months because at that time you could perhaps section off areas, whereas in the summer, because of the massive use, it would be less likely that that would be acceptable.

1080 As I say, we are looking at a comprehensive refurbishment and I am hopeful that we will be able to make some improvements certainly before next summer. As to whether we will be able to do anything major, the thing is that obviously we are putting resources into the pools. The pools were in need of comprehensive restoration, of pumping, filtration and chlorination equipment, and at the moment we are concentrating on that, which clearly has to be carried out in the winter months.

Q599/2017
Laguna Estate –
Problems with apes

1085 **Clerk:** Question 599. The Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, can Government provide details of what measures it intends to introduce in order to curtail the ever-increasing problems of apes roaming around the area of the Laguna Estate?

1090 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1095 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the recent arrival of a group of Barbary Macaques in the area, which includes Laguna Estate, is due to a splinter group from Rock Gun being pushed down by another group. This is part of macaque behaviour.

1100 Once at the base of the cliff, the group has been attracted by food being provided in the area near Eton Park. Steps have been taken to stop this. In addition, as part of a multi-faceted approach, the Macaque Management Team is being deployed on a daily basis to patrol Laguna Estate and push the macaques back into the nature reserve. Further to this, all the macaques that have been in Laguna Estate recently are being carefully assessed by the management team and selected individuals sterilised.

1105 **Hon. E J Reyes:** I am most grateful, Mr Speaker, that the Minister has at least informed us that the control team is there and so on.

I do not think I need to stress but I want to put on the record the great concern that seems to have been expressed by residents there. There are all sorts of reports of, unfortunately, the macaques going into people's homes. As nature incites them to look for food, they seem to know their way into kitchens and parents with young children are particularly worried on this issue.

1110 I have no doubt that the team is going there on a daily basis. Could I urge the Minister and plead on behalf of the residents of Laguna Estate, if possible, to try and extend the number of hours that they attend daily, or at least go twice a day? We can comply with the letter of the law by saying 'I have been there on a daily basis', but sod's law says you go at nine o'clock and it is all fine and by quarter past nine there seems to be a disco party going on amongst the macaques themselves.

Hon. Dr J E Cortes: Mr Speaker, I am grateful to my friend, the Hon. Mr Reyes, for reminding me of the problem that macaques can create in urban areas. He did not need to do that, because I spent the first two years of my time as Minister trying to resolve the problem that I inherited with macaques all over the place, so I am familiar with that.

1125 We have been successful in the last two or three years. The incidents of macaques in urban areas, which will always happen as long as we have them in Gibraltar, is greatly reduced. There is this problem of a splinter group of about 10 to 12 that was forced down due to their own internal aggression between groups. Certainly we are there as much as we can be, and it does not necessarily have to be at a particular time because they do move around the area.

1130 But I am quite confident, the way that we are dealing with this, that within the next few weeks the incidences of these monkeys within Laguna Estate will be greatly reduced. It is something we have to be monitoring constantly because, as we have often said here, these monkeys are free to roam and long may they be there, but obviously we are doing all that we can to keep them away, and I think with considerable success in the last couple of years, but I have never said that we could guarantee 100% that the odd group will not appear in a few areas.

1135 The problem was that when people who were using Eton Car Park, or the car park below Eton Park, saw them here they started feeding them and we had to send our litter wardens to ensure that that stopped, but obviously they were already comfortable in the area and we have had to then deploy people to move them up. But, as I say, I am fairly confident that the problem will not be long lasting.

1140 **Hon. E J Phillips:** Mr Speaker, just one question in relation to this point. The Minister has spoken about a multi-faceted approach – can he confirm what measures are employed by that multi-faceted approach?

1145 **Hon. Dr J E Cortes:** Well, the deployment of staff to control the feeding is one that I have already mentioned; the litter wardens; ensuring that bin stores and so on are properly closed; being present to chase them up whenever they are in the area; and the assessment of the individuals so that we can see which of the females – and in the case of a group that you want to move away completely, it will be the majority of the females – should have contraceptive implants or should be sterilised in order that the group does not increase in size, because that

1150 would mean that we would have a larger problem in the future if they were to be chased down again. So that is four or five different aspects which are part of this multiple approach that I referred to.

1155 **Hon. E J Phillips:** Is relocation also considered in relation to the Barbary Macaques? And also just one further question that adds to that: are litter wardens also trained to deal with Barbary Macaques?

1160 **Hon. Dr J E Cortes:** I will answer the second one first. The litter wardens are not dealing with the macaques; the litter wardens are dealing with the people who are feeding the macaques, so they are telling people, 'Don't feed them, it's going to attract them, and if you do it again we can fine you,' which they could do on day one but we try and persuade and encourage people not to do that.

1165 The relocation, yes, ideally, and we are still trying to find other locations outside Gibraltar where we could send the group, but relocation from the point of view of trapping them and moving them to the Upper Rock is a strategy that has been used before which we still try – with limited access, because a couple of hundred metres down a cliff for a monkey is nothing, but certainly we do try that as well.

Q600/2017
New and refurbished schools –
Locations and sizes

Clerk: Question 600. The Hon. E J Reyes.

1170 **Hon. E J Reyes:** Can the Minister for Education provide details in respect of the locations and sizes of the new schools it has announced will be built and/or refurbished?

1175 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, the details for this project will shortly be presented to the public. Until then, it is premature to make any piecemeal statements.

1180 **Hon. E J Reyes:** Mr Speaker, can I possibly have an indication of how long 'shortly' would be, so that one knows whether it is a question I should pose for the November meeting?

Hon. Dr J E Cortes: Within the next two weeks.

Q601/2017
Educational establishments –
Number of students registered

Clerk: Question 601. The Hon. E J Reyes.

1185

Hon. E J Reyes: Mr Speaker, can the Minister for Education provide details of the total number of students/pupils currently registered per school or educational establishment, broken down by individual school, school year and gender?

1190 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1195 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the information requested is set out in the schedule which I have handed over for the hon. Member's attention. This information represents the student population for this academic year.

Schedule to Question 601/2017

Total No. of Pupils at schools in Gibraltar 2017/2018

School Name	School Year 2017/18																																		
	N		R		1		2		3		4		5		6		7		8		9		10		11		12		13						
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F			
St Josephs First	44	41	34	44	52	42	47	53	54	54																									
St Mary's First	11	21	24	17	23	18	25	28	43	31																									
St Paul's First	20	20	33	40	40	43	29	30	35	43																									
St Bernard's First	21	20	26	17	22	14	22	24	32	13																									
Governor's Meadow	31	11	39	34	35	28	38	29	40	37																									
Notre Dame			39	28	47	44	33	34	43	41																									
Varyl Begg Nursery	19	35																																	
Hebrew Primary			9	8	12	9	5	12	7	9	9	17	4	8	10	6	9	9																	
St Martin's Special	11	5																												34	16				
Bishop Fitzgerald											66	44	56	64	53	48	57	44																	
St Anne's											57	49	53	61	65	40	48	43																	
St Bernard's Middle											40	46	37	36	43	41	34	37																	
St Joseph's Middle											59	49	51	46	45	43	44	51																	
Westside																			196		201		167		182		179		118						
Bayside																			216		214		190		182		157		129						
Gibraltar College																															131	187			

Q602/2017

**Applications moved from discretionary to mandatory awards –
Cost of courses**

Clerk: Question 602, the Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, thank you very much.

1200 Further to answers provided to Question 122, can the Government please provide details of the costs of courses which were moved from applications for discretionary awards to applications for mandatory awards?

1205 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, the information requested is set out in the next schedule which I hand over for the

hon. Member's attention. This is a list in respect of the costs of discretionary awards converted to mandatory awards in 2016 and 2017.

Schedule to Question 602/2017

2016

Application	Outcome	Tuition per annum
1	Mandatory	£0.00
2	Mandatory	£10,500.00
3	Mandatory	£0.00
4	Mandatory	£9,000.00
5	Mandatory	£9,000.00
6	Mandatory	£7,800.00
7	Mandatory	£2,310.00
8	Mandatory	£7,500.00
9	Mandatory	£0.00
10	Mandatory	£9,000.00
11	Mandatory	£4,020.00
12	Mandatory	£8,420.00
13	Mandatory	£9,000.00
14	Mandatory	£5,150.00
15	Mandatory	£1,820.00
16	Mandatory	£9,000.00
17	Mandatory	£9,000.00
18	Mandatory	£9,000.00
19	Mandatory	£9,000.00
20	Mandatory	£13,800.00
21	Mandatory	£9,000.00
22	Mandatory	£9,000.00
23	Mandatory	£4,310.00
24	Mandatory	£9,000.00
25	Mandatory	£4,500.00
26	Mandatory	£5,900.00
27	Mandatory	£12,335.00
28	Mandatory	£12,335.00
29	Mandatory	£9,000.00
30	Mandatory	£9,000.00
31	Mandatory	£15,623.00
32	Mandatory	£0.00
33	Mandatory	£9,000.00
34	Mandatory	£0.00
35	Mandatory	£14,734.09

2017

Application	Outcome	Tuition per annum
1	Mandatory	£9,250.00
2	Mandatory	£9,250.00
3	Mandatory	£5,097.34
4	Mandatory	£15,000.00
5	Mandatory	£9,250.00
6	Mandatory	£9,250.00
7	Mandatory	£8,785.00
8	Mandatory	*
9	Mandatory	*
10	Mandatory	*
11	Mandatory	£9,250.00
12	Mandatory	£8,400.00
13	Mandatory	£8,400.00
14	Mandatory	*
15	Mandatory	£8,400.00
16	Mandatory	*
17	Mandatory	£9,250.00
18	Mandatory	£3,350.00
19	Mandatory	*
20	Mandatory	£9,000.00
21	Mandatory	*
22	Mandatory	*
23	Mandatory	*
24	Mandatory	*
25	Mandatory	*
26	Mandatory	*
27	Mandatory	*
28	Mandatory	£9,820.86
29	Mandatory	*
30	Mandatory	£9,250.00
31	Mandatory	£6,350.00
32	Mandatory	*
33	Mandatory	£8,400.00
34	Mandatory	*
35	Mandatory	*
36	Mandatory	*
37	Mandatory	*
38	Mandatory	*
39	Mandatory	*
40	Mandatory	£9,000.00
41	Mandatory	£9,250.00
42	Mandatory	£6,165.00
43	Mandatory	*
44	Mandatory	£12,000.00
45	Mandatory	*

* Awaiting invoice

Hon. D A Feetham: Mr Speaker, I will come back to this.

Mr Speaker: Yes. Next question.

Q603/2017
New Schools –
Details of courses

Clerk: Question 603. The Hon. D A Feetham.

1220 **Hon. D A Feetham:** Further to the answer provided to Question 122, can the Government please provide details of the courses relating to each entry on the schedule available in the records?

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1225 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, the information requested is set out in the next schedule. The hon. Member will be receiving both together. The schedule available in the records has now been updated to provide course details.

Schedule to Question 603/2017

2017

Application	Outcome	Tuition per annum	Course
1	Withdrew	N/A	N/A
2	Withdrew	N/A	N/A
3	Withdrew	N/A	N/A
4	Successful	£9,000.00	BA Music Production
5	Successful	£9,000.00	FdA Sports Coaching
6	Successful	£7,575.00	PhD
7	Successful	£9,388.55	International Beauty Therapy Diploma
8	Successful	£800.00	MCA RYA Day Skipper / RYA Radar Course / RYA Diesel Engine Course / Maritime Radio Operators Licence
9	Successful	£11,400.00	MCA RYA / SRC VHF incl GMDSS Fast Track Yacht master Offshore Motor Course
10	Successful	£950.00	STCW
11	Successful	£18,000.00	EASA CPL/IR Air Transport Pilot License
12	Successful	£10,920.00	GDL - Graduate Diploma in Law (Conversion Course)
13	Successful	£2,292.44	Microblading Course
14	Successful	£4,050.00	Level 2 Beauty Therapist
15	Successful	£755.00	ACCA Level 2
16	Successful	£2,305.00	Advanced Diploma in Accounting AAT Level 4
17	Successful	£755.00	ACCA Level 2
18	Successful	£907.00	ACCA Level 2
19	Successful	£1,450.00	CMI Level 5 Diploma - Management and Leadership
20	Successful	£750.00	MA Conference Interpreting (Quadrilingual)
21	Successful	£9,000.00	PGCE
22	Successful	£9,000.00	PGCE
23	Successful	£9,000.00	PGCE
24	Successful	£7,575.00	PhD
25	Successful	£4,052.00	MA Social Work
26	Successful	£7,575.00	PhD
27	Successful	£9,000.00	Foundation Addictions Counselling
28	Successful	£9,000.00	BA Health and Social Care
29	Successful	£9,250.00	BSc Computer Games (Software Development)
30	Regret	£9,000.00	PGCE History
31	Regret	£9,338.55	International Beauty Therapy Diploma
32	Regret	£0.00	A Level's & 1 Vocational Level

33	Regret	£1,560.00	S & C Accreditation ASCC
34	Regret	£9,975.00	MA Newspaper Journalism
35	Regret	£19,041.00	DPSych Counselling Psychology
36	Regret	£4,650.00	NCTJ Fast Track Diploma Journalism
37	Regret	£30,000.00	P/T Day MClindEnt (Implantology)
38	Regret	£8,730.00	GDL - Graduate Diploma in Law (Conversion Course)
39	Regret	£9,450.00	MSc Graduate Law and Dispute Resolution
40	Regret	£3,233.00	CFA Chartered Financial Analyst
41	Regret	£9,000.00	BA/BSc Liberal Arts
42	Regret	£7,575.00	PhD
43	Regret	£7,575.00	PhD
44	Regret	£5,421.00	Diploma in Art and Design
45	Regret	£3,345.00	Level 3 Foundation Diploma IT
46	Mandatory		Performing Arts Dance
47	Mandatory		PGCE Primary
48	Mandatory		Hairdressing; VTCT Level 2 & Level 3
49	Mandatory		MSc Finance
50	Mandatory		International Business
51	Mandatory		Dance
52	Mandatory		Global Creative and Cultural Industries
53	Mandatory		MA Social Work
54	Mandatory		MSc Project Management
55	Mandatory		MSc Human Nutrition
56	Mandatory		PGCE Secondary Art & Design
57	Mandatory		BSc Liberal Studies
58	Mandatory		BSc Liberal Studies
59	Mandatory		AAS Physical Assistant Program
60	Mandatory		BSc Liberal Arts
61	Mandatory		MA Creative & Cultural Industries Management
62	Mandatory		PGCE Physical Education
63	Mandatory		MA Drama therapy
64	Mandatory		PGCE Primary English
65	Mandatory		Diploma in Dance
66	Mandatory		PGCE Secondary History
67	Mandatory		MA Photography
68	Mandatory		BA International Tourism Management
69	Mandatory		BVetMed Accelerated Veterinary Medicine
70	Mandatory		MSc Psychology of Education
71	Mandatory		Foundation Degree in Fashion Design
72	Mandatory		Primary PGCE
73	Mandatory		MuDr Medicine
74	Mandatory		MSc Geographical Information Science
75	Mandatory		BSc Psychology
76	Mandatory		BTEC HND RQF Level 4 Business

77	Mandatory		PGCE Modern Foreign Languages (Spanish)
78	Mandatory		BSc Liberal Studies
79	Mandatory		MBA Business Administration
80	Mandatory		BSc Sports Development
81	Mandatory		MSc Management
82	Mandatory		BVSc Veterinary Science
83	Mandatory		PGCE Secondary Biology
84	Mandatory		MA History
85	Mandatory		PGCE Geography
86	Mandatory		PGCE Geography
87	Mandatory		Foundation Degree in Politics
88	Mandatory		Primary PGCE
89	Mandatory		MA Real Estate
90	Mandatory		Primary PGCE

2016

Application	Outcome	Tuition per annum	Course
1	Withdrew	N/A	N/A
2	Withdrew	N/A	N/A
3	Withdrew	N/A	N/A
4	Withdrew	N/A	N/A
5	Withdrew	N/A	N/A
6	Withdrew	N/A	N/A
7	Withdrew	N/A	N/A
8	Withdrew	N/A	N/A
9	Successful	£9,000.00	BSc Psychology
10	Successful	£2,000.00	MBA Executive Management
11	Successful	£7,303.78	Beauty Therapy Level 2 & 3 CIBTAC
12	Successful	£1,500.00	Certificate in Therapeutic Play Skills
13	Successful	£5,000.00	Grand Diplome Culinary Arts
14	Successful	£9,000.00	PGCE Education
15	Successful	£7,500.00	Foundation Fire Rescue Service Management
16	Successful	£1,470.00	PGDip Physician Associate Studies
17	Successful	£7,303.78	Beauty Therapy Level 2 & 3 CIBTAC
18	Successful	£7,890.00	BA Theatre Arts (Prop & Special Effects)
19	Successful	£9,000.00	PGCE Citizenship
20	Successful	£2,750.00	Postgraduate Diploma Clinical Dermatology
21	Successful	£7,575.00	PhD Researcher
22	Successful	£9,000.00	HNC Construction
23	Successful	£7,575.00	PhD Researcher
24	Successful	£5,100.00	MSc Biology and Control of Parasites and Disease Vectors
25	Successful	£9,000.00	MA Broadcast Journalism
26	Successful	£4,819.00	BSc Business and Marketing
27	Successful	£7,575.00	PhD Researcher Social Work
28	Successful	£7,575.00	PhD Researcher Corporate Sustainability
29	Regret	Fee not disclosed	MA Business Administration
30	Regret	£13,800.00	Advanced Complete Make-up Artist
31	Regret	£9,000.00	BA TESOL and Younger Learners Top-Up
32	Regret	£20,000.00	MSc Insurance and Risk Management
33	Regret	£2,700.00	Level 3 & 4 Diploma in Exercise Referral, Physical Activity and Lifestyle Strategies for managing lower back pain and Specialist Exercise
34	Regret	£5,198.59	BA Accounting
35	Regret	£3,600.00	Level 2 & 3 Diploma Fitness Instructing and Personal Training REPS

36	Regret	£6,300.00	ACCA
37	Regret	£9,000.00	BA Music & Education - Drums (Music Industry Practice)
38	Regret	£9,000.00	BA Architecture
39	Regret	Fee not disclosed	PhD Rationale Behind Face-to-Face Killing by the SS
40	Regret	£9,000.00	BA Linguistics and Hebrew
41	Regret	£7,575.00	PhD Researcher
42	Regret	£5,255.00	Musical Theatre
43	Regret	£12,000.00	GDL, Graduate Diploma in Law
44	Regret	£4,670.00	CACHE Level 3 Childcare and Education (Early Years Educator)
45	Regret	£7,575.00	PhD Researcher
46	Mandatory		Level 3 Diploma in Art & Design
47	Mandatory		GDL, Graduate Diploma in Law
48	Mandatory		BTec Creative Media Production
49	Mandatory		BA Education Studies & Special Inclusive Needs
50	Mandatory		PGCE Primary Education & Spanish
51	Mandatory		MA Understanding and Securing Human Rights
52	Mandatory		MA Education: Pedagogy
53	Mandatory		BFA Computer Systems Integration
54	Mandatory		BTec
55	Mandatory		BA Special Educational Needs & Disability Studies
56	Mandatory		PGDip/BSc Specialist Community Public Nurse
57	Mandatory		GDL, Graduate Diploma in Law
58	Mandatory		PGCE Citizenship
59	Mandatory		MSc Global Governance
60	Mandatory		BA Accounting
61	Mandatory		Foundation Psychology
62	Mandatory		BSc Liberal Arts
63	Mandatory		BSc Liberal Arts
64	Mandatory		BSc Sports and Exercise Science
65	Mandatory		Advanced Complete Make-up Artist
66	Mandatory		PGCE Citizenship
67	Mandatory		PGCE Primary Modern Foreign Languages
68	Mandatory		ACCA
69	Mandatory		BSc Sports Coaching, Science with Disability Sport
70	Mandatory		PGCE with QTS
71	Mandatory		MA International Development

72	Mandatory		Professional Yacht master Course &Yacht master Costal Sail-Power Conversion, RYA MCA + Yacht master Costal Power
73	Mandatory		Professional Yacht master Course &Yacht master Costal Sail-Power Conversion, RYA MCA + Yacht master Costal Power
74	Mandatory		BA English (Integrated Degree)
75	Mandatory		BA Politics
76	Mandatory		LLM/Law Practice Certificate
77	Mandatory		Diploma Artist Development Diploma in Modern Song writing
78	Mandatory		BA History
79	Mandatory		Higher Education Diploma Science
80	Mandatory		MA International Relations

2015

Application	Outcome	Tuition per annum	Course
1	Successful	£2,482.76	Fashion Design
2	Successful	£5,590	Electronic Music Production & Performance
3	Successful	£3,580.00	Osteopathy
4	Successful	£2,750.00	Business Growth Programme
5	Successful	£9,000.00	Early Years with QTS
6	Successful	£9,508.00	Music Production, Sound Engineering & Business & DJ Diploma
7	Successful	£0.00	Law
8	Successful	£9,000.00	Psychology
9	Successful	£9,000.00	Chinese Medicine; Acupuncture
10	Successful	£9,000.00	Business & Law
11	Successful	£5,150.00	Computer Systems & Electronics
12	Successful	£14,415.00	Law
13	Successful	£0.00	Sports
14	Successful	£9,000.00	Make Up & Hair
15	Successful	£0.00	Childcare
16	Successful	£18,000.00	City & Regional Planning
17	Successful	£3,465.00	Medicine
18	Successful	£5,590	Electronic Music Production & Performance
19	Successful	£9,000.00	Research Life Sciences
20	Successful	£9,000.00	Real Estate
21	Successful	£0.00	Accounting
22	Successful	£1,414.00	Engineering & Physical Sciences
23	Successful	£9,000.00	English Literature
24	Successful	£9,000.00	Shipping & Port Management
25	Successful	£18,000.00	Business Administration
26	Successful	£0.00	Product Design
27	Successful	£7,362.00	PHD History
28	Successful	£10,290.00	Graduate Diploma in Law
29	Successful	£9,000.00	Dance/ Performing Arts

2014

Application	Outcome	Tuition per annum	Course
1	Successful	£9,000.00	Business Management
2	Successful	£9,000.00	Fashion Design
3	Successful	£9,990.00	Law (GDL)
4	Successful	£12,000.00	International Business Practice
5	Successful	£3,476.00	Osteopathy
6	Successful	£2,551.00	Health & Social Care
7	Successful	£10,000.00	Creative Leadership
8	Successful	£7,250.00	Sports Therapy & Sports Injuries
9	Successful	£4,950.00	Artist Development Diploma in Modern Music
10	Successful	£8,960.00	Early Years with QTS
11	Successful	£4,950.00	Artist Development Diploma in Modern Music
12	Successful	£0.00	Health & Social Care
13	Successful	£6,000.00	Law, Social Sciences & Communications
14	Successful	£15,995.00	Intensive Cordon Bleu Diploma
15	Successful	£9,740.00	Law
16	Successful	£9,000.00	Psychology
17	Successful	£9,000.00	Chinese Medicine; Acupuncture
18	Successful	£9,000.00	Business & Law
19	Successful	£1,298.00	Sound Engineering
20	Successful	£0.00	Tattoo Design
21	Successful	£7,500.00	Computer Systems & Electronics
22	Successful	£8,125.00	Sound Engineering and Music Production
23	Successful	£4,950.00	Song writing & Musical Performance
24	Successful	£7,995.00	Professional Music Performance
25	Successful	£0.00	Childcare
26	Successful	£8,160.00	GDL
27	Successful	£0.00	City & Regional Planning
28	Successful	£3,465.00	Medicine
29	Successful	£13,995.00	Music Production, Sound Engineering, Business DJ
30	Successful	£8,037.50	Research Life Sciences
31	Successful	£4,460.00	Network Technology & Management
32	Successful	£1,350.00	English Literature
33	Successful	£9,000.00	Shipping & Port Management
34	Successful	£7,995.00	RYA MCA Professional Yacht master
35	Successful	£9,000.00	Product Design

2013

Application	Outcome	Tuition per annum	Course
1	Successful	£9,000.00	Business Management
2	Successful	£1,530.00	Art & Design
3	Successful	£3,780.00	ACCA
4	Successful	£4,000.00	Creative Leadership
5	Successful	£8,700.00	Early Years with QTS
6	Successful	£0.00	Health & Social Care
7	Successful	£9,000.00	PGCE
8	Successful	£8,250.00	Social & Cultural Anthropology
9	Successful	£3,022.00	Business & Law
10	Successful	£20,900.00	Veterinary Medicine
11	Successful	£7,695.00	Yacht master
12	Successful	£3,465.00	Business with Accounting & Finance
13	Successful	£7,255.00	Tourism Management
14	Successful	£7,500.00	Computer Systems & Electronics
15	Successful	£1,750.00	Animal Osteopathy Workshop
16	Successful	£2,055.00	Contemporary Music & Technology
17	Successful	£9,570.00	GDL Conversion
18	Successful	£9,000.00	PGCE
19	Successful	£500.00	Professional Music Performance
20	Successful	£3,465.00	Business Management
21	Successful	£9,000.00	City & Regional Planning
22	Successful	£3,465.00	Medicine
23	Successful	£7,800.00	Conservation & Biodiversity
24	Successful	£10,940.17	International Hospitality & Tourism Management
25	Successful	£11,088.00	Economics & Management
26	Successful	£0.00	CACHE Extended Diploma
27	Successful	£19,900.00	Practical Filmmaking
28	Successful	£9,000.00	English Literature
29	Successful	£9,000.00	Product Design

2012

Application	Outcome	Tuition per annum	Course
1	Successful	£4,300.00	Psychology Conversion Course
2	Successful	£12,950.00	Law (LPC; Law Practice Certificate)
3	Successful	£3,950.00	Osteopathy
4	Successful	£1,145.00	Media (Film & TV Practice)
5	Successful	£5,600.00	Travel & Tourism
6	Successful	£8,559.00	Registered Mental Nurse
7	Successful	£3,465.00	Web Development
8	Successful	£10,000.00	Chemistry/Biology
9	Successful	£0.00	PGCE
10	Successful	£0.00	Podiatry
11	Successful	£3,465.00	Social Work Studies
12	Successful	£20,900.00	University of Edinburgh
13	Successful	£8,500.00	Computer Systems & Electronics
14	Successful	£8,500.00	PGCE
15	Successful	£2,000.00	Contemporary Music & Technology
16	Successful	£4,050.00	Guitar Performance
17	Successful	£7,450.00	Drumming Performance
18	Successful	£0.00	Professional Catering Studies
19	Successful	£0.00	Registered Mental Nurse
20	Successful	£3,465.00	Medicine
21	Successful	£3,465.00	Accounting & Finance
22	Successful	£5,250.00	Environmental Hazards & Disaster Management
23	Successful	£6,500.00	Haematology
24	Successful	£5,000.00	Graduate Diploma in Law
25	Successful	£19,900.00	Practical Filmmaking
26	Successful	£2,450.00	Creative Writing
27	Successful	£9,000.00	PGCE

Q604/2017
Moorish Castle –
Plans and progress update

Clerk: Question 604. The Hon. D A Feetham.

1240 **Hon. D A Feetham:** Mr Speaker, further to the answer to Question 120/2017, can the Government please state what plans it has for those parts of the Moorish Castle complex which formally formed part of HM Prison and/or are currently not open to the public, and what progress has the Government made with those plans?

1245 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, the area of the Moorish Castle complex that formerly formed part of HM Prison is in itself made up of distinct areas with different potential, so I will deal with them separately.

All areas in the complex have been cleared and asbestos removed, and this allowed for surveys of the area to be carried out.

The area containing the old dungeons and gallows is currently being considered as an extension to the tourist product. Feasibility studies have been carried out, but it is important that before final decisions are taken on its use the guarantee of throughput of tourist visitors is secured, as the site would require a substantial investment and the current trend is for few visitors to stop at the Moorish Castle complex as they tend to prioritise St Michael's Cave, the Great Siege Tunnels and Apes' Den.

We are also looking at using the link as a throughput for the Northern Defences, this ensuring the sustainability of both areas and further enhancing Gibraltar's tourist offering.

With regard to the old accommodation, mess halls and common areas, no decisions have been taken on their use, but one of the possibilities is as part of the World Heritage Gorham's Cave complex research facility and accommodation for visiting archaeological teams.

Government will provide further information as decisions are taken.

Hon D A Feetham: Mr Speaker, just in relation to the latter part and bearing in mind that the Moorish Castle complex – and I include everything within that – is a wonderful resource and potentially a wonderful tourist attraction, those parts that are not open to the public, can the Government at least give a commitment that in principle there will be a presumption that all the areas within the Moorish Castle complex will be made open to the public at least during some months of the year and that we will not have a situation where parts of that complex are just going to be kept private for visiting professors and experts from outside Gibraltar, as indeed there are other potential tourist attractions which unfortunately are closed because of use in that respect?

Hon. Dr J E Cortes: Yes, Mr Speaker, this is just a possibility and that would be for short periods. Different areas of the Moorish Castle complex will be suitable for different things and perhaps not all of them would be suitable for people to access on a regular basis.

Certainly the possibility of periodic opening so that people can perhaps on an accompanied basis, as was done with the Northern Defences during the course of the works that are currently still ongoing, is a possibility that I think is worth exploring.

Hon. D A Feetham: And is the Government also considering retaining, for example, some of the cells that were formerly used by prisoners at HM Prison, which potentially is also a tourist attraction in itself because it shows how the complex itself has been used over the ages? I myself visited the complex when I was Minister for Justice. In fact, I visited when it had prisoners and I found it absolutely fascinating how prisoners were actually kept in the Moorish Castle – not in the best of conditions, I have to say – before we decided to build a new prison at Windmill Hill. But it is part of the history of Gibraltar and, certainly wearing my historian hat, I would think that it would be a matter of significant interest to tourists as well to see how prisoners basically lived during what was a very large period of time that this complex was used as a prison.

Hon. Dr J E Cortes: Mr Speaker, I am sure that can be considered.

Hon. E J Reyes: Mr Speaker, before we commence the next question, and whenever you consider appropriate, can I ask a supplementary in reference to Question 603, please.

Mr Speaker: Clearly the hon. Member is referring to the schedule.

1300 **Hon. E J Reyes:** The schedule, yes. Thank you, Mr Speaker.

Can I ask for some clarification from the Minister for Education. I see that in the details provided for the schedule relating the parts to year 2016, areas of grants in respect of PGCEs – that is Post Graduate Certificates in Education – are recorded as mandatory. In 2017, the same thing, they are recorded as mandatory, except for application number 30 where it says
1305 ‘regret’. I interpret the word ‘regret’ to mean unsuccessful, but if they are mandatory, as the schedule shows for the previous year and for 2016 year and 2017 year, how can this one be a ‘regret’ if they were mandatory – unless there is some other information that disqualifies?

Hon. Dr J E Cortes: I do not know specifically; I would have to look into it. I suspect that it
1310 probably was not mandatory or there was some other problem specific to that particular applicant, but I would need to research that and I am happy to do that and provide that information.

Hon. E J Reyes: Yes, please, Mr Speaker, whenever the Minister can, because unless there
1315 is a shift that PGCEs are not mandatory ... I am not trying to catch him out; I am just trying to be 100% clear. Are PGCEs now mandatory?

Hon. Dr J E Cortes: It may be that the applicant would not fall into the category of
1320 mandatory but wants to do a PGCE maybe more years after a first degree than would normally be the case, in which case those would not be mandatory. So there may be an exception to that particular applicant who may have wanted to do teaching or maybe in a subject which was not ... I do not know the details. I can see a couple of scenarios where that could be possible, but without looking into the specifics of the case I cannot assist, and I undertake to do so.

1325 **Hon. E J Reyes:** Thank you, Mr Speaker, sir. I refer to you, Mr Speaker, directly now. The Minister no doubt will look into it as soon as possible. If he has an answer and is able to present it through you, Mr Speaker, during the course of this current meeting of Parliament, then it is recorded in *Hansard*. Sometimes, with the best intentions in the world, the Minister
1330 provides me on a private basis with information and then it is not recorded in *Hansard*. So, are you in agreement with me, Mr Speaker, sir, that if he does have the answer before we adjourn *sine die* it is then presented through the Chair so that it becomes part of *Hansard*?

Mr Speaker: Yes. If he can, it is obviously not a problem at all.
1335 I cannot help but comment that, really, I do not think any Members of the Opposition can expect the Minister to come to this House with detailed information about literally hundreds of scholarship awards. That is unrealistic and hon. Members of the Opposition should bear that in mind. It is unrealistic for the Minister to come with that information available, which is not in his domain in any case.

1340 **Hon. D A Feetham:** He did not ask that.

Hon. E J Phillips: He didn’t ask that.

1345 **Hon. E J Reyes:** I am sorry, Mr Speaker, I certainly was not very clear. I did not have an expectation –

Mr Speaker: There is specific information that he does not have, which he can and he says
1350 he is going to make available to you. If he is able to make it available during the course of this meeting I do not mind, under the rules, allowing him to do so. That is not a problem.

Hon. E J Reyes: That is it, Mr Speaker, we are now both singing from the same hymn sheet. Thank you very much.

1355 **Hon. D A Feetham:** He is likely not to have the answer to this question, it is a long schedule, but perhaps just on the off chance that he might – and if he does not, I will look at it and ask a written question rather than an oral question next time round ... But what I do see is, for example, there are a number of entries in my area, which is law, which are discretionary grants, and you see it in 2015 at item 7, you see it at item 12, there is an item 10, and over the
1360 page again at item 3 in 2014-15. My understanding is that if you do a primary degree in law and you choose to do a Masters in law related, that would be mandatory. Does he have any information as to what this might relate to? Is this the conversion course from a primary degree, let's say in geography, and they choose to convert then to law?

1365 **Hon Dr J E Cortes:** There are various possibilities there, Mr Speaker, again without the specific detail. I am grateful to you, Mr Speaker, for your understanding of the fact that I have tried to memorise them but failed! No, but seriously, it is impossible to remember all the cases.

1370 There are a couple of scenarios. It could be a conversion from one course to another, which would need the approval of the Department, for obvious reasons.

The other thing is that postgraduate degrees and postgraduate courses as a rule are mandatory and the rule of thumb is within two years of the first degree. After two years, then they do go through a process of assessment. So, if somebody wants to do a postgraduate degree – not just in law but in general – of a subject more than two years after they have
1375 completed the first one, that is not necessarily given automatically. They tend to be given, especially if it is three years and not 10, but somebody coming back maybe 10, even 15 years afterwards would go through the selection procedure.

But again, I am happy to refer this back to the team in the Department to give me more substance in order to look at those specifics.

1380 **Hon. D A Feetham:** Yes, I would appreciate it, and perhaps there is no need for a question if the hon. Gentleman can phone me at some stage and let me know.

The reason why I ask is because there have been parents in the past who have come to me – in fact, last year I had a number of parents telling me that the Government was not funding
1385 the conversion course from a graduate to law, which is a year's course and which in fact has always been discretionary, even in our time, and it may well be that even in our time when the GSD was in office there was a change in policy to a much more stringent look at those kinds of cases because of the number of lawyers we have in Gibraltar. But certainly I have come across it and there have been representations that have been made to me, so if the hon. Gentleman
1390 could look at that I would appreciate it.

Q605/2017

Chewing gum and cigarette butt littering – Plans to tackle problem

Clerk: Question 605. The Hon. L F Llamas.

1395 **Hon. L F Llamas:** Mr Speaker, will the Government be looking to tackle the irresponsible littering on our streets of chewing gum and cigarette butts; and, if so, how?

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):
Mr Speaker, littering is an offence and throwing chewing gum and cigarette butts in the street is
1400 no exception.

Minister for Health, Care and Justice (Hon. N F Costa): We should ban them.

Hon. Dr J E Cortes: Creating awareness and, where the perpetrators can be identified,
1405 enforcement of the law will continue.

I want to add that littering shows a disgusting lack of civic pride. It is imperative that
every member of our community pulls their weight and ensures that they do not litter. We
must do better as a nation with all aspects of litter and waste and that means primarily
rediscovering our civic pride. The Government roundly condemns all those who litter, all
1410 those who do not clean up after their dogs and all those who fly tip. As a community we must
mature into extending the pride we have for the inside of our homes equally to the common
areas of this small but great nation we call home. That is the only long-term solution and the
only way to really help the employees of Master Service, who do such a good job, as the Chief
Minister, I and all the Government reflected in our motion last week.

Hon. L F Llamas: Mr Speaker, I could not agree more with the comments made by the Hon.
Minister, but could he or the Government perhaps consider encouraging people and perhaps
legislating that, for example, the people who are chewing gum or smoking on our streets do
carry portable disposables to then deposit them rather than be allowed to throw them in the
1420 street? Obviously, it is very difficult to patrol – you cannot be patrolling absolutely everybody –
but if at least the person who is smoking is asked whether they have a portable disposable
ashtray with them, then at least maybe that could be a potential idea that the Government
could consider.

Hon. Dr J E Cortes: This is something we should all encourage. Whether we should pass a law
that makes it an offence not to carry something like this is something that should be the subject
of a larger debate, but it is something we should all encourage and it is not just something that
the Government should do but each of us as individuals. The people we know who do litter and
drop their cigarette butts and chewing gum and so on, we should make sure that it is not
1430 acceptable to us and is something that clearly we will continue to do.

Q606/2017

Lighthouse at Europa Point – Plans and estimated cost

Clerk: Question 606. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government explain what the plans are for the plot of
land by the lighthouse at Europa Point and the estimated cost involved?
1435

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and
Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):
1440 Mr Speaker, there will be a landscaped public area which will hold interpretation relevant to the
World Heritage Site, as well as benches and paths. As an open area it will allow spectacular
views of the Strait and will be enjoyed by residents and tourists alike.

The cost is estimated at £42,000.

1445 **Hon. L F Llamas:** Mr Speaker, I thank the Hon. Minister for the response and especially that progress is being made to beautify the area, which was very much in need of a little bit of TLC.

Does that mean then that the Government has abandoned the expression of interest which it invited in the community and will now pursue this venture instead?

1450

Hon. Dr J E Cortes: Yes, Mr Speaker, the Government took a view that, considering the construction, albeit low-scale and low-level construction, that there is going to be in the Europa Point area towards the west with the new sporting facilities, in order to maintain the open space at Europa Point, which had been the subject of a lot of public engagement during the time of the former stadium proposal by the GFA, we would like to keep this area open and available to the public. So the Government took the view that we would not progress on that and instead open it up, landscape it and use the bunker at the moment as an area where we will be placing interpretation panels in relation to the area and to the World Heritage site, and we feel that we are giving this back to the people as an open area.

1455

Q607-608/2017

Maintenance of green and planted public areas – Contracts and payments to entities

1460 **Clerk:** Question 607. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide a schedule of how much has been paid to each entity since December 2011 in relation to the maintenance of Gibraltar's green and planted public areas?

1465

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):
1470 Mr Speaker, I will answer this question together with Question 608.

Clerk: Question 608, the Hon. L F Llamas.

1475 **Hon. L F Llamas:** Mr Speaker, what contract exists between Government and entities for the maintenance of green planted public areas in Gibraltar, including the Upper Rock Nature Reserve?

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1480

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):
Mr Speaker, the information requested by the hon. Member is in the schedules which I now hand over.

1485 In relation to the second question, this is for planted areas excluding the Upper Rock as no contract exists for the maintenance of the Upper Rock other than some aspects of cleaning which are part of the overall cleaning contract that has now gone to tender. If I may just explain,

the works on the Upper Rock are carried out by a team that is directly under the Department of the Environment and is not a contracted service.

Answer to Question No.608/2017

Answer to Question No.607/2017

Schedule of payments made for each entity from December 2011 to September 2017

	ENTITY A	ENTITY B	ENTITY C
December 2011 to March 2012	£123,642.68	£26,626.35	£45.00
2012/2013	£518,631.47	£121,444.23	£180.00
2013/2014	£555,833.51	£114,747.30	£195.00
2014/2015	£573,442.83	£109,504.99	£180.00
2015/2016	£565,761.73	£110,049.72	£180.00
2016/2017	£563,278.50	£110,399.72	£180.00
2017 to date	£376,690.89	£55,669.86	£1,880.00

Information on the Contracts between GoG and entities for maintenance of green/planted public areas, excluding Upper Rock *

		Monthly Contract
Entity A	Contract 1 & 2	£37,706.40
	Contract dtd 9/2/99	£2,732.48
	Contract dtd 23/11/98	£2,351.55
	Monthly Agreements	£6,414.66
Entity B	Monthly Agreements	£9,293.31
Entity C	Monthly Agreements	£275.00

Upper Rock team carries out any maintenance within the Upper Rock Nature Reserve

£0.00

*No contract exists for the Upper Rock

Clerk: Question 609. The Hon. L F Llamas.

1490

Hon. L F Llamas: Mr Speaker, before I pass on to the next question, when the Hon. Minister has answered his question on 608 and referred to entity A, B and C, is it that the Government is unable to disclose the names of these entities?

1495

Hon. Dr J E Cortes: Mr Speaker, it is normal practice when we are asked – and certainly I have done this before in relation to questions to do with the Upper Rock and people owing money and so on – not to identify the companies. I have no problem in doing that behind your Chair, Mr Speaker.

1500

Let me just, by way of clarification, say that entity A, B and C are the same entity A, B and C in the two schedules; it is not two different entities A, B and C. So it is the same companies that are identified as entities A, B and C in each of the schedules. But at this point in time and without notice to them, I would rather not mention them by name.

1505

Chief Minister (Hon. F R Picardo): There is no question, Mr Speaker, of the Government disclosing the identity of a debtor to the Government across the floor of the House.

Hon. Dr J E Cortes: No, these are not debtors.

1510

Hon. Chief Minister: Oh, sorry, I thought we were dealing with the debtors question.

Hon. Dr J E Cortes: No. If I may just clarify, Mr Speaker, the debtors were the subject of another question, where we have not identified. I am sorry if I misled the House – it was not intentional, it was just by way of example.

1515

So that is the reason. Perhaps we could do that. I would be more comfortable if I did not, but for no reason other than their own privacy and not having consulted them as to whether they particularly want this done. But it is not a secret and I am willing to share it.

Q609-10/2017

O'Hara's Battery and Mount Misery Glass Lookout – When open to the public

Clerk: Question 609. The Hon. L F Llamas.

1520

Hon. L F Llamas: Mr Speaker, can the Government state since October 2016 which dates has O'Hara's Battery been open to the general public?

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1525

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, I will answer this question together with Question 610.

Clerk: Question 610. The Hon. L F Llamas.

1530

Hon. L F Llamas: Mr Speaker, can the Government update this House as to when the expected opening date for Mount Misery Glass Lookout is and why the delay of over a year in opening it?

1535 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, in answer to Question 609, every day except 25th December and 1st January.

1540 And to Question 610, the Mount Misery Glass Lookout, known as the Skywalk, will open this year. The delay has been largely attributable to the fact that additional works have had to be carried out in the vicinity of the Skywalk in order to make the area safe for visitors.

1545 **Hon. L F Llamas:** Mr Speaker, with regard to O'Hara's Battery, again I do not pass very often but I am told, other than when I do pass through there, that the gates have remained closed pretty much since October last year, and especially the exhibition I do not believe has ever been opened.

With regard to Mount Misery, does the Hon. Minister have an estimated date of when it will open in the coming months?

1550 **Hon. Dr J E Cortes:** Mr Speaker, in relation to O'Hara's Battery I am surprised that he has found the gates closed. The information that I have is that it has only closed in December and January. The exhibition specifically I will have to enquire as to that, but the question related to O'Hara's Battery as a battery and that is the answer I have prepared.

1555 With regard to the Glass Lookout, the problem there was that in assessing the surrounding area, which includes Douglas Path and some of the roadway in that area, with an expected increased throughput there were concerns expressed as to the safety of the path and we have had to carry out works, which has meant putting in some bannisters and so on just to ensure, without spoiling the natural look of the area, that it is not unsafe. I am told that most of the works on the path itself are now complete. There may be one or two other things that we need
1560 to do on the side of the road, but I could not be absolutely sure as to when that will be finished.

Mr Speaker: Next question.

Q611/2017

Moorish Castle, Great Siege Tunnels and St Michael's Cave – Visitor numbers

Clerk: Question 611. The Hon. L F Llamas.

1565 **Hon. L F Llamas:** Mr Speaker, since December 2011 can the Government provide a weekly schedule with statistics relating to the amount of persons who have visited (a) Moorish Castle; (b) Great Siege Tunnels and (c) St Michael's Cave.

1570 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1575 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, I am able to provide this information only for the period since April 2015, since that is the date from which computerised records are available of this statistic. Manual compilation will take more resources than it is reasonably practicable to apply to such an exercise. Therefore, Mr Speaker, we are working on getting as much as we can and when we have had some additional years then I will be providing that, but I have not been able to do so because it would

have been for a very short period. This is something that we will be taking on longer term and I have no doubt that the hon. Member will remind us if he does not receive it.

Q612/2017
Class sizes –
Projected numbers

1580 **Clerk:** Question 612. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide a schedule of the projected number of pupils in each class as at the start of each academic year since December to September 2012, stating (a) the year the class relates to; (b) the school the class belongs to; (c) 1585 the number of children with special educational needs and (d) the number of learning support assistants per class?

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1590

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, I am handing over a schedule to the hon. Member which contains information which is relevant to his question.

1595 However, as I mentioned to the hon. Member in my reply to Question 494, class sizes, issues relating to special educational needs and indeed the consequent deployment of support are constantly changing. Classes shrink and grow as children move across sets, enrol or leave midway through a term, complete core modules and are then subdivided to complete topics of choice. A child's needs today are different from tomorrow, additional temporary help will be needed at different stages of a child's journey and no stone is left unturned to ensure that this 1600 support is afforded every time.

The schedule provided will give the hon. Member a yearly snapshot of the students in each of the years in each of our schools, the total number of students with special educational needs in each school and the number of special needs learning support assistance deployed across our schools.

1605

Answer to Question 612/2017**Pupils per Year in Gibraltar Schools: 2012/13**

School Name	School Year																							
	N		R		1		2		3		4		5		6		7		8		9		10	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
SEN	48	39	37	35	42	49	37	54	60	51														
St Josephs First																								
St Mary's First	56			23	27	23	20	21	17	25														
St Paul's First	44			36	38	36	39	38	24	38	41													
St Bernard's First	61	18	16	14	10	11	14	14	14	15														
Governor's Meadow	51	25	17	37	34	29	22	34	34	32	30													
Notre Dame	72			30	41	37	27	34	23	35	27													
Hebrew Primary	28			6	12	13	9	9	11	6	17	12	8	9	12	8	7	9	12					
St Martin's Special	44	10	4																					
Bishop Fitzgerald	84											47	52	64	39	52	63	69	56				26	6
St Anne's	65											62	52	50	45	61	41	53	51					
Sacred Heart Middle	79											34	30	22	30	22	19	29	27					
St Joseph's Middle	33											45	54	54	40	42	52	60	54					
Westside	144																			185	179	220	209	116
Bayside	223																			229	213	232	203	100

SNLA's Employed: 78
 Long term needs of service: 1

SNLA's Employed:	78
Long term needs of service:	1

Pupils per Year in Gibraltar Schools: 2014/15

School Name	School Year																							
	N		R		1		2		3		4		5		6		7		8		9		10	
	SEN	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M
St Josephs First	59	39	46	48	47	47	47	45	38	42	48													
St Mary's First	68	16	17	45	28	29	25	27	27	24	16													
St Paul's First	41	21	20	34	44	32	34	37	38	38	42													
St Bernard's First	48	22	14	26	8	17	15	15	9	16	17													
Governor's Meadow	39	23	19	37	37	38	32	37	33	30	24													
Notre Dame	88	24	23	38	44	36	32	35	45	44	25													
Hebrew Primary	21			10	9	9	13	5	10	13	8	7	9	6	15	12	7	8	13					
St Martin's Special	64	5	4																				22	13
Bishop Fitzgerald	82											64	42	49	52	49	56	70	37					
St Anne's	93											52	44	69	51	58	57	48	43					
Sacred Heart Middle	122											34	31	33	39	41	38	23	30					
St Joseph's Middle	43											42	56	46	40	45	53	53	43					
Westside	156																			197	232	186	183	103
Bayside	252																	194		224	236	211	160	100

SNLA's Employed: 78
Long term needs of service: 5

Pupils per Year in Gibraltar Schools: 2015/16

School Name	School Year																																
	N		R		1	2		3		4		5		6		7		8		9		10		11		12		13		2015/16			
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
SEN	74	45	31	43	47	56	51	46	52	45	43																						
St Josephs First	63	15	15	27	31	42	31	30	25	24	27																						
St Mary's First	35	21	21	35	31	35	44	36	37	37	37																						
St Paul's First	36	20	17	23	18	29	11	20	19	18	11																						
St Bernard's First	50	23	19	35	28	39	38	38	32	38	33																						
Governor's Meadow	91	25	30	34	33	38	45	39	33	37	47																						
Notre Dame	26			6	13	9	8	9	15	4	9	12	8	7	10	3	13	14	0														
Hebrew Primary	83	14	3																														
St Martin's Special	108											52	46	60	44	50	53	51	54													24	14
Bishop Fitzgerald	102											63	44	50	44	69	50	58	53														
St Anne's	110											40	43	44	44	26	31	47	39														
St Bernard's Middle	42											44	44	46	53	56	50	47	56														
St Joseph's Middle	170																																
Westside	296																			166		199		227		173		143		142			
Bayside																				195		190		220		220		162		108			

SNLA's Employed: 78

Long term needs of service: 16

SNLA's Employed:	78
Long term needs of service:	21

57

* SEN statistics are sent to Department for Statistics every June

SNLA's Employed: 78

Long term needs of service: 21

Mr Speaker: This is a lengthy schedule. We can come back to it, if necessary.
We move on to Question 613.

1615

Clerk: Question 613. The Hon. L F Llamas.

1620

Hon. L F Llamas: Mr Speaker, could I just ask, relating to Question 612 and the schedule we have just received, whether it is possible to get a breakdown per class rather than the year itself?

Hon. Dr J E Cortes: Mr Speaker, we had a fairly lengthy discussion last time. I suppose it is possible again to give a snapshot per class.

1625

I would very much appreciate, perhaps behind your Chair, if I understood what information the Hon. Mr Llamas wants to extract. If he then wants to throw something back at me, it is his perfect right to do so, but I am not sure how it would assist, and before I ask the team once again – after, despite our discussion last time, they have produced this one – to go back and divide all these into specific classes, which is again an onerous task ... I just do not understand the logic, but this is not perhaps for now.

1630

I will go back and enquire, but I am a little bit concerned, as we said last time, at the number of resources we would have to put into this at a time when we are trying to do other things with our education, even though the hon. Member clearly does not like the word ‘revolution’.

Q613/2017

Schools –

Annual health and safety checks

Clerk: Question 613. The Hon. L F Llamas.

1635

Hon. L F Llamas: Mr Speaker, can the Government confirm that as from January 2012 it has carried out annual health and safety audits of each school in Gibraltar? If so, can it provide the reports with the recommendations, including (a) recommendation resolved and (b) those which remain unresolved?

1640

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, the main health and safety audit for public school buildings was completed by the Health and Safety Officer for Technical Services in January 2013 as others had been carried out by the former administration.

1645

The recommendations have been met or are in the process of being met. Smaller-scale reviews are carried out on an ongoing basis and it is not Government policy to publish these reports, which are of an internal technical nature.

1650

Hon. L F Llamas: Mr Speaker, does the Minister then confirm ... or is he saying there have not been annual reports and surveys carried out as they promised in 2011 in their manifesto?

1655

Hon. Dr J E Cortes: Mr Speaker, there was one large report – ‘large’ is probably not the right word, but an intensive report – in January 2013, and then subsequently, on an ongoing basis, using that as a basis there have been smaller scale assessments. They have not been of the same level because there was a need to establish a base line, and following on that, the smaller scale

reviews based on how we have moved on from there, what has and has not been done, are being carried out. I think that is the distinction I have to make between them.

1660

Hon. L F Llamas: And therefore, Mr Speaker, if smaller surveys have been carried out, can the Minister confirm that these have been consistently applied equally through all the schools and they have been done on more or less an annual basis?

1665

Hon. Dr J E Cortes: Mr Speaker, I am not aware of the detail. The headteachers will, in conjunction with the relevant officers in the Department of Education, review any health and safety issues that there may be in the different schools. Quite what the format of that is I do not have all the details, but this is done on an ongoing basis to ensure that our schools are safe for students and staff alike.

1670

Hon. E J Reyes: May I, Mr Speaker, refer to the schedule the Minister gave out in reply to Question 612? On that schedule, except for the year pertaining to 2017-18, the academic year, that schedule at the very bottom of 2017-18 gives me figures for the Gibraltar College, but in all the previous years, although there is a list of schools there are no statistics at all provided in respect of pupils in the college. It could be an error, just outside the page when the printing was done, or the Minister has not been provided with it.

1675

Can I ask the Minister, if possible, can he search out the information in respect of the college and provide as and when humanly possible?

1680

Hon. Dr J E Cortes: Yes, Mr Speaker, it appears that the table has been truncated at some stage. The one I originally saw digitally I believe included them all. It may be that at some stage in the preparation or the printing the Gibraltar College has been left out and I will endeavour to have an amended one provided very soon.

1685

Hon. T N Hammond: Mr Speaker, if I may, on the question of health and safety audits at the schools can I just ask the Minister to confirm that it is the case that, in normal circumstances, matters of health and safety at schools, and indeed in any building, are the responsibility of the management of that building and that therefore routine health and safety issues would be dealt with by the management and would certainly not be a matter that the Government would routinely have to become involved in, unless a matter of great importance or great cost were identified as being an issue?

1690

Hon. Dr J E Cortes: Mr Speaker, yes. It would be the headteacher in liaison with the Department who would deal with routine health and safety matters on a daily basis, and these things – and I am grateful to the hon. Member for having given me the opportunity to confirm this – would be dealt with on a daily basis. If any issue arises or if there was anything major which required more extensive assessment or more allocation of funds, then it would be taken at a different level, absolutely.

1695

Hon. E J Phillips: Mr Speaker, just in relation to the questions that have been asked in relation to education and the statistics that have been presented by the Minister, is the Minister aware, given the statistics that he has presented, what the optimum class size is for our schools?

1700

Hon. Dr J E Cortes: Mr Speaker, my hon. Friend and former teacher has assisted me in this. This was the figure that I had in my head. It is 20 for first schools, 25 for middle schools, and in secondary schools it will depend, because clearly we are looking at different options and different scenarios and you cannot have a hard and fast one. That is the optimum that we certainly aim at.

1705

1710 **Hon. E J Phillips:** I am grateful for the answer.

I appreciate that there will be a little give in relation to those numbers, plus or minus two either way, but is the Government satisfied, is the Minister satisfied, that there is not an oversubscription in those class sizes that would cause some concern?

1715 **Hon. Dr J E Cortes:** Mr Speaker, the information that I have provided, because it is not divided into classes, is something that I cannot give the details – I have not been asked for that information.

1720 What I can say is that the population of young people in Gibraltar is increasing. If I may just give an example, when I became Minister for Health the average birth rate was about 400 and now it is closer to 500 consistently. So clearly the population of children in Gibraltar is increasing, which is something that we will absolutely assume in the new schools because we are building them looking towards the future and we do everything we can in order to maintain these ratios. How successful we are and how many may have a slight oversubscription I am not able to say right now because I do not have those figures with me.

1725 **Hon. E J Phillips:** I appreciate the answer to that question. I think it was a question that was alluded to by my hon. Friend Mr Llamas in relation to his question on class sizes. I think his question did ask about that and I appreciate the difficulty in obtaining statistics on that.

1730 The reason why I asked this question is that many of us do have young children in schools and many people I speak to and parents I speak to are concerned about classroom sizes generally. I am not saying that there is a concern but often a question that is asked is about classroom sizes, and that is why I asked whether the Minister was satisfied with the present situation, given the increasing numbers of students and particularly given, of course, the increasing complement as per the manifesto commitment on page 69.

1735 **Hon. Dr J E Cortes:** Well, the increase in our population of children is something that, as I have said before, we must recognise as a fact, and this is why we are doing major reforms to provide new and refurbished schools which will take this completely into account within the next two years.

Q614/2017
Two-story portakabins –
Modifications

1740 **Clerk:** Question 614. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide details and costs of modifications made to the two-storey portakabins after 1st September 2017 and when the instruction to make these modifications was given?

1745 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

1750 **Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):** Mr Speaker, works to enclose a staircase were undertaken during the beginning of September. However, these modifications were commissioned as part of the modular installation and not after it was positioned. These include: (1) the staircase enclosure with window to allow natural lighting; (2) non-slip paint on stair treads; (3) air-conditioning.

1755 The only works requested by the headteacher after the modular installation are two gates that have been placed at the top and bottom of the staircase respectively. The costs of these modifications amounts to £12,773.

1760 **Hon. L F Llamas:** Mr Speaker, I would like to ask the Minister why, when this issue blew up, especially in the public domain, did he not provide parents and the public at large with assurances that ... not saying that I agree with the portakabins, but the main concern was the fact that the staircase was in the rain, the children were going to have to go up, it would be dark in the early hours of the morning, and more than anything the fact that obviously the staircase was in fact in the open air. Why didn't the Minister give these assurances at the time, rather than just defend the portakabins as a necessity of having to expand?

1765 **Hon. Dr J E Cortes:** Mr Speaker, I really do not understand the question: why did I not ...? Mr Speaker, what gives the hon. Member the impression that he knows what I did or did not say to the parents when I met them?

1770 **Hon. L F Llamas:** Well, Mr Speaker, but publicly, at least, I have not been in any meetings with you and the parents, but publicly there has been no clarification on the fact that the portakabins had not yet been fully commissioned, even though they were being used, and that further modifications were on the way.

1775 When I asked last month with regard to the cost, again the Minister did not say that there was an additional expenditure pending in modifications which had to be undertaken which had yet not been finalised.

1780 **Hon. Dr J E Cortes:** Mr Speaker, there is a long list of things that I have not said, because I have not said more things than I have said. There are lots of things that I know about that I do day to day that I do not issue press releases on or that I do not do YouTube movies on – because I have actually got work to do. (**A Member:** Ooh!)

1785 Mr Speaker, the hon. Member is the only person who made a public condemnation of this situation and I was responding to the people who I answer to, which is the people of Gibraltar, the children and the parents of the school. I met with them – I had several meetings. I gave them my reassurances. I did not have to fall into the trap of just answering Mr Llamas on Facebook or whatever. I am satisfied that the meetings with the parents went well, they were given these reassurances and that I have executed my duties in this respect absolutely.

1790 **Mr Speaker:** Next question.

Clerk: Question 615. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Does Government have any updates in connection with –

1795 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I am just conscious of the time and I wonder whether that might be a convenient moment –

Mr Speaker: There are questions for the Minister for Education – can't we deal with those?

1800 **Hon. Chief Minister:** I am afraid, Mr Speaker, that, given the time, there are other commitments on this side of the House that we have to attend to.

Mr Speaker: He has commitments now? Five minutes to answer the questions.

1805 **Hon. Chief Minister:** No, Mr Speaker, this side has –

Mr Speaker: The answers are very short.

Hon. Chief Minister: Mr Speaker, I move that the House should therefore now recess to 2.30 in the afternoon.

1810

Mr Speaker: Two thirty, very well.

The House recessed at 1.00 p.m. and resumed its sitting at 2.30 p.m.



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 2.33 p.m. – 5.07 p.m.

Gibraltar, Friday, 20th October 2017

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<i>The House adjourned at 5.07 p.m.</i>	<i>41</i>

The Gibraltar Parliament

The Parliament met at 2.33 p.m.

[MR SPEAKER: Hon. A J Canepa GMH, OBE, *in the Chair*]

[CLERK TO THE PARLIAMENT: P E Martinez Esq *in attendance*]

Questions for Oral Answer

ENVIRONMENT, ENERGY, CLIMATE CHANGE AND EDUCATION

Q603 and Q612/2017 – Further information; revised schedule

Clerk: The Hon. the Minister for the Environment, Energy, Climate Change and Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):

5 Mr Speaker, if I may, I have been busy over lunch as there were a couple of questions in relation to the schedules on education which I think I have been able to clear up.

10 The first one, if I may, was one PGCE which was clearly treated as non-mandatory. I am going to give generalities because, Gibraltar being the place it is and with the size that we are, if I give too many details as to subject, colleges and so on, people are going to know which student we may be referring to. So, in general terms, this was a person who had already completed a degree course and a postgraduate course on a completely different subject, was already in employment and applied for a PGCE in a completely different subject. They did not tick all the boxes, so it had to be treated as discretionary and the board did not feel that they could award it at the time. It was not a run-of-the-mill one.

15 In relation to the Law ones which were non-mandatory, they were in effect either conversions or similar requests for postgraduate work well after they had finished their first degrees, so they became discretionary.

Those were in relation to Question 603 and the schedule thereto.

20 In relation to Question 612, where the Gibraltar College was missing in some of the pages, this has now been amended and the revised schedule is being distributed now. My apologies for that oversight. Obviously it was just left out in one of the stages of dealing with the table on the computer.

Revised Schedule to Q612

Pupils per Year in Gibraltar Schools: 2012/13

School Name		School Year																															
		N		R		1		2		3		4		5		6		7		8		9		10		11		12		13		2012/13	
	SEN	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
St Josephs First	48	39	37	39	35	42	49	37	54	60	51																						
St Mary's First	56			23	27	23	20	21	21	17	25																						
St Paul's First	44			36	38	36	39	38	24	38	41																						
St Bernard's First	61	18	16	14	10	11	14	14	14	14	15																						
Governor's Meadow	51	25	17	37	34	29	22	34	34	32	30																						
Notre Dame	72			30	41	37	27	34	23	35	27																						
Hebrew Primary	28			6	12	13	9	9	11	6	17	12	8	9	12	8	7	9	12														
St Martin's Special	44	10	4																													26	6
Bishop Fitzgerald	84											47	52	64	39	52	63	69	56														
St Anne's	65											62	52	50	45	61	41	53	51														
Sacred Heart Middle	79											34	30	22	30	22	19	29	27														
St Joseph's Middle	33											45	54	54	40	42	52	60	54														
Westside	144																			185		179		220		209		116		98			
Bayside	223																			229		213		232		203		123		100			
Gibraltar College																																187	159

SNLA's Employed: 78
Long term needs of service: 1

Pupils per Year in Gibraltar Schools: 2013/14

School Name		School Year																																		
		N		R		1		2		3		4		5		6		7		8		9		10		11		12		13		2013/14				
	SEN	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F			
St Josephs First	64	42	42	55	35	45	41	45	50	55	37																									
St Mary's First	64	29	23	28	28	25	28	27	18	21	21																									
St Paul's First	52	20	21	32	35	37	40	37	39	40	25																									
St Bernard's First	60	25	9	18	14	16	11	15	15	15	17																									
Governor's Meadow	53	27	32	33	32	37	33	29	23	32	30																									
Notre Dame	67	24	36	32	29	32	44	38	27	31	22																									
Hebrew Primary	19			9	13	5	10	13	8	7	10	5	14	13	7	8	13																			
St Martin's Special	68	12	3																													22	11			
Bishop Fitzgerald	84											48	50	48	53	64	38	55	63																	
St Anne's	70											60	47	60	59	48	40	59	42																	
Sacred Heart Middle	105											33	35	37	33	22	29	27	20																	
St Joseph's Middle	44											56	52	47	55	53	41	42	54																	
Westside	147																			227		184			194		210		150		96					
Bayside	277																			223		230		223		218		142		100						
Gibraltar College																																174	153			

SNLA's Employed: 78
Long term needs of service: 1

Pupils per Year in Gibraltar Schools: 2014/15

School Name		School Year																															
		N		R		1		2		3		4		5		6		7		8		9		10		11		12		13		2014/15	
	SEN	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
St Josephs First	59	39	46	48	47	47	47	45	38	42	48																						
St Mary's First	68	16	17	45	28	29	25	27	27	24	16																						
St Paul's First	41	21	20	34	44	32	34	37	38	38	42																						
St Bernard's First	48	22	14	26	8	17	15	15	9	16	17																						
Governor's Meadow	39	23	19	37	37	38	32	37	33	30	24																						
Notre Dame	88	24	23	38	44	36	32	35	45	44	25																						
Hebrew Primary	21			10	9	9	13	5	10	13	8	7	9	6	15	12	7	8	13														
St Martin's Special	64	5	4																													22	13
Bishop Fitzgerald	82											64	42	49	52	49	56	70	37														
St Anne's	93											52	44	69	51	58	57	48	43														
Sacred Heart Middle	122											34	31	33	39	41	38	23	30														
St Joseph's Middle	43											42	56	46	40	45	53	53	43														
Westside	156																			197		232		186		183		170		103			
Bayside	252																			194		224		236		211		160		100			
Gibraltar College																																169	147

SNLA's Employed: 78
Long term needs of service: 5

GIBRALTAR PARLIAMENT, FRIDAY, 20th OCTOBER 2017

Pupils per Year in Gibraltar Schools: 2015/16

School Name		School Year																															
		N		R		1		2		3		4		5		6		7		8		9		10		11		12		13		2015/16	
	SEN	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F		
St Josephs First		74	45	31	43	47	56	51	46	52	45	43																					
St Mary's First		63	15	15	27	31	42	31	30	25	24	27																					
St Paul's First		35	21	21	35	31	35	44	36	37	37	37																					
St Bernard's First		36	20	17	23	18	29	11	20	19	18	11																					
Governor's Meadow		50	23	19	35	28	39	38	38	32	38	33																					
Notre Dame		91	25	30	34	33	38	45	39	33	37	47																					
Hebrew Primary		26			6	13	9	8	9	15	4	9	12	8	7	10	3	13	14	0													
St Martin's Special		83	14	3																												24	14
Bishop Fitzgerald		108											52	46	60	44	50	53	51	54													
St Anne's		102											63	44	50	44	69	50	58	53													
St Bernard's Middle		110											40	43	44	44	26	31	47	39													
St Joseph's Middle		42											44	44	46	53	56	50	47	56													
Westside		170																			166		199		227		173		143		142		
Bayside		296																			195		190		220		220		162		108		
Gibraltar College																																186	168

SNLA's Employed: 78
Long term needs of service: 16

Pupils per Year in Gibraltar Schools: 2016/17

School Name		School Year																															
		N		R		1		2		3		4		5		6		7		8		9		10		11		12		13		2016/17	
	SEN	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F
St Josephs First	61	32	44	48	37	47	55	53	52	52	49																						
St Mary's First	56	22	8	22	19	26	30	42	32	26	29																						
St Paul's First	43	17	25	40	43	30	30	35	44	40	39																						
St Bernard's First	58	24	17	21	14	23	20	31	15	18	23																						
Governor's Meadow	41	21	21	34	27	39	30	38	37	39	30																						
Notre Dame	89	24	26	45	42	33	35	42	44	38	33																						
Hebrew Primary	25			14	9	5	13	9	9	9	17	4	8	11	8	8	9	4	13														
St Martin's Special	107	12	4																													26	13
Bishop Fitzgerald	94											61	49	52	47	61	43	49	52														
St Anne's	101											61	54	62	46	51	41	70	51														
St Bernard's Middle	94											39	35	42	42	36	37	36	44														
St Joseph's Middle	24											52	47	48	44	46	53	55	47														
Westside	175																			207		168		197		218		137		112			
Bayside	328																			217		195		196		210		167		106			
Gibraltar College																																155	140

SNLA's Employed: 78
Long term needs of service: 21

Pupils per Year in Gibraltar Schools: 2017/18

School Name		School Year																																
		N		R		1		2		3		4		5		6		7		8		9		10		11		12		13		2017/18		
	SEN	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
St Josephs First	*	44	41	34	44	52	42	47	53	54	54																							
St Mary's First	*	11	21	24	17	23	18	25	28	43	31																							
St Paul's First	*	20	20	33	40	40	43	29	30	35	43																							
St Bernard's First	*	21	20	26	17	22	14	22	24	32	13																							
Governor's Meadow	*	31	11	39	34	35	28	38	29	40	37																							
Notre Dame	*			39	28	47	44	33	34	43	41																							
Varyl Begg Nursery	*	19	35																															
Hebrew Primary	*			9	8	12	9	5	12	7	9	9	17	4	8	10	6	9	9															
St Martin's Special	*	11	5																													34	16	
Bishop Fitzgerald	*											66	44	56	64	53	48	57	44															
St Anne's	*											57	49	53	61	65	40	48	43															
St Bernard's Middle	*											40	46	37	36	43	41	34	37															
St Joseph's Middle	*											59	49	51	46	45	43	44	51															
Westside	*																			196		201		167		182		179		118				
Bayside	*																																	
Gibraltar College	*																			216		214		190		182		157		129			131	187

* SEN statistics are sent to Department for Statistics every June

SNLA's Employed: 78
Long term needs of service: 21

25 **Hon. D A Feetham:** Can I ask a supplementary right now. Just in relation to the Law ones, I
have noticed from the schedules that the hon. Gentleman has provided that prior to 2015, the
Law ones – and indeed it refers to the diploma, so it is obviously a conversion course – those
conversion courses, were discretionary, then afterwards they are mandatory as from about
2015. Is the hon. Gentleman aware of a policy change in relation to this?

30 **Hon. Dr J E Cortes:** No, Mr Speaker, I am not. I was not Minister at that time, so if there was a
policy change, which there could have been, I was not responsible for that in the Department.
But I can enquire, and obviously not for today's session but I can provide the hon. Member with
the information outside the House if he is happy with that; if not, I would be happy to answer it
35 on another occasion here.

Q615/2017
Smoking in play parks –
Progress re banning

Clerk: We now move to Question 615. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Does Government have any updates in connection with its
commitment from April of this year to look into banning smoking in play parks?

40 **Clerk:** Answer, the Hon. the Minister for the Environment, Energy, Climate Change and
Education.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes):
45 Mr Speaker, no, sir.

Hon. Ms M D Hassan Nahon: Mr Speaker, can I ask why the U-turn – a public statement that
was made into reviewing the legislation has now stopped being under review?

50 **Hon. Dr J E Cortes:** No, there are no further developments. I know from my hon. Friend that
the GSLA does not normally allow it anyway, although it is not legislated. We just have not
progressed it. There has not been a decision not to do so.

We were looking, and I think I had some correspondence with the hon. Lady as to some of
the areas which she did not feel ... I think Commonwealth Park the hon. Lady mentioned to me,
55 and I think that the hon. Lady tried to clarify with me that she was talking about the children's
playgrounds. (**Hon. Ms M D Hassan Nahon:** Those enclosed.) Enclosed, yes.

So it is not that it is not happening or there has been a policy decision; it is just that it has not
been progressed, but it is certainly on our to-do list and we will be taking it further.

Q616/2017
Supply list teachers –
Payment of on-call allowance

Clerk: Question 616. The Hon. Ms M D Hassan Nahon.

60 **Hon. Ms M D Hassan Nahon:** Would Government consider paying an on-call allowance to
teachers on the supply list?

Clerk: Answer, the Hon. the Minister for the Environment, Energy, Climate Change and Education.

65

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, I apologise for being very short in both my answers to the hon. Lady, but the answer is, once again, no, sir.

70

Hon. Ms M D Hassan Nahon: Mr Speaker, my question is based around the concern for the supply teachers in the sense that they cannot apply for other jobs and they also cannot apply for unemployment benefit while at the same time they are being stuck every morning at the end of a telephone line.

75

From what I understand, other Government agencies do pay some type of on-call allowance fee in certain Departments, so perhaps ... I was just trying to enquire if this could be equalised or normalised.

80

Hon. Dr J E Cortes: Mr Speaker, I think the hon. Lady is not correct in what she is saying. On-call allowances are paid to staff in the employ of the Government when they have to be available for callouts. Supply staff – we cannot really call them supply staff – are not actually directly in the employ; they are available to be called in and I do not believe there are any supply staff within the whole of the public service or associated to the whole of the public service who have an on-call fee just in case they are called in to work. It is a different arrangement to an on-call allowance proper, which is provided for in the public service. It is not the same.

TOURISM, EMPLOYMENT, COMMERCIAL AVIATION AND THE PORT

Q617/2017

**Number of persons registered unemployed –
Question not answered**

85

Clerk: Question 617. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government confirm the number of persons registered as unemployed?

90

Clerk: Answer, the Hon. the Minister for Tourism, Employment, Commercial Aviation and the Port.

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, we will be proceeding with the Questions to the Hon. Minister Bossano.

MINISTER FOR ECONOMIC DEVELOPMENT, TELECOMMUNICATIONS AND THE GSB

Q621/2017

**Technology-based apprenticeship –
Plans to introduce**

Clerk: We move to Question 621. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, does the Government intend to introduce a technology-based apprenticeship, and how does it envisage this working?

Clerk: Answer, the Hon. the Minister for Economic Development and Telecommunications.

Minister for Economic Development, Telecommunications and the GSB (Hon. J J Bossano): Mr Speaker, as the hon. Member is aware, the policy of the Government is to provide training for employment. The Member is also aware that my Department has written to all employers with five employees or more to ascertain whether they are interested in providing work-based placements for apprentices, and therefore any new apprenticeships that might be provided in future will depend on the result of establishing a demand for the skills in the private sector.

Hon. R M Clinton: Mr Speaker, I am grateful to the Minister for his response. I do not recall hearing an answer as regards the people registered as unemployed.

Hon. J J Bossano: Mr Speaker, I was not answering that question; I was answering the other one.

**Q622-625/2017 –
Public finances –
Figures as at 1st August 2017**

Clerk: Question 622. The Hon. R M Clinton.

Hon. R M Clinton: Thank you, Mr Speaker. I now know where I am. Can the Government please advise how total liquid reserves are invested/held, giving details of all bank savings, bank accounts and cash held for the following date, being 1st August 2017?

Clerk: Answer, the Hon. the Minister for Economic Development and Telecommunications.

Minister for Economic Development, Telecommunications and the GSB (Hon. J J Bossano): Mr Speaker, I will answer this question together with Questions 623, 624 and 625.

Hon. R M Clinton: Mr Speaker, can the Government advise the balance on the General Sinking Fund as at 1st August 2017?

Clerk: Question 624. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government please advise the total liquid reserves figure and its constituents, namely Consolidated Fund, Improvement and Development Fund, the Government-owned companies, deposits, contingencies and other funds, for the following date, being 1st August 2017?

Clerk: Question 625. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government please provide the total gross debt, aggregate debt after application of the Sinking Fund to gross debt, cash reserves and net debt figures for public debt for the following date, being 1st August 2017?

Clerk: Answer, the Hon. the Minister for Economic Development and Telecommunications.

Hon. J J Bossano: Mr Speaker, the position as regards the total liquid assets composition when, where and how these are invested on a particular date chosen by the Member opposite, continues to be as previously stated.

The figures requested for 1st August 2017 are: gross debt, £447.7 million; General Sinking Fund, £5.2 million; aggregate debt, £442.5 million; cash, £106.8 million; net debt, £335.7 million.

Hon. R M Clinton: Mr Speaker, I am grateful to the Minister for his answer. I still seem to be missing the unemployed numbers.

Hon. J J Bossano: Mr Speaker, perhaps I can explain to the Hon. Member that I am not supposed to be giving him the unemployment numbers. The question was called when the Minister responsible for employment was not here, but I would happily have given it to him if I knew it.

Hon. R M Clinton: Mr Speaker, then I guess that question will still be pending and I apologise to the Minister.

Mr Speaker: We are going to have a short 10-minute recess to clear up one or two matters relating to questions which have not arrived.

*The House recessed at 2.50 p.m.
and resumed its sitting at 3.14 p.m.*

HEALTH, CARE AND JUSTICE

Q626/2017

Children in care –

Total number and number subject of care orders

Clerk: Question 626. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, can the Government say how many children are currently in care and/or the subject of a care order?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, there are 36 children in care, of which 25 are subject of care orders.

Q627/2017

Health and Care Services –

Agency workers

Clerk: Question 627. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, can the Government state the number of agency workers currently working within our care and health services by reference to each company which provides workers?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

175 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, the number of agency workers currently working within our care and health services is as follows: ADA, 110; Grand Home Care, 142; Gibcare, 1; S&K, 36; Beta Service, 12; JFM, 18; Meddoc, 42; Athona, 1; Head Medical, 1; National Locums, 2.

180 **Hon. E J Phillips:** Mr Speaker, I wonder whether the Minister can help me with a supplementary question in relation to the impact of the Agency Workers Regulations 2012. In respect of those workers, of that total amount that the Minister has referred to with the various companies, how many have worked over the requisite 52 weeks under those Regulations?

185 **Hon. N F Costa:** Mr Speaker, we need notice of that question.

Hon. E J Phillips: I will ask it in the next session. Thank you.

Hon. D A Feetham: Mr Speaker, may I?

190 **Mr Speaker:** Yes.

Hon. D A Feetham: Just so that I understand the Government's view of things, perhaps he can answer this question. The Government's policy is, or their interpretation of the relevant provisions, is that if a worker is employed by a recruitment agency, is therefore not employed by the Government, that therefore the Regulations that provide that if you serve a period of time effectively you should then be engaged on a permanent basis ... that those do not apply to the workers of recruitment consultants or agencies because they are not employed by the Government directly.

200 **Chief Minister (Hon. F R Picardo):** Mr Speaker, that, as I understand it, is right, but the hon. Gentleman may want to go back in his recollection to a time before the last General Election when we had a number of discussions around this subject.

I am unable to cite the authority right now, but there is a European authority that provides such agency workers with the right to apply for internal vacancies in the places of work where they have been posted by those agencies if they have been there for a particular period of time. That period of time I think is a year, so once you are in an agency and you are placed in a particular period, although the four-year period may not be relevant to you because in those four years you may be working for that agency in different places, and although you may be working for the agency for four years you may not be placed in the same place for that period ... if the agency places you in a place of work and you extinguish a period of more than one year in that same place of work you are then entitled, by the operation of this European authority, to be dealt with as an internal applicant for vacancies in that organisation.

215 I think that is the benefit that many who have been placed with employment agencies in public sector places of employment have had the benefit of in the time that we have been in office.

Hon. E J Phillips: Mr Speaker, just one follow-up question in relation to that point.

220 I am grateful for the Chief Minister's intervention in relation to the right to apply for a vacancy. I was trying to direct my previous question as to the right of the individual concerned to enjoy the same rights as those permanent employees of the relevant organisations, such as the Health Authority, for example. So, would the agency workers enjoy the same rights – i.e. the rights to minimum wage, holiday/leave entitlement, sick pay and the rest of it?

225 **Hon. N F Costa:** No, Mr Speaker, the agency employee will be bound by whatever contract they have signed with the agency, but whatever laws are in statue ... of course the agency cannot vacate the rights afforded to any person by statute. So anything that is in the law they will have to comply with, but agency employees are regulated by whatever contract they entered into with the agency company.

Q628-630 and 659/2017

**Rehabilitation of offenders; updating of Gibraltar Courts Service filing systems;
sexual offences complaints; HM Prison staffing levels**

230

Clerk: Question 628. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, does the Government have any plans to amend existing provisions in our law in relation to the rehabilitation of offenders?

235

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I will answer this question together with Questions 629, 630 and 659.

240

Clerk: Question 629. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, can the Minister confirm whether the Government has any plans to move towards an electronic filing system for issues of claims and applications for the Gibraltar Courts Service?

245

Clerk: Question 630. The Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, can the Government say how many complaints relating directly to sexual offences have been made by citizens to the RGP; and, of those, how many resulted in charges being brought?

250

Clerk: Question 659. The Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: In accordance with this Government's manifesto promise, where it committed to increase manning levels in HM Prison with the numbers recommended by the Joint Working Group, has it decided yet how many officers they are going to employ and by when?

255

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

260

Hon. N F Costa: Mr Speaker, there are no current plans to amend the existing provisions in our law in relation to the rehabilitation of offenders. This however, is an area of the law which is kept under review and one which in particular may be informed by the examination of local sentencing laws by the Law Commission.

265

The Government currently does not have any plans to move towards an electronic filing system for issues of claims and applications in the Supreme Court. However, as part of the e-government strategy and in close consultation with the Hon. Minister for Commerce, Albert Isola, we are looking at the possibility of integrating such a system at some point, should it prove to be financially feasible.

270

In relation to Question 630, the question does not specify dates for which the information is requested; however, since April of this year to date the RGP has received 27 complaints, of which three have resulted in charges being brought.

275 In answer to Question 659, Government should be in a position to make an announcement in respect of HM Prison staffing levels within the first quarter of next year.

Hon. E J Phillips: Mr Speaker, in relation to Question 628, I am sure that the Minister will agree that there are certain barriers to employment and barriers to opportunity and access to those opportunities by those who have been convicted of criminal offences and have served a
280 period of imprisonment. What they did in the United Kingdom was to lower the periods that we have in our jurisdiction to encourage more employers to take on those that have been unfortunately dealt with in that way insofar as a custodial sentence is concerned, and those changes happened in 2012, because I think the experience in that jurisdiction was that it did create significant barriers to employment and opportunity.

285 Am I right in saying that the Minister does anticipate that there will be a review of this process with the Law Commission?

Hon. N F Costa: Mr Speaker, the hon. Gentleman refers me to the changes in 2012. The Hon. the former Minister for Justice, Mr Licudi, came to the House in 2014 in order to make the
290 rehabilitation of offenders provisions mirror those in the UK – (*Interjection*) Yes, it happened in 2014. So our provisions currently reflect those in the UK. Maybe the hon. Gentleman is referring to additional amendments in the UK with which I am not familiar.

I agree with him that the reason why the Hon. the former Minister for Justice attempted to mirror the UK provisions is precisely for the reasons that he mentions: we need to make sure
295 that the period of rehabilitation is sufficient for the person to become rehabilitated but also quick enough so that the person can reintegrate and resettle into society. And, as he rightly points out and I think properly alights to, the most important condition for any person to be able to reintegrate into society is being able to be gainfully employed.

300 **Hon. E J Phillips:** With respect, I think the Minister definitely has the position wrong, but I am quite happy to have a discussion with him about those rehabilitation periods. I understand that obviously the law changed in 2014, but they do not reflect the position that was at in the United Kingdom regarding the top end. I am quite happy to have a discussion separately, offline, with him as it were.

305

Hon. Ms M D Hassan Nahon: If I may, a supplementary on Question 659, Mr Speaker.

Can I just ask the Minister whether with this new batch, the number that he will confirm, as he said, on the first quarter of next year ... will any number of this new complement be the same
310 individuals who would eventually be a part of the new young offenders' facility centre, or would that be a different batch of individuals?

Hon. N F Costa: Mr Speaker, as I think I replied to the Hon. Mr Phillips in the last session, the issue of a secure accommodation for juveniles and the issue of a detention facility for juveniles – or it may have been the Hon. Mr Llamas, I am not certain; I think it was the Hon. Mr Phillips – is
315 currently actively being looked at by different officials of the Care Agency, Her Majesty's Prison and other relevant agencies.

The options are being looked at as to whether it is possible to combine secure accommodation with detention facilities. I note that in the UK it has been possible to combine both, and therefore should there be a combined juvenile secure accommodation facility and a
320 detention centre there would have to be an additional increase in resources, because currently the resources that exist do not cater for those facilities. And, as the hon. Lady and Gentleman will obviously realise, there will have to be a Bill, or certainly additional regulations, introduced –

but most likely primary legislation – to cater for secure accommodation, which would be entirely new, and a detention facility, which would also be entirely new.

325

Mr Speaker: Next question.

Q631-633, 640-647, 650, 653 and 655-656/2017

Sponsored patients –

Costs; policy re referrals; Tertiary Referrals Board; invoices; continued care

Clerk: Question 631. The Hon. D A Feetham.

330 **Hon. D A Feetham:** Mr Speaker, can the Government please explain the significant increase in expenditure on treatment of patients in foreign hospitals/medical establishments from £3.6 million in 2012 to £15.4 million in 2016?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

335 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I will answer this question together with Questions 632, 633, 640-647, 650, 653, 655 and 656.

Clerk: Question 632. The Hon. D A Feetham.

340 **Hon. D A Feetham:** Can the Government please state what the expenditure on treatment of patients in foreign hospitals/medical establishments has been so far in 2017?

Clerk: Question 633. The Hon. D A Feetham.

345 **Hon. D A Feetham:** Can the Government please explain its policy for referrals to specialist clinics such as the Clínica Universidad de Navarra?

Clerk: Question 640. The Hon. R M Clinton.

350 **Hon. R M Clinton:** Mr Speaker, who are the members of the GHA Tertiary Referrals Board and what are their medical specialisms?

Clerk: Question 641. The Hon. R M Clinton.

355 **Hon. R M Clinton:** Mr Speaker, what are the terms of reference of the GHA Tertiary Referrals Board and on what date was it established?

Clerk: Question 642. The Hon. R M Clinton.

360 **Hon. R M Clinton:** Mr Speaker, who appoints members of the GHA Tertiary Referrals Board and what is the term of appointment?

Clerk: Question 643. The Hon. R M Clinton.

365 **Hon. R M Clinton:** Mr Speaker, in the period from 1st January 2017 to 30th September 2017 how many times has the GHA Tertiary Referrals Board met and on what dates?

Clerk: Question 644. The Hon. R M Clinton.

370 **Hon. R M Clinton:** Mr Speaker, how many cases have been considered by the GHA Tertiary Referrals Board in the period from 1st January 2017 to 30th September 2017, broken down by type of treatment or investigation; and, of those, how many have not been approved and why in each case?

375 **Clerk:** Question 645. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, how many complaints have been made to the Ombudsman in respect of the decisions of the GHA Tertiary Referrals Board in the period 1st January 2017 to 30th September 2017?

380

Clerk: Question 646. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, what is the appeals process in respect of the decisions of the GHA Tertiary Referrals Board?

385

Clerk: Question 647. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, What criteria is used by the GHA Tertiary Referrals Board in determining grounds for approval for treatment in another hospital?

390

Clerk: Question 650. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide a schedule of payments made and invoices pending payment to each foreign health establishment in each financial year since April 2012 to date in relation to sponsored patients?

395

Clerk: Question 653. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government explain how, since the implementation of the GHA Tertiary Board, several sponsored patients are being refused their continued care with partnership trusts in the UK without prior consultation with the specialist consultant in the UK, and only just now the GHA has made initial contact with their consultant surgeon in the UK asking for their professional advice with a footnote of estimated costs to be forwarded for consideration?

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405

Clerk: Question 655. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government confirm how many sponsored patients referrals have been approved by the GHA Tertiary Board since it commenced reviewing cases earlier this year, including (a) the cost of each referral; (b) the health establishment referred to; (c) the medical condition of the patient; and (d) the date the case was considered?

410

Clerk: Question 656. The Hon. L F Llamas.

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Hon. L F Llamas: Mr Speaker, can the Government confirm how many sponsored patients referrals have been refused by the GHA Tertiary Board including (a) the estimated cost of each referral; (b) the health establishment referred to; and (c) the medical condition of the patient?

420 **Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, there has been a significant increase year on year, except for 2015, in the treatment and expenditure in establishments outside of Gibraltar. The reasons for this are multi-factorial and include: the rapid advance of medical technology and availability of new treatments and procedures; the increase in the population entitled to healthcare – resident population plus frontier workers; the changing population demographic, with a larger proportion of elderly members of our society. There are also non-clinical reasons, such as the decrease in the value of the pound versus the euro, which has caused fluctuations.

430 I can assure the hon. Gentleman and the House that improving the efficiency of the sponsored patients programme has been a top priority for Government. Working closely with the Medical Director and Sponsored Patients department's senior officials, the GHA has introduced improvements on the existing databases, which have resulted in the constitution of the Tertiary Referrals Board (TRB).

435 Mr Speaker, I refer the hon. Gentleman to my answer provided to Question W128/2017. The expenditure during the current financial year up to the end of September is £4,426,462.25 and invoices pending of £1,017,482.40

Mr Speaker, the GHA provides care to a relatively small community and this represents a unique set of challenges. We are able to deal with most common conditions and our clinical teams provide as much breadth of service as possible. There are many sub-specialities and complex treatments that cannot be provided locally and these treatments will need to be referred to specialist centres where the care of uncommon conditions is centralised. To ensure that standards are maintained, we will preferentially refer patients for care outside of Gibraltar to organisations with high clinical standards and robust clinical governance.

445 Patients are usually referred to the NHS in the UK. We have special contract arrangements, known as service level agreements (SLAs), with a number of UK NHS trusts where we preferentially send our patients. These SLAs allow us to monitor the quality of care delivered and, where necessary, work with that organisation to deliver the standards of care we expect. GHA patients also have access to non-SLA NHS centres for super-specialised treatments. These referrals will usually only be exceptionally approved when specific treatments are required that are not available in one of our SLA partner institutions.

We also refer patients to healthcare institutions in Spain. These institutions are either Spanish state hospitals or private hospitals with which we have a service level agreement. As is the case in the UK, GHA patients also have access to non-SLA Spanish centres for super-specialised treatment, and Clínica Universitaria de Navarra is one such centre.

455 The Board is tasked with monitoring the GHA policy for tertiary referrals. The current policy is as follows.

All patients having treatment outside the GHA need to have a named GHA consultant in charge of their care. This named consultant should provide treatment and follow-up locally, if possible. Where local expertise or necessary equipment is not available, the named consultant will refer the patient in the first instance to one of the visiting consultants if they have the necessary expertise. In cases where the necessary care cannot be provided by a visiting consultant, the named consultant will refer the patient to one of our contracted healthcare providers in the UK or in Spain. If the care required by the patient cannot be provided by one of our contracted healthcare partners, this will be sought in a non-contracted institution with the relevant expertise as determined by the Board members in partnership with the named consultant. Wherever follow-up can be provided locally, there is no clinical need for patients to travel outside of Gibraltar.

470 Mr Speaker, the Tertiary Referrals Board (TRB) for short, is composed of seven senior clinicians and clinical directors, whose specialities are varied. The names of the Board members are confidential to ensure objectivity and prevent any lobbying from interested parties.

Mr Speaker, in respect of Question 641, I refer the hon. Gentleman to the supplementary answers given to Questions 524-526/2017.

The terms of reference for the Tertiary Referrals Board are as follows.

475 The TRB ensures that all tertiary referrals are appropriate from the clinical perspective and in
accordance with the applicable GHA tertiary referrals policy. The Board considers all tertiary
referrals by way of a peer review process. All tertiary referrals, except for emergency referrals,
are approved by the TRB before patients are referred to the tertiary centre. The Tertiary
Referrals Board are convened and chaired by the Medical Director or his nominated delegate.
480 The Board members will be selected by the Medical Director, and these are senior clinicians. It is
envisaged that the composition of the Board will change regularly and in accordance with clinical
commitments of the Board members. Decisions are made by majority vote. In the case of a split
vote, the chairperson has a casting vote. The outcome of the referrals is communicated to the
referring consultant and secretary by email on the day, and patients are informed the next
485 working day.

Mr Speaker, the Board members are appointed by the Medical Director. The term of
appointment is not fixed, as this is a new process for the GHA and a period of assessment,
review and development is anticipated.

Mr Speaker, since the Board was set up on 4th May, the TRB has met 20 times, as follows:
490 4th May, 11th May, 18th May, 25th May, 1st June, 8th June, 15th June, 22nd June, 29th June,
6th July, 20th July, 27th July, 10th August, 17th August, 24th August, 31st August, 7th
September, 14th September, 21st September and 28th September.

Mr Speaker, since 4th May the TRB has considered 550 cases, of which 466 were approved
and 33 were not approved, as these did not meet the stipulated referrals criteria. Fifty one were
495 offered alternative care pathways, which resulted in either further local treatment or referral to
another external centre.

I also refer the hon. Gentleman to the answer I provided to Question 633/2017, which refers
to referral criteria.

Mr Speaker, I also refer the hon. Gentleman to my Budget speech, where I announced the
500 efforts of my top GHA management team in repatriating as many services as possible to
Gibraltar so that patients can be treated at home. This has been possible not only by the
continuous endeavours of the team but also at a reduced expenditure trend compared to the
spend last year to date, without compromising in any way the quality of care provided. On the
contrary, I am sure that the hon. Gentleman would agree that receiving the same level of quality
505 and professional treatment at home is in the best interests of our patients.

I again remind the hon. Gentleman of the unprecedented number of surgery interventions
conducted at St Bernard's Hospital, with a staggering 161 major surgical procedures requiring in-
patient stay, conducted during the first four months of the year, nearly double the number
performed in the same period last year. To date, a total of 340 major surgical procedures
510 requiring in-patient stay have been conducted. I again reiterate that there have been no
cancellations of surgical operations due to lack of beds since January of this year.

Mr Speaker, this achievement cannot be underestimated, not least given the answers that I
used to receive in this House when I was the Opposition spokesperson for Health, where I was
repeatedly told by the hon. Lady Mrs Yvette Del Agua:

What will the Government do to ensure that operations never have to be cancelled due to bed shortages?
Answer, nothing. There is nothing that the Government can do to ensure that no operation will ever have to be
cancelled because of bed shortage. Not in the GHA, not in the UK, not in the NASA Space Centre and not in the
Houston Medical Centre. Nowhere. When the hon. Member has a slightly better, broader and deeper
understanding of the health service about which he waxes lyrical at the moment, he will understand that it is a
nonsense to call for a guarantee that no operation will be cancelled due to bed shortage.

515 *(Banging on desks and interjection)* Yes. This is, Mr Speaker, the sort of answers we used to get
in the House.

In respect of Questions 655 and 656, I refer the hon. Gentleman to the answer provided to Written Question W128/2017.

Mr Speaker, up until 30th September 2017, five complaints have been made to the Ombudsman concerning the decisions taken by the Board.

Mr Speaker, if the referring consultant disagrees with the TRB's decision they may resubmit the referral with any additional information that the consultant feels is relevant and would assist the Board in its deliberation.

Mr Speaker, I refer the hon. Gentleman to answers provided in Questions 646 and 647 in respect of answer to Question 653.

In relation to the footnote, this is a standard inclusion in any referral letter and relates to the guarantee that any medical costs associated with the referral will be met by the GHA. This is purely for accounting purposes and is in no way a consideration of the TRB. All referrals are processed irrespective of costs. The footnote that is in all the referral letters have been there since time immemorial.

Hon. L F Llamas: Mr Speaker, with reference to Questions 655, 656 and 650, the Hon. Minister is referring me to Written Question W128; however, in Question W128/2017 the answer is that the GHA will not reveal the amounts paid to each establishment for reasons of commercial confidentiality.

I would like to refer the Minister to Q365/2016, which was June last year, where the Ministry undertook an enormous task under the former Health Minister and actually brought up to date that answer to June. So, given that we have the figures and the entities, the hospitals and the amounts paid, would it not be appropriate, unless there has been a change of policy by the Minister, to provide an answer to this question?

Hon. N F Costa: Mr Speaker, I have no difficulty whatever in providing the totality of the amounts of the taxpayer spend to different centres. We are currently in a very active process of negotiations with different tertiary centres where we think that we can get more bang for our buck in terms of different surgical, medical and clinical procedures. If we were to identify each tertiary centre with the amount that is provided, that may provide them with some clue as to what it is that we are paying other centres, and therefore it would be to shoot ourselves in the foot if we were to provide detail of the tertiary centre and the amount being paid.

Hon. L F Llamas: Will the Minister make an announcement when that process is completed?

Hon. N F Costa: With absolute pleasure.

Hon. L F Llamas: One more supplementary, Mr Speaker.

I do hope that this is an isolated case, although I do have two or three. Obviously when the Tertiary Board has been convened and started, I think there might be a transitional period where people are not receiving the appropriate care. There is a particular case which I have written to the Hon. Minister about and he has replied, but there has been further development on that and basically what I have and what has been given to me is a letter from 19th September this year from the UK consultant surgeon to St Bernard's Hospital. I will quote, Mr Speaker, and it says:

I am writing regarding the above patient, whom I do not believe I have had any correspondence from you about. He is in the early stages of his follow-up and we are still managing his survivor's issues. He had an appointment with us last week at which he did not appear because his visit was not supported locally. This is all rather confusing. As I am sure you can appreciate, I would be grateful for some clarification from you so we can best support this patient during this ongoing treatment.

And then St Bernard's Hospital has written to the UK consultant – and this patient has a prostate carcinoma – and in this it actually asks the UK consultant:

We would be grateful if you could provide us with your expert opinion on this case.

So obviously this person is somewhat confused, stressed and obviously ill, and in the meantime is not receiving the care because he has still not been seen locally for his condition. At the same time he knows that he will have to undergo a further operation next year, which is what the UK consultant surgeon was telling him ... and is not being approved and he is not having the follow-up by the surgeon who operated on the first occasion and should be the one who could operate on the second one, having had, already gone and intervened.

Hon. N F Costa: Mr Speaker, I say this to the hon. Gentleman and he can take the advice if he likes, or not, but given that he knows that he can write to me at any time and that I always reply to him, if he is going to read from a statement or a letter, the least he could do – just out of courtesy, not for ethics – is to show me the letter before, so I can take it to my professionals.

Having said that, I can assure the hon. Gentleman that I am au fait with this particular case and I am extremely loathe and concerned about talking about any particular case across the floor of the House, because given remarks made by a relative of this particular person, it is already in the public sphere, so anything that I say will necessarily cast a light on what we may think within the GHA are the actions of this particular couple. Therefore, I would rather take any electoral criticism that comes to me from the public than to start telling you what I think about any particular case.

Let me tell him, however, that given that there have been 550 cases considered by the TRB and that 466 have been approved, and when not approved there have been 51 cases offered alternative treatment, I think the percentage is 80% approved and 20% not approved. There have been five complaints to the Ombudsman and I have met, if I recall correctly, two or three of the persons who have complained. It is inevitable that when there is a change in process and you have such a big institution like the GHA, there will unavoidably be an adjustment period and it will grate with some patients.

I just told the hon. Lady in the last session I fully understand, entirely, when somebody who feels comfortable with any particular hospital – for example, the hospital that the Hon. Mr Feetham refers to me, which is the Pamplona hospital, where Gibraltarians seem to have an incredible amount of faith in this particular institution – and that when we say to them ‘we can provide you with exactly the same treatment at home and with our clinicians, and all the research indicates that persons who live with cancer should not travel and therefore we ask you that you please give us the opportunity to manage your care’, I understand fully that some people do not want to be treated here because they have been treated elsewhere. But I think that, as I told the hon. Lady on the last occasion, it is a process of give and take between the GHA and these patients. As a result, the TRB has invariably – in other words, in every single case – allowed for a period of adjustment in allowing the couple or the patient to go to two or three more consultations outside of Gibraltar, even though we can provide the treatment here, in order to ensure two things: (1) there is a proper handover; and (2) not to provide any stress to the patient.

As I tell him and as I told the hon. Lady, I fully understand the concern and the anxiety that will be caused by saying that treatment will be stopped in the UK and Spain and we are going to be providing it here, but the reasons we are providing it here are for clinical and medical reasons and because we are convinced that it is best to treat people at home if we can provide the treatment.

Hon. L F Llamas: Just one final supplementary on this, Mr Speaker.

Will the Minister agree to consider this case behind the Speaker’s Chair, where he may be able to go back to his advisers and review this case, given the evidence which obviously they are bringing to my attention?

Hon. N F Costa: Mr Speaker, the hon. Gentleman again knows that I am approachable and he knows that I reply, and if he wants to bring any particular case to my attention he is free to do so, but I think I need to make an important point. I am not a doctor and I am not a surgeon, and even though some people think that by becoming Minister for Health I have acquired the status of being a surgeon and I am asked about different procedures, if I have certain professionals telling me that a particular course of action is clinically indicated I cannot argue clinically.

However, let me give this assurance to the hon. Gentleman. If a clinical indication is that a person should be treated locally but there are wider considerations of compassion, of humanity, that require the person to be seen one or two more times by the tertiary centre, then the Tertiary Referral Board is very good to ask me, and of course it is a policy decision for us which we can take.

Hon. D A Feetham: Mr Speaker, a number of supplementaries from me.

Just in relation to the exchanges that occurred a few moments ago between my hon. Friend and the Minister in relation to the breakdown of costs for foreign establishments in June of last year, it was my question and I think the hon. Gentleman – it was not the hon. Gentleman, it was in fact his colleague Minister Cortes – provided the cost in quite a detailed schedule relating to Xanit Hospital in particular, and I was actually surprised when last month I asked a similar question and, as has been pointed out, the answer was that for commercial reasons the Government was not in a position to reveal how much was being paid to each hospital.

When will the exercise be complete so that those figures will be provided to this Parliament?

Hon. N F Costa: Mr Speaker, it is actively being pursued and the hon. Gentleman should, I think, know that the sooner I can get to the end of the process the better, because I think that we can, as I said to the Hon. Mr Llamas, obtain better value for money. So it is something that I am actively pursuing.

Only yesterday I had a further meeting with my financial advisers and we are quite close to being able to proceed, but it will not be with only one tertiary centre, it will be with various. It will not be, as they say in the Spanish vernacular, ‘frying an egg’; it will take some time, so I cannot give him today a date by which it will conclude, just to say that it is actively being pursued and if he wants to ask me again in a couple of months’ time I may be able to give him a more definitive date.

Hon. D A Feetham: Mr Speaker, in relation to the first question that I asked, which is the question about the explanation in relation to increasing costs, just to put it in percentage terms, from 2012 to 2016 excluding this year, the cost of treatment in foreign hospitals and medical establishments has gone up by more than 400%. Does the Government accept that what we are seeing – and I am not criticising it, I am just asking in as neutral terms as possible this question – does the Government accept that effectively during those four years none of the factors that the hon. Gentleman has outlined are sufficient to explain either individually or collectively an increase of over 400% in cost, and what we have seen over the last four years is perhaps an opening of the tap in relation to this area and the Government is now effectively trying to row back on some of that expenditure that we have seen increased by 400% over the last four years?

Hon. N F Costa: Mr Speaker, I think, in the first place, to say that it is important that Gibraltarians have the best and most varied access to tertiary centres both in the UK and in Spain. I came in as Health Minister, I suppose, with a fresh pair of eyes and perhaps looking at the cost of certain things from a more commercial perspective and asking the question of whether certain surgical, medical and clinical procedures ought to cost the Government as much as they did. Inevitably, the results came back that perhaps we were not obtaining the best value for money in respect of some of the procedures, which is why I told both hon. Gentlemen that there is an active review process in place.

665 I would ask them, please, for the sake of Gibraltar, not to press me anymore because these discussions are live and we do not want to prejudice what we hope will be obtaining a better commercial deal for Gibraltar that provides exactly the same number and variety of treatments, maybe even more, but at prices that we are being advised would be far more reflective of what other institutions pay to private institutions than what we currently pay.

670 I think it is important that I make the point that I think that the first priority for any health authority is to make sure that patients have the care that they need, and therefore that is what has been happening. I have come in later, once the system has been in place, and have been looking at it, I think, with the benefit now of the system having been established.

675 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his answer.

I do not believe I caught an answer to Question 644, where I asked for the cases but broken down by type of treatment or investigation, in that kind of detail; he has just given me an overall figure. Is he able or willing to give me that breakdown?

680 **Hon. N F Costa:** Mr Speaker, the hon. Gentleman has been listening to the exchanges that I have just had across the floor of the House. For the same reasons, I am not willing at this point to provide any additional breakdowns.

685 **Hon. R M Clinton:** I am sorry, Mr Speaker, I think we may be at cross-purposes; I am referring to Question 644, where I am talking about the cases referred to the Tertiary Referrals Board broken down by type of treatment referred and whether those have been approved, and why in each case.

690 **Hon. N F Costa:** Mr Speaker, I do not know what the hon. Gentleman thinks he is going to glean from breaking the figures down.

There have been 550 cases referred by a clinician, by a consultant. Out of those 550, 466 were approved, 33 were not approved, and 51 were offered alternative pathways. The criteria, as I have explained in my answers today, in the last session of Parliament and also in my Budget speech, is that it is only not indicated when the procedure can be done in Gibraltar. So, the only reason why a referral would not be made is either because it is not clinically indicated or because the procedure can be provided in Gibraltar. So, if it can be provided in Gib then the person will not be referred to the UK or to Spain.

700 **Hon. R M Clinton:** Mr Speaker, I am still none the wiser as to the type of treatment or investigation for which there is a referral. Is he willing to give me that, or is it just a blanket no?

Hon. N F Costa: Mr Speaker, even if I were to tell him right now every single investigation and procedure it would not matter.

705 What I am telling the hon. Gentleman is that if a consultant refers a matter to the Tertiary Referrals Board and that clinical, medical or surgical procedure can be done in Gibraltar, then the Tertiary Referrals Board will, unless there are reasons why the person should go to the UK or Spain ... be dealt with either medically, surgically or clinically in Gibraltar. So the only reason why a referral would not happen is because the care can be provided locally.

710 **Hon. R M Clinton:** Mr Speaker, I perfectly understand what the Minister is saying, but again he is not answering my original question: broken down by type of treatment or investigation. Is he willing or is he not willing to provide the information?

Hon. N F Costa: I have already told him that it is irrelevant to the question that he is asking.

715 **Hon. R M Clinton:** Mr Speaker, on a point of order, surely it is up to me to determine what is relevant to my question.

Mr Speaker: I am not in a position to give a ruling on this matter. I think hon. Members must understand that if 15 or 20 questions are being taken together I find it extremely difficult to
720 keep tabs on what refers to what.

I can see that Question 644, from the overall answer that the Minister made, does not appear to have been answered specifically, in the sense that he has not given a breakdown. I do not see a breakdown here in respect of type of treatment. I do not think that it is irrelevant to ask that. Maybe the Minister is in no position to answer that type of question, or thinks that he should
725 not because there are certain reasons why – dangerous, I suppose, that some patients could be identified. I do not know, I am not sure. He may have good reason as to why he has not answered it, but I am not in a position to make any ruling on this.

Hon. N F Costa: Mr Speaker, the whole thrust of all of the questions I have received on the TRB is why the TRB makes one decision and not another, and the thrust of everything I have told
730 the hon. Gentlemen is that a referral will take place if the care is not provided locally.

There have been 550 cases. If I were to ask the TRB to start going through every single file and provide every single surgical, medical and clinical reason, that would take away from the seven clinicians, who are all senior clinicians and are either operating or attending to their
735 clinical duties, to provide the information. There may be some cases which will also be publicly known by the information that is being provided, but the reason why I have not provided that granularity of detail is only because to do so would take the clinicians away from the job.

If he really wants it, I will ask the team to do so in slow time and then it will take for as long as it takes, but what I am trying to tell the hon. Gentleman, without being obtuse or difficult, is
740 that irrespective of what the procedure is, the answer will not change.

Hon. R M Clinton: Mr Speaker – and, Minister, I am grateful for your answer – there is a fuller answer to my question I would have expected, and if I may, by way of explanation, say that the reason I asked for this was I wanted to get a feel for what are the types of cases that will be
745 referred – whether we are talking about cancer related, heart related, surgical ... some kind of general feel for what the profile is of the referrals. That is really what the thrust of my question was about: is it that 90% of the referrals are cancer related, or is it that 90% of the cases are cardiac related? It was just to get a general idea as to where the workload is in terms of tertiary referral, and then that in itself would later on perhaps spin off other questions in terms of, okay,
750 we have 90% that are cancer – how are those being addressed in terms of selection of hospitals. That is where I am coming from.

I certainly understand what the Minister said in the first instance, but I would be grateful if at some point in the future ... I am sure the Tertiary Referrals Board must keep a record of what cases are coming before them – I am sure they have an agenda – and it is just a question of
755 statistics keeping, which I am sure they must do at some level.

Hon. N F Costa: Yes, Mr Speaker, I think the hon. Gentleman alights on the point, but for a different reason that I will tell him.

Yes, of course they keep files on all of these cases and this is the point. If they were to go
760 through the 550 cases he would not just receive information that said cardiology, urology, oncology – they would actually have specified the kind of treatment, the kind of surgical intervention. In other words, it would have been a huge task. If what he wanted to ask me were the general lines of medical inquiry – oncology, urology, cardiology – then of course that would be easily provided to him, Mr Speaker.

765

Hon. R M Clinton: Mr Speaker, I would be satisfied with that kind of data without having to go too granular. If he is able to provide that to the House I would be very grateful.

Mr Speaker, while I am still on my feet, coming back to the general thrust of the questions, the questions I have asked the Minister are not because I have any particular curiosity myself but these are questions driven from meetings with constituents who are expressing concern about the non-referral rate. I would ask the Minister, when he mentioned a change of process and that this Tertiary Referral Board came into being on 4th May 2017 ... The first question I have is why was there a change of process compared to what happened previously, what was it that happened previously, and does he think it is right that seven consultants, or hospital appointees by the Medical Director, should second guess a consultant?

Mr Speaker, I will read here extracts from a letter sent to a patient where there is a responsible consultant named:

The Tertiary Referrals Board met on [such a date]. Your consultant referred you to another hospital for further medical treatment and/or investigation. A letter of referral was presented to the board for consideration. The board has **not** approved this referral. This decision has been reached by a board of senior clinicians who have considered the information provided in the referral letter. After reviewing your case, the board has determined that this referral does not provide the optimum treatment for your condition and has asked your consultant to review your treatment plan in partnership with you. We have organised an appointment for you to see your consultant in clinic as soon as possible in order to explain to you what the new treatment investigation plan will be. You will be contacted with details of this appointment in the next few days. Your consultant may request that the board reconsiders the referral by updating the board on any further relevant clinical information. Finally, I wish to assure you that whereas this may not be the decision you wish to receive, the board has carefully considered this matter with your very best interests at heart.

Mr Speaker, my question to the Minister is a patient in receipt of this letter who may be suffering from a chronic medical condition is not asking for a Disney cruise, they are asking for medical treatment – and it is not even them who are asking for medical treatment, it is their consultant – so are we saying that the GHA consultants do not know what they are doing and have to go through another group of consultants to then say, ‘No, you’ve got this wrong, go back and try again’? In this process the patient is the one who seems to be none the wiser. Surely there must be a process whereby the consultant may at least have a peer-to-peer discussion before making a referral letter. Or is it that the consultant does not know what he is doing? In which case, we need better consultants.

There is something there that does not quite work, in my mind. Certainly, yes, in the UK – *(Interjection)* I beg your pardon? Yes. In the UK, certainly in hospitals, yes, there is a referral panel, but that tends to be at the GP level before they get referred to consultants. But once it gets to the consultant level, the consultant is the one who determines the treatment. What we have here, it would appear, is consultants determining the treatment and then being overruled by another set of consultants. Surely there has to be a way to overcome this kind of problem.

I come back to my question: why has the process changed? In terms of the interests of the patient, which ultimately is what we all care about, surely we can come up with a better process whereby patients are not subjected to this level of stress.

Thank you, Mr Speaker.

Hon. N F Costa: Mr Speaker, I think that the hon. Gentleman has become the greatest political social climber since Cinderella. I know that he wants to be the new Leader of the Opposition and he is therefore making political speeches.

Mr Speaker: I am trying to be liberal and allow hon. Members to have exchanges on matters which are of grave importance, particularly to people concerned, those who are ultimately sponsored patients. I have allowed the Leader of the Opposition to make a question lasting nearly five minutes. You all know what the Rules say, don’t you? And so we are debating, really; that is what is happening. So unless the Hon. Minister can answer also more succinctly, I suggest

that we carry on and that either the Government or the Opposition make it their business to table a motion, when you can have a proper debate on the issue.

810 **Hon. N F Costa:** Mr Speaker, the hon. Gentleman, in asking me his five-minute question, did present a whole series of inherent contradictions, which I will not address at the moment, but the point that he has to, I think, learn is this: if there were no quality controls within the GHA and if money was being spent willy-nilly, he would come to this House to accuse us of spending money without controls.

815 It is not at all unusual for one set of professionals to quality assure the work of another. If you go to any law firm or any other professional firm you have a firm of accountants and auditors – they come in and they check the work that is being done and they quality assure. A consultant will refer the matter to the Tertiary Referrals Board. This is one consultant, and therefore the Board will consider whether the referral is indicated at any particular moment. The consultant
820 may well have, without having to question the intelligence of the consultant or whether he knows what he is doing or not and all the disrespect that that entails ... is that he may have been unaware that, because of the pace at which we are repatriating services currently, that particular treatment is currently being provided by the GHA and that therefore the referral is unnecessary.

825 Mr Speaker, the TRB, in my estimation, has done an excellent job. There have been 550 cases only since May. Only 20% have been refused and, of that, alternative pathways have been referred. Therefore, if the Tertiary Referrals Board are there to ensure that the care of the patient is best provided and they are providing advice to the consultant of how best to achieve that, what is there to lose on the basis that 80% of all referrals are being approved and patients
830 are going to either Spain or the UK to receive their treatment? Quality assurance and quality controls are actually a very good thing.

Hon. D A Feetham: Mr Speaker, I agree with the hon. Gentleman that any system of public expenditure needs quality controls, otherwise you end up in a situation where the taxpayer ... at
835 the end of the day, everybody, including those who are being treated in hospitals, ends up overpaying.

But the problem here is – and I return to the initial exchanges which the hon. Gentleman and I had, which have been placed in sharper focus, some of those exchanges, by the exchanges now with the Hon. the Leader of the Opposition – in 2012 we were spending £3.6 million; by 2016 it
840 goes up to £15.4 million, over 400%; this year, in October, up to now, it is £4 million with £1 million in the pipeline. I would expect on those kind of projections that it is probably going to come in at about £6 million or £7 million at the most. That is half of what it was in 2016. Therefore, are we seeing a reaction to over-expenditure in the past and the turning on of that tap ... I hesitate, because he takes things very personally and I would not want to offend him, but
845 a reaction to that turning of the tap on to the 'on' position when the hon. Gentleman, *que es buena gente* but at the end of the day, when we are talking about public funds, had stewardship over his Ministry?

Hon. N F Costa: Mr Speaker, I wish that his estimates of expenditure were correct, but I think
850 I am afraid he is going to be off by around £7 million, so there is not going to be such a precipitous decline in expenditure from one year to the next. I wish he were right, but he is not right in that respect.

Mr Speaker, I did say this during the course of the Budget speech, accepting fully that it was a very long Budget speech, that we have been repatriating services to the GHA, as indeed my hon.
855 colleague did with oncology, and oncology is one of those services where we have had cases where people felt, I think understandably, very attached to their particular institution in either Spain or the UK.

So repatriation of services will mean that there are less costs for escorts, less costs for the patient, less costs in terms of transport and travel; and of course, very unfortunately, as a result of the unexpected collapse of Monarch Airlines, prices, as the House will know, have shot up, so what used to cost maybe £120 now may cost £1,000 return. So, unfortunately, his estimate is going to be even more way off because of that.

But no, Mr Speaker, what the hon. Gentleman is witnessing is simply a consideration of the contracts that we currently have with our private providers just to see that we get value for money. I have already said that we are actively engaged in that process and also that as we increase the number of services being provided in Gibraltar, even if we have to recruit two or three consultants to provide that service, it is going to be infinitely cheaper than the millions that we spend on transport and escort patients etc. That is why if hopefully we come down on sponsored patient costs it is only because we are providing more services locally.

Hon. D A Feetham: Mr Speaker, one final question. I do not know whether the hon. Gentleman has the information in front of him. I suspect that I know the answer, but are the ones that are being rejected referrals to the United Kingdom rather than Spain? I think that the logic of what the hon. Gentleman is basically saying, in terms of travel costs etc., is probably more applicable to the United Kingdom and elsewhere rather than Spain.

I ask this question because what we have seen ... if the hon. Gentleman looks at the answer that he gave me to Question 126, which is a breakdown of all the medical establishments and hospitals where people are being treated, in fact the numbers are static from 2015 to 2016 except for Xanit Hospital, where there is an increase in 2015 from 90 to 140 in 2016.

I just wonder whether there is a conscious policy of basically channelling many of these patients towards Xanit Hospital, to cut the costs in terms of travel etc., rather than the United Kingdom. Maybe I have got it entirely wrong.

Hon. N F Costa: Mr Speaker, the short answer is that I do not have the information as to what centres the Tertiary Referrals Board has not approved, although I suspect that it would be both from Spain and the UK because it would not make any difference whatever on whether somebody was referred. All that matters is whether the referral is clinically indicated – in other words, the patient requires the medical, surgical or clinical treatment – and whether it can be provided in the UK, Spain or Gibraltar. If it can be provided in Gibraltar then it will be provided in Gibraltar.

Mr Speaker: Any other supplementary? Short?

Hon. E J Reyes: Short and to the point, Mr Speaker.

In the Hon. Minister's answers he had to refer to the quality control and so on. May I ask the Minister: is he aware, or can he take it on board to look into, that the quality of the communication between the local medical services and the patient who is affected are top quality? The main concern coming from all the patients is the delays in being communicated that you are not able to go.

If I can give you one very brief example, a patient goes away from Gibraltar, is seen to and a consultant says, 'I want to see you back in six months' time.' When there is only one month left for that patient to go and they turn up at Sponsored Patients only then are they told, in a very casual and public conversation over the counter at St Bernard's, 'Oh, no, you're not going – you've got to be referred to the Board.' It comes as a shock to the system. That patient has been back in Gibraltar for five months and there seems to have been no follow-up. There *seems*, I am not saying there has not – at least, the patient is not resting assured that the best quality treatment is being given to him.

Is the Minister aware of that, or can he undertake to look into it, please?

910 **Hon. N F Costa:** Mr Speaker, we have already had this exchange across the floor of the House. Obviously, the Hon. Mr Reyes did not hear us.

I have explained now at least three or four times that some UK hospitals, instead of writing to the GHA, write directly to the patient, so it is not that the GHA decide in an unseemly public, inarticulate way to tell them when they arrive, it is just that we do not know, and as great as the
915 GHA staff are, they are not mind readers, and therefore, unless the patient who receives the letter from the UK or Spanish tertiary centre tells us the moment they receive it, we do not know. That is why. I have already had this discussion with other Members of the Opposition before.

Believe you me, Mr Speaker, if things were done differently, which is what the Tertiary Referrals Board, funnily enough, is achieving, and he has alighted on it but again through a different way ... is that there is a communication between the GHA and the referral centre, and therefore all communications are between us, as opposed to what used to happen before, only with some centres, that once the referral was made by the GHA they would write directly to the patient, thereby completely bypassing the GHA. Therefore, Mr Speaker, I want to assure the
920 hon. Gentleman and anyone who has been listening to this debate now for the fourth and the fifth time, that if they receive a letter directly from any centre from outside of Gibraltar they need to please tell us immediately so we can get cracking.

Hon. R M Clinton: Mr Speaker, thank you. I will be very, very brief.
930 I would be grateful if the Minister could indicate to the House whether the creation of the Tertiary Referrals Board was an idea that came from the Medical Director or was it his own.

Hon. N F Costa: Neither, Mr Speaker.

935 **Mr Speaker:** Next question.

Q634-639, 651 and 657/2017

Artificial limbs –

**Patients; GHA staff; sourcing; fitters and physiotherapists;
maintenance; amputees' clinic**

Clerk: Question 634. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, how many service users are in receipt of artificial limbs at 31st August 2017 are control scheme and for which limb?
940

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

Chief Minister (Hon. F R Picardo): It's costing an arm and a leg.

945 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I will answer this question together with Questions 635 to 639, 651 and 657.

Clerk: Question 635. The Hon. R M Clinton.

950 **Hon. R M Clinton:** Mr Speaker, I am sure the members of the public will be delighted to hear the Chief Minister's joke.

Who in the GHA is in charge of and qualified (*Interjection*) to attend to patients with artificial limbs?

Hon. Chief Minister: It's costing an arm and a leg.

Clerk: Question 636. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, from where does the Government or GHA source artificial limbs?

Clerk: Question 637. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, with which medical authority specialised in artificial limbs does the Government or GHA work in respect of orthopaedic fitters, prosthetic fitters and specialised physiotherapists?

Clerk: Question 638. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise how many service users are being provided with artificial limbs as at 31st August 2017; and, of those, how many are in respect of congenital deficiency and how many are amputees and for which limbs?

Clerk: Question 639. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, what is the Government's and GHA's policy in respect of the provision of artificial limbs and their maintenance?

Clerk: Question 651. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government explain why the amputees' clinic has been discontinued locally and what is the procedure for service users to access this service moving forward?

Clerk: Question 657. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, how much did the running of the amputees' clinic cost the taxpayer per financial year since April 2012 to date, and how many service users accessed the service per financial year?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I am afraid that I am unaware of what is meant by the term 'control scheme'.

Mr Speaker, the clinical management of patients with artificial limbs is conducted via a qualified multi-disciplinary team and co-ordinated by the GHA physiotherapy department.

The GHA currently accesses specialist orthotic services from two providers, namely Opcare Ltd in the UK and Clínica Ortopedia Poyatos in Malaga. Artificial limbs are sourced from the latter.

Mr Speaker, as at 31st August, 16 patients have been provided with prosthetics, all of which were in respect of lower limbs. There are no patients currently accessing GHA prosthetic services as a result of congenital limb malformations.

Mr Speaker, following amputation and on recommendation from the relevant multi-disciplinary team assessment, all patients requiring a prosthetic limb are provided with a suitable prosthesis by a qualified orthotics team. All prostheses are regularly reviewed and maintained.

Mr Speaker, the regular amputee clinic was discontinued locally, due to the professional qualifications of the prosthetic services offered by prosthetic technicians in Spain not being compatible with the qualifications recognised by the Medical Registration Board at the GHA, namely Health Care and Professionals Council registration.

1010 **Opcare UK** currently provide two clinical sessions per year in Gibraltar.

I am pleased to report to the House that currently there are no patients waiting for a prosthetic limb.

1015 Mr Speaker, the annual costs in relation to the running of the amputees' clinic is in the schedule I now hand over to the hon. Gentleman. These costs include all orthotic services, including the provision of prosthetic limbs. This information is commercially sensitive and should be kept confidential.

1020 **Hon. L F Llamas:** Mr Speaker, one supplementary with regard to the amputees' clinic. I understand the reason now for discontinuing the clinic; however, I am told that in servicing the artificial limbs, amputees have to travel to Malaga at the moment to undergo reviews and obviously this presents challenges to them, other than obviously having to lose a day out of their ordinary working day. Is this something that the Government is thinking of repatriating back to Gibraltar?

1025 **Hon. N F Costa:** Yes, Mr Speaker, absolutely. In the first place, as I said, Opcare UK currently provide two clinical sessions per year in Gibraltar, but we are most certainly looking at repatriating the services.

1030 **Mr Speaker:** Are there any other supplementaries arising from numerous questions. No? In that case I am happy we can move on to the next one.

Q648-649/2017

**Cardiac rehabilitation –
Referral of new cardiac patients; waiting list**

Clerk: Question 648. The Hon. L F Llamas.

1035 **Hon. L F Llamas:** Mr Speaker, does the Government, by way of policy, refer all new cardiac patients to the Cardiac Rehabilitation Unit?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

1040 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, the term 'cardiac patient' is very broad. Not all patients with cardiac – (*Interjection*) Oh, sorry, yes. I will answer this question together with Question 649. My apologies.

Clerk: Question 649. The Hon. L F Llamas.

1045 **Hon. L F Llamas:** Mr Speaker, can the Government provide details of how many persons are on the cardiac rehabilitation waiting list; and, if so, since when they have been on the waiting list?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

1050 **Hon. N F Costa:** Mr Speaker, the term 'cardiac patient' is broad. Not all patients with cardiac
disease have indications or are appropriate for cardiac rehabilitation. Therefore, and in answer
to the question, it is not the policy of the GHA to refer all cardiac patients. The practice is to
refer those patients who both have indication for and are assessed as appropriate to receive
cardiac rehabilitation. This can happen either way at the point of discharge from hospital, by a
1055 consultant cardiologist at clinic review or by the patient's GP.

Patients' enrolment in the cardiac rehabilitation programme is prioritised clinically. There is,
therefore, no defined waiting time for entry into the cardiac rehabilitation programme.

1060 **Hon. R M Clinton:** Mr Speaker, if I may just ask one supplementary on cardiac care. Again, I
ask a simple question, the Minister may or may not have the information to hand.

What is the head count of the cardiac rehabilitation unit? Or rather, how many staff does it
employ?

1065 **Hon. N F Costa:** Mr Speaker, I am afraid I do not have that information with me. You will have
to ask me again.

Hon. L F Llamas: Just one supplementary, Mr Speaker.

Then I take it, and I would like to confirm with the Minister, that there are no people waiting
to join the rehabilitation programme?

1070 **Hon. N F Costa:** Mr Speaker, there are eight patients on the waiting list.

Mr Speaker: Any other supplementaries? Next question, 652.

Q652/2017

Alzheimer and dementia residents – Level of care and access to amenities

1075 **Clerk:** Question 652. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, is the Government confident all Alzheimer and dementia
residents in the Elderly Care Agency receive the same level of care and have access to the same
amenities?

1080 **Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

1085 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, the Elderly Residential
Service consists of different long-term care units, which are currently Mount Alvernia, John
Mackintosh Home, Calpe and Cochrane Wards in St Bernard's Hospital and Hillside, which
caters exclusively for dementia patients.

Dementia, regrettably, is prevalent in our elderly residential population and therefore all
these units have patients with varying degrees of dementia.

1090 Each ERS unit has its own set of facilities and amenities and is run by qualified staff nurses
with specialist knowledge of dementia. All units provide the same ratio of staff per resident. All
the units have regular input from specialist doctors and consultant supervision from an elderly
care specialist.

All units have access to activity programmes and equipment for dementia patients. However,
depending on the particular unit, there are different levels of dementia support available and

the activities will vary. Outdoor facilities – garden, terrace, and patio – are available in all the units and the use of which is only limited depending on patient safety.

If the Elderly Residential Service Multidisciplinary Team considers that a patient's needs are best catered for in a different unit, there are mechanisms for transferring patients in between units.

Hon. L F Llamas: Does the Minister deem appropriate, perhaps, or even consider that moving forward it might be wise to consolidate these residents and provide a second specialised unit within Calpe? If you get all the residents who are scattered around the Elderly Care Agency and bring them all together, and ensure that there is the same sort of level of amenities and things as offered in Hillsides, which is obviously the top of the range at the moment, is that something that the Government would consider moving forward?

Hon. N F Costa: Mr Speaker, Gibraltar is blessed with many, many things. Land is unfortunately not one of them, so I do not think we will be able to find a plot of land or a building big enough to be able to centralise all the different John Mackintosh Home, Mount Alvernia, Hillsides, and the different wards which are situated in St Bernard's Hospital into one place.

If I may, I think that what the hon. Gentleman is trying to get at is whether I am satisfied that the amenities in the different places are to the standard of Hillsides. Now, Hillsides is, as he correctly says, a top-notch home, because it has just been rolled out. It has just been built, and therefore it will have a very new feel to it.

But in that respect, we do have funds available and we are replacing furniture as furniture breaks in different parts of our elderly residential units. We are replacing them with furniture that is always dementia friendly, so even if the elderly person who goes to that elderly residential unit does not live with dementia, he or she will nonetheless have that state-of-the-art furniture, because unfortunately as we live longer, sometimes persons who initially do not have dementia or who have low levels of dementia, may develop moderate to acute dementia.

So it makes sense to us that as the disease progresses, our elderly person is in a unit that has all of the most recent amenities.

Interestingly, he says to me that Hillsides is top of the range. I would agree with him, that it certainly is state of the art in terms of what a dementia home should be, but there have been cases in my experience where people do not want to go to Hillsides and want to go to Mount Alvernia or want to go to other wards. So it does depend as well on the views of the patient, sometimes initially but also family members.

Q654/2017

Children's primary care clinic – Government commitment

Clerk: Question 654. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, is the Government still committed to a primary care clinic, with dedicated GP resources, exclusively for children, with a dedicated waiting area for children and their parents only?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, yes. The Government is entirely committed to a primary care clinic with dedicated GPs for children, and we are planning in that respect, Mr Speaker, to revolutionise the care that we provide to children in Gibraltar.

1140 The Government, for the past 11 months has been working closely with the Medical Director and Senior Paediatric Clinicians in all departments to produce an integrated care of primary and secondary services to children in a family-friendly environment.

Q658/2017
Health and care wards –
Staff changes

Clerk: Question 658. The Hon. L F Llamas.

1145 **Hon. L F Llamas:** Mr Speaker, since December 2011, can the Government provide details of wards within the health and care system which has seen a change in staff complement including (a) date complement changed; (b) former grades complement; (c) post change grades complement; (d) ward?

1150 **Clerk:** Answer, the Hon. the Minister for Health, Care and Justice.

1155 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, in answer to this question, it is important to note that the schedule that I now hand over to the hon. Gentleman was comprised using a snapshot of staffing levels on one particular day, as statistics vary on a day to day basis, depending on annual leave, sickness, any other absenteeism or redeployment of staff for operational reasons.

Answer to Question 658/2017

Ward	Former staffing levels	Date	Amended staffing levels	Date changed
Dudley Toomey (Acute Surgical)	1 CN/ 7 RGN/5 NA	Dec 11	1 CN/6 RGN/7 NA	Dec 12
	1 CN/6 RGN/7 NA	Dec 12	1 CN/9 RGN/5NA	Dec 13
	1 CN/9 RGN/5NA	Dec 13	1 CN/6 RGN/2EN/4NA	Dec 14
	1 CN/6 RGN/2EN/4NA	Dec 14	1 CN/7 RGN/1 EN/4 NA	Dec 15
	1 CN/7 RGN/1 EN/4 NA	Dec 15	1 CN/8 RGN/1 EN/3 NA	Dec 16
	1 CN/8 RGN/1 EN/3 NA	Dec 16	1 CN/6 RGN/2 EN/6 NA	Oct 17
John Ward (Acute Medical)	1 CN/8 RGN/3 EN/3 NA	Dec 11	1 CN/7 RGN/2 EN/4 NA	Dec 12
	1 CN/7 RGN/2 EN/4 NA	Dec 12	1 CN/6 RGN/2 EN/4 NA	Dec 13
	1 CN/6 RGN/2 EN/4 NA	Dec 13	1 CN/8 RGN/2 EN/4 NA	Dec 14

	1 CN/8 RGN/2 EN/4 NA	Dec 14	1 CN/7 RGN/5 NA	Dec 15
	1 CN/7 RGN/5 NA	Dec 15	1 CN/7 RGN/6 NA	Dec 16
	1 CN/7 RGN/6 NA	Dec 16	1 CN/6 RGN/2 EN/6 NA	Oct 17
Captain Murchison (Elderly Ward)	1 CN/4 RGN/1 EN/7 NA	Dec 11	1 CN/4 RGN/ 2 EN/7 NA	Dec 12
	1 CN/4 RGN/2 EN/7 NA	Dec 12	1 CN/4 RGN/1 EN/6 NA	Dec 13
	1 CN/4 RGN/1 EN/6 NA	Dec 13	1 CN/3 RGN/2 EN/8 NA	Dec 14
	1 CN/3 RGN/2 EN/8 NA	Dec 14	1 CN/4 RGN/1 EN/8 NA	Dec 15
	1 CN/4 RGN/1 EN/8 NA	Dec 15	1 CN/2 RGN/ 2 EN/8 NA	Dec 16
	1 CN/2 RGN/2 EN/8 NA	Dec 16	1 CN/6 RGN/2 EN/7 NA	Oct 17
In September 2017, the ward was converted into a Rehab/Stroke care ward				
Rainbow Ward (Paediatrics)	1 CN/4 RGN/2 EN	Dec 11	1 CN/4 RGN/2 EN	Dec 12
	1 CN/4 RGN/2 EN	Dec 12	1 CN/5 RGN/2 EN	Dec 13
	1 CN/5 RGN/2 EN	Dec 13	1 CN/7 RGN	Dec 14
	1 CN/7 RGN	Dec 14	1 CN/7 RGN/2 EN	Dec 15

Ward	Former staffing levels	Date	Amended staffing levels	Date changed
Rainbow Ward	1 CN/7 RGN/2 EN	Dec 15	1 CN/6 RGN/5 EN	Dec 16
	1 CN/6 RGN/5 EN	Dec 16	1 CN/7 RGN/3 EN	Oct 17
Maternity Ward	1 CN/9 RM/2 NA	Dec 11	1 CN/6 RM/2 NA	Dec 12
	1 CN/6 RM/2 NA	Dec 12	1 CN/9 RM/3 NA	Dec 13
	1 CN/9 RM/3 NA	Dec 13	1 CN/9 RM/2 NA	Dec 14
	1 CN/9 RM/2 NA	Dec 14	1 CN/7 RM/1 NA	Dec 15
	1 CN/7 RM/1 NA	Dec 15	1 CN/7 RM/3 NA	Dec 16
	1 CN/7 RM/3 NA	Dec 16	1 CN/6 RM/2 NA	Oct 17
A&E	1 CN/5 RGN/4 EN	Dec 11	1 CN/8 RGN/2 EN	Dec 12
	1 CN/8 RGN/2 EN	Dec 12	1 CN/6 RGN/4 EN	Dec 13
	1 CN/6 RGN/4 EN	Dec 13	1 CN/9 RGN/1 EN	Dec 14

	1 CN/9 RGN/1 EN	Dec 14	1 CN/7 RGN/3 EN	Dec 15
	1 CN/7 RGN/3 EN	Dec 15	1 CN/9 RGN/2 EN	Dec 16
	1 CN/9 RGN/2 EN	Dec 16	1 CN/9 RGN/2 EN	Oct 17
CCU	1 CN/12 RGN	Dec 11	1 CN/11 RGN/1 NA	Dec 12
	1 CN/11 RGN/1 NA	Dec 12	1 CN/11 RGN	Dec 13
	1 CN/11 RGN	Dec 13	1 CN/10 RGN	Dec 14
	1 CN/10 RGN	Dec 14	1 CN/12 RGN	Dec 15
	1 CN/12 RGN	Dec 15	1 CN/11 RGN	Dec 16
	1 CN/11 RGN	Dec 16	1 CN/11 RGN/1 NA	Oct 17
Victoria Ward (Elderly Ward)	1 CN/7 RGN/3 EN/4 NA	Dec 11	1 CN/6 RGN/2 EN/5 NA	Dec 12
	1 CN/6 RGN/2 EN/5 NA	Dec 12	1 CN/5 RGN/3 EN/6 NA	Dec 13
Victoria Ward cont..	1 CN/5 RGN/3 EN/6 NA	Dec 13	1 CN/7 RGN/3 EN/5 NA	Dec 14
	1 CN/7 RGN/3 EN/5 NA	Dec 14	1 CN/6 RGN/6 NA	Dec 15
	1 CN/6 RGN/6 NA	Dec 15	1 CN/6 RGN/4 EN/3 NA	Dec 16
	1 CN/6 RGN/4 EN/3 NA	Dec 16	1 CN/6 RGN/2 EN/7 NA	Oct 17
KGV Acute	1 CN/3 RMN/3 EN/3 NA	Dec 11	1 CN/5 RMN/2 EN/2 NA	Dec 12
	1 CN/5 RMN/2 EN/2 NA	Dec 12	1 CN/4 RMN/2 EN/3 NA	Dec 13
	1 CN/4 RMN/2 EN/3 NA	Dec 13	1 CN/5 RMN/2 EN/2 NA	Dec 14
KGV Long Stay	1 CN/3 RMN/2 EN/5 NA	Dec 11	1 CN/5 RMN/1 EN/5 NA	Dec 12
	1 CN/5 RMN/1 EN/5 NA	Dec 12	1 CN/5 RMN/2 EN/4 NA	Dec 13
	1 CN/5 RMN/2 EN/4 NA	Dec 13	1 CN/4 RMN/3 EN/3 NA	Dec14
In 2015, the new mental health facility (Ocean Views) became operational due to the configuration of the building.				
PICU unit	1 CN/4 RMN/3 EN/3 NA	Dec14	1 CN/1 RMN/2 EN/2 NA	Dec 15
	1 CN/1 RMN/2 EN/2 NA	Dec 15	1 CN/1 RMN/2 EN/2 NA	Dec 16
	1 CN/1 RMN/2 EN/2 NA	Dec 16	1 CN/1 RMN/2 EN/2 NA	Oct 17
Horizon Ward	1 CN/1 RMN/2 EN/2 NA	Dec 15	1 CN/1 RMN/2 EN/3 NA	Dec 16
	1 CN/1 RMN/2 EN/3 NA	Dec 16	1 CN/1 RMN/2 NA	Oct 17

Dawn Ward	1 CN/1 RMN/2 EN/3 NA	Dec 15	1 CN/1 RMN/2 EN/3 NA	Dec 16
	1 CN/1 RMN/2 EN/3 NA	Dec 16	1 CN/1 RMN/2 EN/2 NA	Oct 17
Sunshine Ward	1 CN/1 RMN/2 EN/3 NA	Dec 15	1 CN/1 RMN/2 EN/3 NA	Dec 16
	1 CN/1 RMN/2 EN/3 NA	Dec 16	1 CN/1 RMN/2 EN/1 NA	Oct 17

Ward	Former staffing levels	Date	Amended staffing levels	Date changed
John Cochrane	1 Team Leader /7 RGN	Aug 15	1 Team Leader/6 RGN/1 EN	Aug 15
	1 Team Leader/6 RGN/1 EN	Jul 17	1 Team Leader/5 RGN/2 EN	Jul 17
Calpe Ward	1 Team Leader/6 RGN	Sept 16	1 Team Leader/5 RGN/ 1 EN	Sept 16
Jewish Home	1 Team Leader/ 5 RGN	Sept 16	1 Team Leader/4 RGN/ 1EN	Sept 16
1st Floor Mount Alvernia	1 Team Leader/6 RGN	Sept 16	1 Team Leader/5 RGN/1 EN	Sept 16
	1 Team Leader/5 RGN/ 1 EN	Jul 17	1 Team Leader/4 RGN/2 EN	Jul 17
2 nd Floor Mount Alvernia	1 Team Leader/5 RGN/1 EN	Jul 17	1 Team Leader/4 RGN/2 EN	Jul 17
3 rd Floor Mount Alvernia	1 Team Leader/8 RGN	Sept 16	1 Team Leader/7 RGN/1 EN	Sept 16
	1 Team Leader/7 RGN/1 EN	Jul 17	1 Team Leader/6 RGN/2 EN	Jul 17
4 th Floor Mount Alvernia	1 Team Leader/8 RGN/1.5EN	Sept 16	1 Team Leader/7 RGN/2.5EN	Sept 16
	1 Team Leader/7 RGN/2.5 EN	Jul 17	1 Team Leader/6 RGN/3.5 EN	Jul 17

Q660-662 and 644/2017
A&E staff, gynaecologists, ultrasounds, Hospice –
Staffing and waiting lists

Clerk: Question 660. The Hon. Ms M D Hassan Nahon.

1160 **Hon. Ms M D Hassan Nahon:** Does Government accept A&E staff assertions that low manning levels in the department are leading to poor quality of care and staff feeling burnt out?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

1165 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I will answer this question together with questions 661, 662 and 664.

Clerk: Question 661. The Hon. Ms M D Hassan Nahon.

1170 **Hon. Ms M D Hassan Nahon:** Can the Minister for Health state whether St Bernard's Hospital currently has an in-house gynaecologist or in-house gynaecologists to cater for the standard gynaecological appointments?

Clerk: Question 662. The Hon. Ms M D Hassan Nahon.

1175 **Hon. Ms M D Hassan Nahon:** Is Government satisfied with the waiting times for ultrasounds at St Bernard's Hospital?

Clerk: Question 664. The Hon. Ms M D Hassan Nahon.

1180 **Hon. Ms M D Hassan Nahon:** Will the Government be opening the Hospice they committed to be working on delivering with Cancer Relief as per its 2015 Manifesto?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

1185 **Minister for Health, Care and Justice (Hon. N F Costa):** Mr Speaker, I do not accept the premise of the hon. Lady's question regarding alleged staff assertions, of which I, for one, have not been made aware.

I can confirm that the A&E department is fully staffed, over and above the minimum recommended requirement. In fact, additional staff have recently been assigned to the department on 2nd April of this year, which has seen an increase of Sister/Charge nurses from one to three.

1190 Further, Mr Speaker, an experienced Senior Consultant has been recruited and is due to commence employment as from 13th November in the department, tasked with the overall management of A&E.

1195 As the hon. Lady may be aware from Press Release 533/2017, the A&E department has recently undergone a major expansion. The new area, fitted with the latest infection control furniture, includes five beds, a new nursing station with computer access and additional rooms and storage area. (*Banging on desks*) The department currently treats an average of 100 patients a day, which is a prominent increase in comparison to the number of patients treated when the new St Bernard's Hospital opened in 2005, where an average of 50 to 60 patients a day were treated at A&E.

1200 Mr Speaker, the GHA currently has a team of gynaecologists for all general gynaecological requirements in the community.

1205 Mr Speaker, the Government is constantly striving to improve access to GHA services and minimise waiting times for all patients. Urgent ultrasounds for inpatients continue to be performed within 24 hours. Urgent ultrasounds for outpatients are usually performed within three weeks.

1210 Since March of this year, waiting times for ultrasound services were recently reduced from 19 weeks to an average of 12 weeks, a reduction of over a third in terms of waiting times. A Radiographer has recently been tasked with conducting these services to assist in maintaining these reduced waiting times.

1215 Mr Speaker, the Government is at an advanced stage of discussion with Cancer Relief Trustees regarding the development of Hospice Services. I hope to soon be in a position to formally announce the next stage in the delivery of hospice care in Gibraltar in the new year.

1220 **Hon. Ms M D Hassan Nahon:** If I can take the supplementaries one by one, on Question 660, Mr Speaker, regarding the A&E staff assertions about low manning levels, I have heard these complaints from some members of staff themselves. Would the Minister continue to deny that these expressions are valid, because what we do not want in a department like A&E is to have serious incidents arising out of these low manning levels?

I appreciate the extensions, as he has just shown, but I am being told that at times there is only one A&E doctor on duty and it is something that I believe is relatively low and even dangerous. Can he expand on this?

1225 **Hon. N F Costa:** Mr Speaker, I do not want to enter with the hon. Lady into the usual discussion that we have about Standing Orders and as to whether we can comment on things that we hear from other people. I am not going to enter into it.

The hon. Lady is keen and fond of hearing things and then coming to me to tell me about them, and I have already referred her to the various Standing Order provisions which she
1230 breaches. I have already explained to her that if we were in this House to answer to every rumour, allegation and assertion made by people in the street, we would not leave this House.

Therefore it is important, I think, that the hon. Lady opposite, if she can, not come to this House with what she hears, as opposed to trying to verify what it is that she has said, or at least ask me in a different kind of way.

1235 I have read to her the answer, which is that since this year there have been two additional staff nurses engaged. That has gone from one to three. I have told her as well that we have engaged a senior consultant from the UK, who has links to Gibraltar, to lead the A&E department to be able to perform a review.

So, two additional staff nurses, which as the hon. Lady knows, is the top tier nurse. A
1240 consultant at A&E which I am told by the Medical Director has not existed before, and therefore there has been an increase in the complement of A&E.

Now is it possible that on any particular day, one doctor at A&E has because of sickness not been in and there has been a shortage of one doctor? That is entirely possible and plausible. But that does not mean that there is under-staffing or that the complement is down. The
1245 complement is up and therefore we are very gratified with that. I think that having a consultant from the UK who has led an A&E department in a place which I think would see quite good crime in the UK leading a Gibraltar A&E department, which thankfully sees accidents and emergencies that are not of the type that you can see in acute settings in the UK would be a very good thing indeed.

1250

Hon. Ms M D Hassan Nahon: So Mr Speaker, would the Minister want to reassure the doctors that the way they feel is not valid or justified; or will he just leave it as is?

Hon. N F Costa: Mr Speaker, I thought that she was talking of staff members; now she tells
1255 me that they are doctors – alright. I am in fluid discussion with the current head of A&E, Albrecht Kussner, who I have to say, Mr Speaker, is absolutely magnificent. He has no problem in telling me what he thinks at any time, so I can assure the hon. Lady that if there were to be an issue, he would tell me. But as I say, with the best will in the world, and even after we have the consultant A&E managing the department, and even if he were to increase the staff nurses from one to
1260 five, there will inevitably be a day or two where there will be a huge rush of patients at A&E, and on that particular day, unfortunately one doctor is on sick leave and has not turned up, and there is very little we can do to remedy that, other than being told and calling somebody to come in. As I understand it, every time there is such absence at A&E, or CCU or other wards in St Bernard's Hospital, they do call people to come in.

1265 Mr Speaker, the Hon. the Chief Minister is referring me to the 2011 Manifesto, where we said that we were committed to staffing in key areas and that there is a need for an A&E consultant which is a manifesto commitment that has now been completed.

Hon. Ms M D Hassan Nahon: Mr Speaker, regarding the question on the situation with the
1270 gynaecologists, I have received various complaints. I am actually a little bit confused as to what I am or what I am not allowed to bring to this House, because I think that people's testimonies are –

Mr Speaker: What the Rules require is that every Member should make himself or herself responsible for statements made in the House. So you make yourself responsible for what you say, or for what you are told.

Hon. Ms M D Hassan Nahon: I do make myself responsible for what I am told so therefore I do not think there is any harm in bringing these testimonies to the House – otherwise I do not know where we can get information, because actually when I have tried to get information from Government I have even gone as far as receiving an email recently from the Chief Secretary saying that Government workers are not even allowed to speak to me, so I don't know where I am supposed to get –

Mr Speaker: What elected Members are not supposed to do is to contact heads of Departments, senior civil servants directly. If you want information, you either get it from the Minister or you may, in certain circumstances write to the Chief Secretary to ask for information. But what you cannot do is to phone a civil servant or a top Government employee, a manager and ask for information behind the back of the Minister. That is not allowed and has never been.

Hon. Ms M D Hassan Nahon: Mr Speaker, that is fair enough, but I am bringing testimonies from constituents or members of staff, and I am also being told that again it is either 'rumourology' or I am not allowed to bring them here, so I am a little bit confused as to what I am entitled to talk about.

Hon. Chief Minister: Mr Speaker, if I can try and be of assistance to the hon. Lady, I think Mr Speaker has made very clear what it is that the hon. Lady can do with public servants. Public servants are not there to answer the hon. Lady's political questions.

But if she hears something on the street and she wants to bring it here, what the Rules say is that she must be responsible for that. So if you bring something here which you hear on the street and that is not a reliable place to hear things and to base political action on, Mr Speaker, what we are saying is that you are making yourself responsible for that. The person in the street says what they want – in other words, they say what might be third-hand hearsay. They say what may be one half of a story, because people in the street tend to tell politicians only that half of the story which suits them.

Usually what I would have thought would have been more appropriate and is the way that things have been handled hitherto – and I commend it not just to her but to all hon. Members – is that if you hear something, pick up the phone and call a Minister. The Minister may not be able to be on the phone immediately, but we will try and get back to hon. Members as soon as possible, alright? Say, 'Look, I have heard this – is this true; is this not true?' The hon. Lady will then get a reply, which will either justify what she has been told by telling her the other half of a story, or will give her the full picture and she might take the view that there is another issue to raise in this House; or indeed confirm a position. She is then able to come to this House with that full picture and say, 'Look, I heard this, and the Minister has told me it is true, and she told me this for this reason, and I think that is wrong for this reason.' There may be a disagreement and a good reason for asking a question.

There is nothing to stop the hon. Lady to come to this House and put to us what is put to her on the street. But very often that is just not going to lead to a debate – or a question and answer, because we mustn't debate – that is going to be edifying in any respect. It is just going to get her closer to reality and we can get to reality much more quickly, and then she can come here and make a political point about that reality, rather than simply hear us say, 'Well, look, that is what you may have been told in the street; but there was never a consultant before at A&E, it was our policy that there should be a consultant at A&E – how can that now be not

1325 enough consultants at A&E?’ and get closer to the nub of the issue and then ask a political question based on the nub of the issue.

1330 **Hon. Ms M D Hassan Nahon:** I am grateful for that explanation, Mr Speaker. I just find it a little bit odd how it is always assumed that I am bringing issues from the street and it is assumed that I am not making myself responsible. I make myself responsible for everything I say and to the credit of the Hon. Minister for Health, I do consult him a lot, and I do write to him with issues from constituents, and he is always very helpful. So I am saying that openly, but that when I come with issues I make myself responsible. I just want that to be known – not to assume that they are from the street or third-hand. (*Interjections*)

No, I didn’t!

1335 **Hon. N F Costa:** Mr Speaker, on a point of order. (**Mr Speaker:** Yes.)

Let’s just break this down. The hon. Lady asked me, ‘Does Government accept A&E staff assertions?’, right? Standing Order 17(1)(xiv) says:

a question shall not be asked as to whether statements [...] of private individuals [...] are accurate ...

1340 Therefore in my humble estimation, Mr Speaker, the question in fact is out of order, but the question has been permitted – entirely of course up to the Speaker’s discretion – and I have answered it, Mr Speaker.

1345 But the hon. Lady I think should be fair on us, because not only do I reply to her emails immediately, I always try to resolve her issues immediately, but also I am told that it has never been the case before that officials have briefed Members of the Opposition, and I have arranged for the hon. Lady to be briefed, because that is the sort of Government that we are – we are open, she has questions, and if we are not persuading her, for whatever reason, I have actually arranged for her to meet with my officials.

1350 So I think it is fair to say that the hon. Lady can ask me whatever she likes about anything at any time, and I will answer. But for the purposes of questions in this House, it is not appropriate to do so, Mr Speaker.

1355 **Hon. Ms M D Hassan Nahon:** Thank you for that. If I can just pick up on the issue of the gynaecologists, I was told just now that there does not seem to be an issue with gynaecologists but I am making myself responsible for having been advised that there is a huge backlog and that there have been some rather pressing issues with people who have not been seen and have had to go away from the hospital because of the lack of gynaecological medical doctors.

So I would like to know if there is a plan in place to add any number of gynaecologists and if this happens, will extra clinics be held in order to get rid of backlogs? Because I also understand that there is quite a significant backlog and many women are waiting to be seen.

1360 **Mr Speaker:** May I suggest that in that instance, what the hon. Lady should do is to ask a question. You ask the Minister, ‘Is there a backlog in respect of appointments to see a gynaecologist?’ instead of making a statement here in Parliament, for which you then have to ... you ask a question. You put the burden on the Minister to reply. Another question that you can ask: ‘What is the waiting time for patients to see a gynaecologist?’

1365 That is your job. Your job is to ask questions during Question Time. Other than that, you bring a motion and we have a debate. But what we cannot have is a debate during Question Time based on what the hon. Lady is being told by somebody, which she then repeats here and makes herself responsible for that.

1370 Ask a question: you will get an answer from the Minister.

Hon. Ms M D Hassan Nahon: Mr Speaker, I appreciate that, but from my information, the backlog is due to patients being told that there are no gynaecologists. This is why I bring up the question, 'Are there gynaecologists for standard appointments?'

1375

Mr Speaker: I have here in front of me the answer to Question 661 – I imagine that this is what the Minister said – 'The GHA currently has a team of gynaecologists for all general gynaecological requirements in the community.' That is what the Minister has said. I imagine it is true.

1380

Hon. N F Costa: Mr Speaker, for the hon. Lady's reassurance, there are 3.5 full-time equivalents – in other words, full-time persons and a part-time gynaecologist – and by 2018, in the first quarter, there will be four full-time equivalent gynaecologists.

There have always been three gynaecologists in the GHA since 2011.

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Hon. D A Feetham: Mr Speaker, may I? (**Mr Speaker:** Yes.)

Mr Speaker, just on that, may I draw the hon. Gentleman's attention to a question that I asked last month – it is Question 124/2017 – where I asked for waiting times for referrals from the primary care centre to the hospital and there the hon. Gentleman gave me an answer: the average waiting times for gynaecology is 16 to 20 weeks, which is in fact more than all the others.

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All the others are, for example, general physicians, 6 to 8 weeks; orthopaedic, 8 to 20 weeks; ear and nose, 5 to 10 weeks; paediatrician, 8 to 12 weeks. But for gynaecology it is 16 to 20 weeks. So it does appear that at least in relation to this particular issue, perhaps some of the things that the hon. Lady may be hearing with problems getting appointments may be reflected in fact in the figures.

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How can he explain, in the light of the answer about the resources, in this particular Department as to why the waiting times for gynaecology are more than all the others?

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Hon. N F Costa: Mr Speaker, I think that in the same answer, I told him that all urgent referrals continue to be within two weeks, and therefore if there is a diagnosis that requires urgency and emergency, the referral is done within two weeks. We are talking about routine referrals.

I have also told the hon. Gentleman that whereas since 2011, there were three gynaecologists; now there are 3.5 full-time equivalents. I have also told the House that as a result of the fact that I am not happy with the amount of time stipulated there, because as he rightly points out, there has been a continuing reduction trend in all specialisms, we are recruiting another gynaecological consultant to provide resilience to that list.

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Mr Speaker: Yes.

Hon. E J Reyes: Mr Speaker, may I, please be patient with me if I get something wrong, because there were many questions collated there.

Am I right, did I hear correctly, the Minister said that in respect to the A&E department, there were provisions for three sisters? And if that is correct, can the Minister confirm that the three posts can be filled in or are any of them vacant?

1415

Hon. N F Costa: Mr Speaker, it would be extremely mischievous and misleading of me to say that there are three staff nurses at A&E but in fact they are vacant! Of course they are there and working.

1420

Hon. E J Reyes: The words I used was 'three sisters', Mr Speaker.

Hon. N F Costa: Alright, if he does not like the old terminology: three charge nurses.

1425

Hon. Ms M D Hassan Nahon: Mr Speaker, I have an email here from a patient who even had to discharge herself from hospital, because there was no gynaecologist on top of her and she had two major cysts, 13 cm on each side, and ended up in Spain for treatment.

1430 So I do not know how the Minister can tell me that there is no issue in terms of the complement of gynaecologists, and I am happy to pass on this email, because the patient wants him to have it anyway.

1435 **Hon. N F Costa:** Mr Speaker, only the other day, the hon. Lady sends me an email; she writes to me to say, 'This is happening'; I see the email, I talk to my principal secretary – problem solved.

If there is an issue with this patient, she can tell me and I will look into it – but I cannot possibly comment on individual cases across the floor of the House! (*Interjection by Hon. Ms M D Hassan Nahon*)

1440 **Hon. Chief Minister:** He is not the gynaecologist!

Hon. Ms M D Hassan Nahon: It is retrospective – I did not know at the time. I have just received it after this happened, otherwise I would have sorted it out.

1445 This is a complaint that supports the point I am trying to make. I am not taking the advantage of somebody who I could have asked the Minister for help at the time. I did not know at the time. This has come to me after I put the question.

1450 **Hon. N F Costa:** Then why ask me now, across the floor of the House? Mr Speaker, it is just grossly unfair. I assist the hon. Lady with everything she gives me – *everything* – and she tries to embarrass me across the floor of the House by saying, 'But look at this!'

Mr Speaker: We are going to –

1455 **Hon. N F Costa:** If she only received it after the question, the hon. Lady should not have, on the floor of the House, in public, tried to embarrass me!

Mr Speaker: We are going to move on. That it. Next question.

1460 **Hon. Chief Minister:** Mr Speaker, can I just... in an effort to ensure that we do not this sort of spectacle again, if somebody is already *in hospital* – the hon. Lady has referred to somebody who is an in-patient in the hospital – with an existing medical problem – I assume it is not today, because the person is obviously on Wi-Fi and able to send her material –

1465 **Hon. Ms M D Hassan Nahon:** No, I have had this email for a couple of days.

Hon. Chief Minister: Well, in that case –

Mr Speaker: Hon. Members are going to sit down.

1470 I am getting a bit fed up and tired at the manner and way in which the Rules are being transgressed now. I have said that that is the end of that. We are moving on to the next question. (*Interjection by Hon. Chief Minister*) And let hon. Members take on board the reason why I am doing so. I do not want to have a repeat of this kind of spectacle again. It is not right that we should do so. Does the Hon. the Chief Minister not agree? Does he think he needs to add more to what I am saying?

1475

Hon. Chief Minister: Mr Speaker, I would be grateful if you indicated which of the Rules, I am transgressing, given that you have asked me to sit down. Which Rules did I transgress?

Mr Speaker: But is there any need for you to say anything else then?

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Hon. Chief Minister: Mr Speaker, I am trying to assist the House to ensure that this sort of thing does not happen again, so that the hon. Lady understands that if she has a live complaint from a patient, there are ways of dealing with that, which is not to put to the Hon. Minister that the things that he has said cannot be true, because there is one case where somebody has a gynaecological problem that has not been dealt with. We would want, for the purposes of this community, to ensure that if there has been such an issue, we understand why it arose, because if we have more gynaecologists than we have ever had before, and we think that we are able to refer people who need urgent emergency treatment more quickly than before – which is what the hon. Member has told the Hon. Mr Feetham is the case, in respect of urgent referrals which are being done within two weeks – how can there be an instance, if that is true that the hon. Lady has referred us to in the course of that email?

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Now, this is what I said to her earlier: very often, we only get half of the truth from a constituent – the truth as that constituent sees it. It may be that there is another half to the truth, or it may be that the constituent is absolutely and completely right, because medicine is not an exact science, and sometimes we find that we are not able to provide the care that we might like to see dealt with.

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But it is not something that we are able to resolve across the floor of this House, because this House at Question Time is not the Tertiary Referrals Board; it is not the board that is looking at the care of the individual in question. But we must be able to deal with it.

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Mr Speaker: The Chief Minister is perfectly right, and that is why I am saying let's move on to the next question.

Q663/2017
Hillsides Residential Centre –
Plans for zebra crossing

Clerk: Question 663. The Hon. Ms M D Hassan Nahon.

1505

Hon. Ms M D Hassan Nahon: Has Government got plans to – like it did with the Bella Vista Day Care Centre – implement a zebra crossing by the Hillsides Residential Centre as well?

Clerk: Answer, the Hon. the Minister for Health, Care and Justice.

1510

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, the Government does have plans to implement a pedestrian crossing at Hillsides, as it did at the Bella Vista Day Centre.

Senior officials from the relevant departments have been liaising these past months and proposals are being presented to the Traffic Commission for consideration.

ADJOURNMENT

1515

Hon. Chief Minister: Mr Speaker, I move that the House should now adjourn to Monday, 6th November at 2.30 in the afternoon.

Mr Speaker: The House will now adjourn to Monday, 6th November at 2.30 in the afternoon.

The House adjourned at 5.07 p.m.



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 2.45 p.m. – 4.04 p.m.

Gibraltar, Monday, 6th November 2017

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The Gibraltar Parliament

The Parliament met at 2.45 p.m.

[MR SPEAKER: Hon. A J Canepa GMH, OBE, *in the Chair*]

[CLERK TO THE PARLIAMENT: C McDonald Esq *in attendance*]

PRAYER

Mr Speaker

Congratulations to the Chief Minister on election as Bencher of the Middle Temple

Mr Speaker: Before we proceed with questions, I want to take the opportunity to congratulate the Chief Minister on his being elected as a Bencher of the Middle Temple. He is the second of Gibraltar's Chief Ministers to have been so elected, following in the footsteps of
5 Sir Joshua Hassan.

Congratulations, I am sure, on behalf of everyone. (*Banging on desks*)

Questions for Oral Answer

CHIEF MINISTER

Q696/2017

Gibraltar Private Sector Workers and Pensioners Association – Government decisions

Acting Clerk: We continue with answers to oral questions.

Question 696/2017. The Hon. Ms M D Hassan Nahon.

10 **Hon. Ms M D Hassan Nahon:** Has Government made any decisions yet in connection with the Gibraltar Private Sector Workers and Pensioners Association following the association's discussions with Government for the last six years and also following the general statements of the Chief Minister in his budget address of this year?

15 **Acting Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I am very pleased to be able to inform the House that the Trustees of Community Care have now informed the Government that, in coming days, they will be making a statement specifically on the additional financial support measures

20 for pensioners in order to ensure that the standard of living of such pensioners keeps up with the growth in the economy.

The reason the statement has not been made before today is that this question has been pending answer in this House.

25 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I appreciate that answer, but as the Chief Minister might understand, we have seen assurances twice in the 2011 manifesto, 2015 manifesto, we have had announcements in the Budget, we have had union representatives making announcements on *Viewpoint* and *GBC*, also announcements in the May Day Rally this year.

How can the Pensioners Association be assured that this time these announcements are for real and can we have any idea of an implementation date as well?

Hon. Chief Minister: Mr Speaker, I am sorry to say to the hon. Lady that she is woefully confused.

35 The announcements by the union leaders that she is referring to relate to the introduction of the principle of pensions in the private sector for those who are working now. That is completely different to the issue on which she has asked me a question, supposedly on behalf of the Gibraltar Private Sector Workers and Pensioners Association – incidentally an association that my Government is the only Government to have entertained and an association with which we have had a long association.

40 But it is true to say that we have not been able to make an announcement before. What I have said is that it is very likely that these payments would not be payments which the Government would be responsible for, that they would be matters that would be dealt with at Community Care.

45 We have had discussions with Community Care. I said I expected to say something in September, which has not been possible. She filed questions in mid-October. That stopped the clock because if we answer questions once hon. Members have filed a question, they get upset that things happen. So what I am saying to her is: the minute this session is over, I understand that the Trustees of Community Care are ready to make that announcement.

50 But it is not an announcement which relates to the issues which union leaders have been dealing with and have been raising in programmes and have made other announcements in relation to, which we are also progressing on. This is a separate issue. It is about existing pensioners, not future pensioners, who are receiving amounts which in many instances are even below the minimum wage.

55 **Hon. Ms M D Hassan Nahon:** Thank you, Mr Speaker.
Can the Chief Minister give us any idea of implementation dates?

60 **Hon. Chief Minister:** Mr Speaker, I always hesitate to deploy with her the sort of remark that I might deploy with others. But she should know that when it comes to Community Care, the Government is not in any control and therefore the Government is not going to be able to make a statement as to implementation.

65 The reason for that is not to try and avoid a question. The reason for that is not to try and avoid giving information to members of the Private Sector Workers and Pensioners Association for whom I have the very highest regard and who have done a magnificent job in advocating for those who might be less well-off in our community; but because Community Care is an independent charity. And if it were perceived not to be an independent charity, then what it does so successfully for Gibraltarian resident pensioners, it might not be able to continue doing.

70 **Hon. Ms M D Hassan Nahon:** Mr Speaker, can the Chief Minister give us any assurances that he may ensure that things move on as independently as he can from that further position once

he has told us that there will be an announcement? If we do not hear anything, can we hear something back from the Chief Minister?

75 **Hon. Chief Minister:** Well put it this way, Mr Speaker: the Chief Minister stands by what he says in this House. She is not going to get the opportunity to embarrass me by asking in Parliament next month whether what I said in answer to Question 696/2017 is going to materialise in December, instead of in November.

But the answer I have given her talks about the aspects of this that the Government had to deal with itself. That I have told her, in the context of this answer, has now been dealt with.
80 Action now moves to an independent third party, who must remain independent for the reasons I have already indicated.

Now, if she will excuse me for saying, if she stops playing to the gallery and lets things just play out in coming days, as this statement I have just read suggests, she might find that the Gibraltar Private Sector Workers and Pensioners Association are very pleased indeed with the
85 work that the Government has done on their behalf in the past six years.

Mr Speaker: The Hon. Roy Clinton.

Hon. R M Clinton: Thank you, Mr Speaker.

90 If I may ask the Chief Minister, the Scheme that is envisaged to be announced, is this going to be on the same form or structure as the previously discussed Universal Credit Scheme that was communicated to the Gibraltar Private Sector Workers and Pensioners Association?

Hon. Chief Minister: Well, Mr Speaker, I am grateful for that question from the person in a caretaker leadership capacity in the party that did not entertain them when it had the opportunity to do so as a government, because he too needs to understand that what I have said is that an announcement is going to be made by an independent third party. So therefore, it would not be an independent third party if I was making announcements on behalf of it in this House.
100

Mr Speaker: The Hon. Mr Feetham.

Hon. D A Feetham: Mr Speaker, just to be absolutely clear, Community Care is an independent charity, it is run by independent trustees and the Governments on both sides of whatever political persuasion throughout the years have always defended the independence of Community Care.
105

Therefore, although this is an announcement that the Chief Minister is making in answer to a question from the hon. Lady, just to be absolutely crystal clear, this is an initiative from independent trustees who have made independent decisions to effectively pay this money at this particular rate but it is not a decision that is a decision of the Government.
110

There might have well have been discussions in the background but this is an independent decision from independent trustees out of the resources of that particular trust.

Hon. Chief Minister: Mr Speaker, that is absolutely right and this is an issue that is very topical. In fact in the news overnight, people may have seen the issues that now surround Lord Ashcroft in respect of the management of a trust beyond the reach of the trustees who should be making independent decisions according to what we have read in some newspapers and seen on some television programmes.
115

That is why the statement that I have read simply says that I am very pleased to be able to inform the House that the trustees of Community Care have *informed* the Government, because a question has been asked of the Government and I sought their views, that they will be making an announcement about what they have agreed to be paying.
120

It is true that we have made representations to the trustees on behalf of the Gibraltar Private Sector Workers and Pensioners Association which the hon. Member will have heard me say before in this House, but I entirely support the way that he has phrased the independent decision-making which must occur in the context of this trust, Community Care Trust, as there must be independent decision-making in respect of every single trust. That is why, Mr Speaker, no GSLP Chief Minister will ever consider Community Care as a ticking time bomb or anything like that.

Hon. R M Clinton: Mr Speaker, just one final question on this. If for any reason the Gibraltar Private Sector Workers and Pensioners Association are not satisfied with the forthcoming announcement, to whom should they turn? Should it be the Government or Community Care?

Hon. Chief Minister: Well, Mr Speaker, it certainly should not be to the party that had the opportunity of assisting them when they were in Government and did not.

Hon. R M Clinton: Mr Speaker, I do not believe I had an answer to my question.

Hon. Chief Minister: Sorry, Mr Speaker. It certainly should not be to the party that had the opportunity of assisting them when they were in Government and did not.

Hon. R M Clinton: Mr Speaker, I know he may have been made a Bencher of the Middle Temple, but we are here in this Parliament and I have asked a very simple question on behalf of the people in this gallery – he does not even have to look at the camera; he can look at them directly. If he can turn to them and tell them, if they are not happy, who do they turn to?

Hon. Chief Minister: Oh I see, Mr Speaker, so the Leader – well, the putative or current or caretaker Leader – of the GSD has now taken to making representations for the Gibraltar Private Sector Workers and Pensioners Association, the group that they ignored when they were in Government. Well, I see.

Well, Mr Speaker, if that is the question, then what the Gibraltar Private Sector Workers and Pensioners Association know is that they can continue to turn to the only Chief Minister that has entertained them in the time that they have had an opportunity of doing something.

And I know that they are all there, they are very welcome, like every citizen of this nation, to come and see us and hear what we have to say, in particular when we are fulfilling our commitments to people – those commitments which we acquired when the party that he now leads failed to even meet them.

Mr Speaker: The Hon. Daniel Feetham.

Hon. D A Feetham: Mr Speaker, the Hon. the Chief Minister has indicated that the trustees of Community Care will be looking at 8% – sorry not 8%; 8% is the increase in GDP – increases in GDP. Does he know what would be the position, for example – or perhaps the discussions have not gone that far, bearing in mind that it is the trustees that make the decision – but if there is a slow-down in the economy and for example there is no economic growth, do we then envisage that there will be no increase in payments because of it?

Hon. Chief Minister: Mr Speaker, I am quite surprised that the hon. Gentleman who was Minister for Justice in the Government that did not entertain this collective is now pursuing what would happen in the event of the economy not growing, given that when the economy was growing, he as Minister for what must now be referred to as *injustice* failed to address the issue.

But, Mr Speaker, I think from my own logic, what would not make sense is that there should be any group that might see their rewards grow when others do not. So if the economy were not

175 to grow, therefore if inflation were to be at zero, for example – and growth in the economy can be measured in many different ways, but one of the ways in which it is also determined is if there is growth by way of inflation – and if state pensions did not grow, then it would be surprising to see other benefits also grow which related to pensions.

180 But that would not be a matter for me. He is asking me a question that I should simply have answered by saying it is entirely hypothetical because he is asking me in effect to do that which he warned me not to do, and put myself in the position of the trustees and make a decision for them, if only by way of indication, if not by determination.

In which case, if what he is asking for is by way of indication, not determination, that is hypothesis and that is not an appropriate question in this House.

185 **Hon. D A Feetham:** Mr Speaker, the hon. Gentleman, I have to say, even in my semi-retirement, manages to sort of lure me out of my semi-retirement state!

Hon. Chief Minister: Welcome back.

190 **Hon. D A Feetham:** Thank you very much.

Mr Speaker, there is and this is precisely part of why I asked the question that I asked ...

The hon. Gentleman has stood up; he has on the one hand attempted to claim credit for this initiative by answering the question from the hon. Lady. And then on the other, he has said, as must be the case, because it is the trustees of Community Care of course – it must be the position – it is not the Government's decision; it is the decision of Community Care.

195 So he cannot have it both ways. He cannot claim credit and say, 'Because I have entertained and I am the one that should be gaining the credit for this – but it is a decision that has been taken by the trustees of Community Care.' If it is a decision of the trustees of Community Care, it is a decision of the trustees of Community Care.

200 But he is wrong, Mr Speaker. He is wrong in his analysis and there is a serious point – forget about all the political toing and froing, there is a serious point here – and it is this: that you can have a situation where you can have rampant inflation, for example, and an economy that is contracting. You could have that kind of situation.

205 I am just trying to drill down into what would happen – now if he does not have the answer, he does not have the answer – but what would happen if there is a contraction in the economy but there is a growth in inflation and therefore effectively these individuals would be losing out – losing out because the economy contracts, but also losing out because inflation increases. I just wonder what the position would be in that situation.

210 **Hon. Chief Minister:** Mr Speaker, I miss him so much. *(Laughter)* I never thought I would, I really never thought I would.

Mr Speaker, I miss him because he manages to conflate and not clarify, in the process of seeking answers to questions.

215 There is a very important point here and the very important point, Mr Speaker, is that there are people in our community who do not have pension provision made available to them which allows them to have a dignified retirement. That was the point that was made to me in 2011 and that is the point that I have analysed with the Government in Cabinet and that is the issue which I told the House before we would be making representations to Community Care about. And that is what Community Care have now, as a result of those representations, told us that they will seek to address in a statement that they are about to make.

220 Now, what the hon. Gentleman is asking me to do is to look forward to a situation which has not occurred and say how it will be dealt with. That is a hypothetical question. It is a question, Mr Speaker, that is not in order under the Rules.

225 But I will tell him, Mr Speaker, why it is also in my view, not a relevant question. Because in Gibraltar, at least in the time that I have been in office and indeed in the time that my

predecessor as Chief Minister was in office, state pensions have always grown by the rate of inflation, not with a view to the growth of the GDP.

230 So, Mr Speaker, looking into the future is a mug's game and I will not do it. But by looking at the past, I can tell the hon. Gentleman that everything that relates to pensions in this community has gone up based on the growth of inflation, not on the overall growth of the economy.

235 **Mr Speaker:** May I point out to the Chief Minister that during the years when I was in Government, state pensions, old age pensions, were increased in accordance with the increases in average earnings. Just for the record – nothing to do with inflation.

Hon. Chief Minister: Thank you, Mr Speaker.

240 I was not around then and I do not want to debate with you but those who were seem to recall that there might have been some instances where that was not quite the case, but we are not here to debate; it is Question Time.

Mr Speaker: Next question.

Q671/2017

**Emergency Services hub at Rooke site –
Government intentions**

245 **Acting Clerk:** Question 671. The Hon. R M Clinton, on behalf of the Hon. E J Phillips.

Hon. R M Clinton: Mr Speaker, can the Government confirm that it intends to create an Emergency Services hub at the Rooke site?

250 **Acting Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, this continues to be one of the opportunities potentially available.

255 **Hon. R M Clinton:** Mr Speaker, just by way of clarification, would the Chief Minister then confirm that there is a project or there are plans certainly to move at least the Fire Brigade to another location?

Hon. Chief Minister: There is a similar question in the Order Paper later on, Mr Speaker.

Q673/2017

**Bus fleet purchase agreement –
Expiry date on buy-back clause**

260 **Acting Clerk:** Question 673. The Hon. T N Hammond.

Hon. T N Hammond: Mr Speaker, can the Minister say if there is an expiry date in the purchase agreement for the bus fleet of the buy-back clause and if so, when that date is?

265 **Acting Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, there is no expiry date.

Q674-675, 693-695/2017

**Fire Station; GBC; roof gardens; amphitheatre; domiciliary care –
Government plans**

Acting Clerk: Question 674. The Hon. T N Hammond.

270

Hon. T N Hammond: Mr Speaker, when does Government intend to move the current City Fire Brigade Fire Station as proposed in its 2011 manifesto and to what location?

Acting Clerk: Answer, the Hon. the Chief Minister.

275

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer this question together with Questions 675 and 693 to 695.

Acting Clerk: Question 675, the Hon. T N Hammond.

280

Hon. T N Hammond: Where does Government intend to move GBC to as proposed in its 2011 manifesto and when does it consider that the move might take place?

Acting Clerk: Question 693, the Hon. L F Llamas.

285

Hon. L F Llamas: Mr Speaker, can the Government explain why the roof garden displayed in their 2011 manifesto on affordable housing projects never materialised and confirm if they intend to provide roof gardens in the affordable projects recently announced where artist's impressions provide these?

290

Acting Clerk: Question 694, the Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, does the Government intend to construct the 400 outdoor amphitheatre promised in their 2011 manifesto?

295

Acting Clerk: Question 695, the Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, will the Government be expanding domiciliary care to include cooking, shopping and household chores as promised in their 2011 manifesto?

300

Acting Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, Questions 674, 675 and 693 to 695 relate to manifesto commitments of the GSLP Liberals for the 2011 General Election.

305

As a matter of principle, the Government will not subject itself to examination by the hon. Members about pre-Election facts and periods because in a democracy elections renew the mandate of the Government and they draw a line under the arguments of the Opposition up to that date because the electorate have expressed their judgement on those political arguments.

310

Hon. T N Hammond: Mr Speaker, from that answer, can I just confirm with the Chief Minister that therefore all, or any, of the *many, many many*, non-delivered commitments of the 2011

manifesto will now not be delivered or that the Government will not in any way be accountable for their delivery, including the move of GBC and including the move of the City Fire Brigade?

315 **Hon. Chief Minister:** Is that despite having seen the expressions of interest announced in *The Chronicle* a couple of weeks ago, Mr Speaker?

Hon. T N Hammond: I do not think that answered the question, Mr Speaker.

320 **Hon. Chief Minister:** Mr Speaker, the hon. Gentleman has seen in the local press that there is an advertisement in respect of the relocation of GBC. So is he asking me the question in light of that public statement which he will have seen in the local press?

325 **Hon. T N Hammond:** Mr Speaker, I have not seen that advertisement in the local press and I do not know if that advert went out after this question was submitted or not. But perhaps the Chief Minister could clarify where it is the intention to move GBC, which is the nature of the question.

330 **Hon. Chief Minister:** Well, Mr Speaker, I am not here to answer questions about things which are public and the hon. Gentleman is expected to at least keep up with the local newspapers, Mr Speaker. And there has been an advertisement in the local press, not when hon. Members filed questions – it was not a statement; it was an advertisement seeking expressions of interest for a particular site in Gibraltar, including for the relocation of GBC.

335 Now, it is really quite something if a Member of Her Majesty's loyal Opposition does not read the papers, Mr Speaker.

Hon. T N Hammond: Mr Speaker, with regard to the City Fire Brigade, is it the intention to move or has an advert gone out in similar vein, because I missed that one as well.

340 **Hon. Chief Minister:** Well no, Mr Speaker, he did not miss an advert; he missed an answer a moment ago. Because the hon. the current acting Leader of the Opposition – let me rephrase that. The hon. the current Acting Leader of the current Opposition –

Mr Speaker: Let me clarify the position.

345 As far as I am concerned and therefore, in consequence Parliament, when the Hon. Daniel Feetham resigned as Leader of the Opposition, I was asked by the majority Members of the Opposition of the GSD to recognise the Hon. Roy Clinton as Leader of the Opposition.

Consequently we have recognised him here in Parliament and he is being therefore paid by the Treasury the appropriate allowance in respect of that.

350 So as far as I am concerned, until I am told otherwise, Mr Roy Clinton is the Leader of the Opposition.

Hon. Chief Minister: Except, Mr Speaker, he has referred to himself as caretaker and acting. But I have no problem, Mr Speaker, let me put it this way. The current Acting Leader of the GSD, his party, has just asked me a question about the emergency services hub at Rooke and I have just given him an answer about that.

He did not even have to read the papers – just had to keep his ears open.

360 **Hon. T N Hammond:** Yes and, Mr Speaker, I believe part of that answer was that there is another question on the Order Paper, which was specifically about the City Fire Brigade, not an emergency services hub.

So I am talking about the City Fire Brigade which was specifically committed to in the 2011 manifesto for it to be moved to another site.

365 Now, the other question I do understand, refers to an emergency services hub, I can see the
two could go together. However, that was not clear and when the Hon. the Leader of the
Opposition asked a follow-up question specifically to the City Fire Brigade, the Chief Minister
replied, there is a further question in the Order Paper referring specifically to the Fire Brigade,
which is why I am now asking questions specifically about the Fire Brigade, because it does not
necessarily follow that an emergency services hub would contain the City Fire Brigade, although
370 of course it may do.

Hon. Chief Minister: It would.

Hon. L F Llamas: Mr Speaker, the reason why I asked questions about the 2011 Manifesto is
375 because the Government at the time gave the undertaking in the manifesto that they would
complete their manifesto commitments within the four years.

However, there is part of one of the questions which is to do with the current manifesto and
the plans that have been recently announced to do with the housing projects, whether those
gardens, the roof gardens which did not materialise in the 2011 affordable projects – the
380 affordable projects done in the first term of office and we did not see them transpire – if those
will be happening, given that they have been shown once again in artist's impressions and they
did not materialise in the last parliamentary legislature?

Hon. Chief Minister: Well, Mr Speaker, the hon. Gentleman told us in this House last time we
385 were here, in a debate on matters relating to self-determination that he continued to be a
disciple of Sir Peter Caruana and some of the things that he had set out when he was Leader of
the GSD.

What I have read out to him, Mr Speaker, about how you account in this House is *word for*
word Peter Caruana in answer to Question 627/2007. It is actually vintage Caruana if you had
390 seen the performance on the day and the hon. Gentleman, as an admirer of my predecessor, the
former Chief Minister, would have enjoyed being in this House when he uttered those words.

So, Mr Speaker, in relation to the 2011 Manifesto, we have the obligations that we have. I
think it is clear that we are continuing the process of delivering, but in relation to the current
housing that the hon. Gentleman is talking about, all that we have seen at the moment are
395 outline designs, more about massing and look. It is not clear yet whether those will be the final
architect's designs.

But if he looks at the architects designs announced at the time that the projects got
underway under the last manifesto, they have been built exactly as those who were purchasers
and saw the designs actually were led to believe at the time that they bought.
400

I would say something else in that respect, Mr Speaker, if he cares to look again, because he
is obviously the person to have most recently read it from cover to cover, at our 2011 New Dawn
manifesto he will see that Mons Calpe Mews has been built identically, almost, to the images
that appeared in that magnificent manifesto for the 2011 General Election, which I am reminded
we were in the process of fighting this month six years ago.

Q676/2017
Gibraltar Development Plan –
Plans to revise

405

Acting Clerk: Question 676. The Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, are there any plans to revise the Gibraltar Development
Plan?

410 **Acting Clerk:** Answer, the Hon. the Chief Minister.

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

Hon. D A Feetham: Mr Speaker, can the Hon. the Chief Minister give an indication of when
415 the exercise of revising the Gibraltar Development Plan will be completed?

Hon. Chief Minister: No, Mr Speaker, I cannot give an indication.

Hon. D A Feetham: Can he at least inform the House as to whether the Gibraltar
420 Development Plan will be binding upon the Development and Planning Commission?

Hon. Chief Minister: Mr Speaker, the position in respect of the Development Plan will
continue to be the same under the current legislation, whether it is reviewed or not reviewed,
and under the new legislation, provision will be made in relation to Gibraltar Development Plans
425 which is set out in that legislation. I have seen a draft and I expect it will be published shortly.

Hon. D A Feetham: Yes, thank you very much for that answer, but can he give any
information as to whether there will be a tightening up of a requirement that the Development
and Planning Commission basically adhere to the Gibraltar Development Plan.

430 I mean, there is a considerable amount of concern, certainly the people that I have spoken to
from the Heritage Trust and indeed others, that there are a number of developments that have
been built or are planned to be built, particularly within the walls of Gibraltar, that have been
given the go ahead by the Development and Planning Commission that do not comply with the
Gibraltar Development Plan and that it is important that there be clarity as to the legal status of
435 the Gibraltar Development Plan.

There is a school of thought for example that suggests that the Gibraltar Development Plan at
the moment is binding. I know that the Government and certainly the Development and
Planning Commission take a different view. But is there going to be clarity in relation to that and
a tightening up of the requirement that the Gibraltar Development Plan be adhered to?
440

Hon. Chief Minister: Mr Speaker, that is a matter that will be clearer when the Bill is
published. There has been already a Command Paper which has led to a considerable number of
representations made to the Government, the Government will publish a Bill that will take into
consideration those of the representations which we have believed to have merit.

445 But all of these concerns, of course, Mr Speaker, that the hon. Gentleman refers to, do not
equate to the considerable relief that is expressed to the Government by those who are very
pleased indeed that the DPC now sits in public, that it publishes its minutes and that the debates
of the DPC can be attended by any member of the public, and indeed that members of the
public can make representations if they wish to object to a particular development because it
450 contravenes the Development Plan, the current GSD Development Plan which, from memory, I
think was developed almost more than a decade after they took power.

And, Mr Speaker, all of that I think demonstrates that there is a better opportunity today to
give vent to those concerns in the context of decision-making in front of the DPC than was the
case when the DPC met secretly under the administration that he was a member of and did not
publish its minutes.
455

But if I may end on a more conciliatory note, Mr Speaker, I recall that in my early days of
becoming politically aware, there were a raft of articles in a publication now defunct called *The
Democrat*, I believe, which related to just this issue of the Development Plan. In particular in
relation to a development over Rosia Bay, which I think became known as Rosia Plaza, and there
460 one particular practitioner from a firm he used to practice in set out in great detail in those
articles his in-depth knowledge of planning law and whether or not the plan should be binding

or not. I think that might have been – talking totally from memory – 1986 or 1987. It is a debate that has run and run and I expect that the Bill, when published, will deal with it.

Q677/2017
Official travel of Ministers –
Policy on air miles

465 **Acting Clerk:** Question 677. The Hon. D A Feetham.

Hon. D A Feetham: Thank you very much. What is the Government's current policy in relation to who should have the benefit of air miles accumulated as a consequence of the official travel of Ministers?

470

Acting Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the position of the Government is set out in the Ministerial Code.

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Hon. D A Feetham: Mr Speaker, it is a Ministerial Code that as I understand it is still not effective.

 Now of course, again not wishing to become unduly belligerent in my semi-retirement state, can I say that of course I recall, and he must recall as well, that when he was on this side of the House, he would almost – well it was not monthly, but every time that we had a session of Parliament, he would ask about this particular issue because he felt it was an important one.

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 And therefore, six years on, when can we expect that the hon. Gentlemen opposite take a leaf out of the Hon. the Chief Minister's discourse when he was on this side of the House and ensure that air miles that are accumulated as a consequence of ministerial travel go effectively for the benefit of the Taxpayer?

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Hon. Chief Minister: *Already*, Mr Speaker, is the answer to that question, because that is the way in which this Government has behaved, even before we published the draft Ministerial Code, which I consider to be binding as far as I am concerned and indeed I think colleagues take the same attitude.

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 But in relation to this, as I said in Question 695/2008 to the then Chief Minister, I think the Taxpayer is entitled to the credit for the miles that are paid for by his/her pounds, shillings and pence and that is how we have acted from the moment that we were elected.

 But not every airline gives air miles, Mr Speaker, and Ministers now do not ensure, as they might have done in the past, which he might remember was also one of my bug bears, that they fly with the airline that gives them miles even if it is more expensive for the Taxpayer simply because they are then able to spend them for themselves and their family, as was the case, Mr Speaker.

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 He will recall me saying, in the time that he was a Minister in the former Government – although I do not know what he uses his air miles for – but there was one particular individual who I was very fond of, Mr Speaker, although he was on the other side of me, who was notorious for the collection of air miles, the spending of air miles on his own family's travel and indeed, Mr Speaker, other practices in relation to travel which I will not deal with in the context of this answer.

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 But he can rest assured that I acted in keeping with my own views from the minute that I was elected in relation to this matter.

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Hon. D A Feetham: Well, Mr Speaker, I am very glad to hear that and indeed therefore, the answer to the original question, it had nothing to do with the Ministerial Code because the Government as I understand it, all the Ministers that is the answer that the hon. Gentleman, correct me if I am wrong, all the Ministers of the Government have acted in accordance with that policy since they were elected in December 2011.

Hon. Chief Minister: Mr Speaker, that is a discussion we had in Cabinet and the position we took in Cabinet.

By the way, Mr Speaker, we had that discussion reminding ourselves of what we called the 'lack of shame' of practices before our time.

Q678, 686-689/2017
Civil Service recruitment –
Grades, promotions, sub-contracts, vacancies

Acting Clerk: Question 678. The Hon. D A Feetham.

Hon. D A Feetham: Mr Speaker, further to the answer to written question W119/2017, can the Government please explain why the recruitment process for those AA vacancies is still on hold?

Acting Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer this question together with Question 686 to 689.

Acting Clerk: Question 686. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, will the Government consider whilst it considers whether or not it is going to recruit AAs in the Civil Service of ensuring the persons who are covering these positions from recruitment agencies receive the basic scale of the post they are covering and the minimum leave entitlement of civil servants?

Acting Clerk: Question 687. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide a schedule with sub-contracted workers in the public sector including (a) since when has the person been sub-contracted; (b) reason for cover; and (c) the Department providing services for?

Acting Clerk: Question 688. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide a schedule of officers in the public sector who were temporarily promoted including (a) the grade the officer holds; (b) the grade the officer has been temporarily promoted to; (c) date of temporary promotion; and (d) the department.

Acting Clerk: Question 689. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, can the Government provide a schedule of vacant posts in the public sector including (a) grade; (b) dates since when the post has been vacant; and (c) the department.

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Acting Clerk: Answer, the Hon. the Chief Minister.

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Chief Minister (Hon. F R Picardo): Mr Speaker, the GSLP Liberal Government is committed to maintaining the number of civil servants at the level at which the previous Government had left it in December 2011.

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Between 2011 and 2015 the numbers were increased, not as a result of representations from the staff side, in the majority of cases, but in order to meet the demands created by the implementation of Government manifesto commitments and other policy decisions. These additional Civil Service numbers are spread over the whole of the service and are therefore above the threshold inherited in 2011.

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As has been repeatedly stated, the Government is now undertaking an efficiency review in the light of changing working methods and technology, in particular the introduction of e-government which requires less manual processing of paperwork. The vacancies are therefore on hold to be reviewed once we see the effect of the implementation of the changes in technology.

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Given that the GSD and in particular the former Leader of the Opposition regularly criticised us for having invested in and grown the size of the Civil Service, it is incomprehensible that he should now, in the light of his alleged impending departure from this Parliament, be pressing for positions to be filled when they became vacant. Indeed, I memorably recall, Mr Speaker, statements that, in the GSD's view, the Civil Service was bloated.

It is really quite remarkable, therefore, that they should now seemingly be asking us to further increase the numbers, unless they have changed their position on this also in the past few months.

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As regards the rate of pay of supply workers, this is determined by the recruitment agencies that provide these workers; they are not employees of the Crown and will not be paid Civil Service salaries.

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In fact, Mr Speaker, quite recently I recall the acting caretaker Leader of the Party opposite and Leader of the Opposition, saying 'Civil Service pay is not based on merit. There is no merit in it at all. There is just relativity', he said.

The Hon. Mr Llamas, having been a civil servant, knows that prior to 2011, shortages in Departments were not provided with supply staff. Departments were therefore expected to cope with shortages with the existing staff remaining. They had to cover the work of absent colleagues themselves or have individuals temporarily allocated to the departments where shortages were greatest.

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Mr Llamas will also know that the introduction of supply staff was an initiative of the GSLP/Liberal Government in order to ease the pressure on civil servants in departments that were experiencing staff shortages for a variety of reasons.

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I am not sure if this innovative and positive introduction of temporary cover is one of the things he was on about, when he said almost exactly two years ago that he had seen things in the Tax Office that worried him so much that he decided he had to stand for election with the party he has since left!

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There is, of course, no shortage of candidates – if you will excuse the pun – for the supply list, given that being employed in the provision of supply services greatly improves the prospects of recruitment when vacancies arise. The experience gained is also useful when applying for vacancies that arise in the private sector.

The public sector as a whole includes the Civil Service and the employees of Government agencies, authorities, companies, etc. but does not have a complement of posts in the way the Civil Service itself does. As a result, there are no vacant posts as such.

That is to say, if one employee moves from one agency to another agency, authority or company, or within the departments of any such entity, it is not the case that he or she leaves behind a vacancy that requires filling.

This was in fact one of the great disadvantages that the GSD under Sir Peter Caruana put forward at the time that it decided to fragment the unified Civil Service and convert it into a range of different employers as separate Government agencies, authorities and companies.

The Hon. Mr Llamas has said that he still believes in the positions set out in a whole host of issues as set out by Sir Peter. I am, sure, therefore that the fragmentation of the Civil Service which I have alluded to must have enjoyed his support.

This Government believes that that fragmentation ushered in by the GSD has led to diseconomies of scale and ways are being explored of addressing and correcting this problem through the efficiencies which I have referred to at the beginning of this answer.

As regards the Civil Service positions, I will write to the hon. Gentleman in coming days to provide the figure requested.

Hon. D A Feetham: Mr Speaker, I have to say that I do not know who is the greatest disciple of Sir Peter Caruana – the Hon. Mr Llamas or the Hon. the Chief Minister! Today I have seen something that I did not think I would ever see and that is, quoting word for word an answer that Sir Peter had given when he was there and he prays in aid of that answer in order to answer us a question from this side of the House.

Mr Speaker, the reality in relation to the question that I have asked, the AA vacancies – and I am not commenting one way or the other about whether they should be filled or whether they should not be filled; I am asking a specific question about Government policy in relation to those vacancies – but the reality is that shortly before the General Election in 2015, the Hon. the Chief Minister made public statements and, if I may say, made a considerable song and dance about the fact that those AA vacancies had come out and that they were going to be filled and that here you had a situation where ‘This nasty Opposition, led by Daniel Feetham, wants to contract the Civil Service, whereas here we are in Government, led by me and we are releasing these vacancies.’

Now, that was over two years ago, because I think these particular vacancies, if my memory serves me right, were advertised either before December 2014, or just after December 2014. Therefore I think that the public deserve an answer as to how long at least will the process take for these efficiencies, so that we know one way or the other whether these vacancies are going to be filled.

Mr Speaker, may I also say this: that the position in relation to the public finances of Gibraltar and in relation to whether those public finances could stand increases in the Civil Service have been well known well before the 2015 election. The question therefore arises as to whether the Chief Minister was entirely candid with those people who were invited to apply for those AA vacancies just before the 2015 election.

Hon. Chief Minister: Well, Mr Speaker, a very nasty Opposition it was too – very nasty, Mr Speaker. *(Interjection)* So nasty in fact, Mr Speaker, that it made some of the elderly residents in our community fear for their savings in the Gibraltar Savings Bank because of investments that that bank or lending that that bank had done through Credit Finance. *(Interjection by Hon. D A Feetham)* No, no, Mr Speaker, I am sorry the hon. Gentleman raised the issue of public finances before the election and accused me of not being candid. I am going to deal with that point.

Mr Speaker: Briefly.

Hon. Chief Minister: And the lending that Credit Finance Company Limited had done to the Sunborn, Mr Speaker, which hon. Members said was a huge gamble that could go wrong,

Mr Speaker. I have not heard them say the word 'Sunborn' since that company announced that it had repaid Credit Finance entirely. (**A Member:** Hear, hear.) So, Mr Speaker, people will be putting the nastiness of that Opposition into its proper context, Mr Speaker.

660 But, Mr Speaker, it is true that I have quoted on two occasions Sir Peter Caruana as authority for a proposition in this House. I have done so advisedly, (*Interjection*) of course, because I am facing, in the context of *this* question in particular, the hon. Gentleman Mr Llamas who has said only in the previous meeting that he continues to believe in a place of hope called Peter Caruana and the way he used to do things, and I am dealing with the hon. Gentleman who is reputed to have said that Sir Peter Caruana was the greatest Gibraltarian of *all time*. (*Interjection*) Not of his
665 time or of our time, allegedly what he said, Mr Speaker, was that he was the greatest Gibraltarian of all time.

But I will give him a by on that because whether he said that he was the greatest Gibraltarian of all time, his time or our time, he thought him pretty good. (*Laughter*) And so what I do not want to do, Mr Speaker, is offend the hon. Gentleman's sensibilities by not quoting Sir Peter
670 with authority for a particular proposition.

Now, it also appears to me, Mr Speaker, that the only thing that unified them on that side of the House was Sir Peter Caruana and his iron fist, because nobody else seems to be able to keep them together, not even their common dislike of us sitting on this side of the House.

But having said all that, Mr Speaker, what I have answered is the question that he asked.
675 'Why are the vacancies on hold?', he asked. He did not ask until when, he asked why. That is Question 678/2017 and I have told him why in the context of my first answer.

Mr Speaker: Any other supplementary?

680 **Hon. D A Feetham:** Just one, Mr Speaker, because I do get a lot of representation. When?

Hon. Chief Minister: Mr Speaker, I need separate notice of that question. That is not the question he asked.

Q679/2017
Developing the Rooke site –
London and Regional interest

685 **Acting Clerk:** Question 679. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, is London and Regional still interested in developing the Rooke site?
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Acting Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, as drafted that question would appear to be one addressed to London and Regional.
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Hon. R M Clinton: Well, Mr Speaker, I think the Chief Minister should be in a position to answer the question, in that he made a great big announcement during the Gib Day in London in October 2015, making a great big fanfare about London and Regional developing the Rooke site. Surely he can advise this House whether London and Regional are still interested in developing
700 the site.

Hon. Chief Minister: Well, Mr Speaker, he is not asking me whether we are involved in discussions with London and Regional or not. He is asking me, is London and Regional still interested in developing the site? Well, that is not a question addressed to me; it is a question addressed to London and Regional.

But perhaps, Mr Speaker, what I should do is instead of quoting Peter Caruana back at him, I should quote him back at him. Or is it that he has forgotten in the halcyon days when he did not carry the responsibility that he carries, perhaps for another few weeks or perhaps for longer, that he said before the summer, I would ask that we as politicians refrain from making announcements until the ink is dry on the agreement and the money is in the bank.

So I am going to follow his advice, Mr Speaker, and now until an agreement is signed and the money is in the bank, I am not going to give him any information about what may be going on.

Hon. R M Clinton: Mr Speaker, I love hearing myself quoted back to me, it is always a good sign.

So, Mr Speaker, will the Chief Minister then confirm that he has no agreement signed with London and Regional?

Hon. Chief Minister: Mr Speaker, I do not think he needs to ask me that question because if I had, following his advice I would have made an announcement. So he might like to hear himself quoted back at himself, but he does not seem to pause to work out what it was that he said that is now being quoted back at him.

Hon. R M Clinton: Mr Speaker, a very simple yes or no answer would be appreciated from the Chief Minister.

Hon. Chief Minister: Well, Mr Speaker, you see the trained cross-examiner is me, Mr Speaker, and I am not here to answer questions in the way that the hon. Gentleman might wish.

Hon. R M Clinton: Mr Speaker, I believe here on this side of the House we are the ones asking the questions, so therefore, Mr Speaker, I ask the Chief Minister once again: is there or is there not an agreement signed with London and Regional?

Hon. Chief Minister: Yes, Mr Speaker, they are the ones asking the questions and we, Mr Speaker, are the ones answering them. Therefore, Mr Speaker, to use the parliamentary parlance used at Westminster, which he might be a little bit more schooled on by the end of the month, although it might or might not be of any use to him, I refer the hon. Gentleman to the answer I gave a few moments ago.

Q680/2017
Blue Water development –
Negotiations with Camoren Holdings Limited

Acting Clerk: Question 680. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, is the Government still in negotiations with Camoren Holdings Limited in respect of the Blue Water development?

Acting Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Now that is a better question, Mr Speaker, it is very easy. Yes, sir.

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Hon. R M Clinton: Mr Speaker, conscious of my previous statement about not saying anything until you have signed a deal, I assume that no deal has been signed yet with Camoren Holdings Limited.

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Hon. Chief Minister: Mr Speaker, I refer the hon. Gentleman to the statements he made in lines 1715 to 1720 of the *Hansard* for this Parliament of Monday, 26th June 2017.

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Hon. D A Feetham: Mr Speaker, I recall when I was a young boy, my grandmother used to tell me, *El cuento de la buena pipita*. When will this particular *cuento de la buena pipita* end, and when does the Government expect the process with Camoren Holdings – which is yet again, one of those which the hon. Gentleman announced with great fanfare before the 2015 General Election – when does he expect, if at all, that that process will bear fruit for the people of Gibraltar?

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Hon. Chief Minister: Well, Mr Speaker, the problem is that the *cuento de la buena pipita* was one that I started to hear from the hon. the former greatest Gibraltarian of all time – (*Interjection*) Sorry, the former Chief Minister – he may still be the greatest Gibraltarian of all time in the hon. the former Leader of the Opposition's estimation – some years ago.

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What I have told the hon. Gentleman is that we are in negotiations. When we are able to finish those negotiations in a way that is in the interest of the Taxpayer, we shall make an announcement. But, Mr Speaker, they cannot tell us not to make announcements until we have signed agreements and then press us to make announcements before we have signed agreements.

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Mr Speaker, I do not tire of saying it although perhaps I have not said it whilst the current putative Leader of the party opposite and also of the Opposition has been in post, but this is starting to become reminiscent of Monty Python. They tell us to do one thing and then ask us to do another. I mean, it really is quite remarkable!

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Hon. D A Feetham: But, Mr Speaker, does the Hon. the Chief Minister not agree that on this side of the House and indeed, by extension the rest of Gibraltar, can treat the announcements that he made in 2015 and this process now with Camoren Holdings Limited, with a huge, huge pinch of salt? Because you have a situation where this has now dragged on for more than two years and I think that people are entitled to a straight answer from the Chief Minister as to when he expects that process to be complete.

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Or at least, for the Chief Minister to come to this House to say, 'Look, I made the announcement in 2015. Unfortunately there have been events that have overtaken that announcement and therefore I do not believe that this is going to happen.'

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But this has now taken over two and a half years and certainly on this side of the House there is a significant amount of scepticism, even though of course we want it to succeed and of course we want it to come to fruition, but people are entitled to know, Mr Speaker, how long the Chief Minister thinks that this process is going to continue.

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Hon. Chief Minister: Mr Speaker, they announced two projects on the East Side development. The East Side Reclamation, as it was known until 1996 by those who were Members of the GSLP, was known as a rat-infested rubbish dump by the then GSD.

The morning after the 1996 election, that area became the East Side Reclamation also in their parlance, and then they did a deal with one developer and then with another, including Norman Foster Designs and for well nigh on the 15 years that they were in office they were telling us the

cuento de la buena pipita of the towers that Norman Foster was going to build on that land, right?

Now, in all of that time, I will recognise one objectively justifiable delay: the Joint Sovereignty issue, which stopped things for a considerable time in Gibraltar, it created uncertainty as to future investments in Gibraltar, because of course Joint Sovereignty with Spain does not create certainty that things are going to go better. Joint Sovereignty with Spain makes capital fly from the potential that Gibraltar might not be entirely British, as he and I completely agree.

Now, will he recognise that I have said beyond this House, on television on two occasions, that Brexit which happened months after we made this announcement has had a negative effect on the ability to deliver *that* project in *that* way and that therefore negotiations have been affected by that? Because I have said that already. I have said that already.

So we made one announcement about 24 months ago and something called Brexit happened about 18 months ago – at least the announcement by Mr Cameron of the referendum which halted everything and then the referendum more than 12 months ago, 16 months ago.

So, Mr Speaker, I have recognised that has had an effect on the Blue Water Development. Does he simply just want me to keep saying that? Because if he does, is it that he wants me to send out a signal of a lack of confidence in Gibraltar? Because I would have thought that in retirement, in semi-retirement or in active, what we all need to do is to demonstrate our confidence that Gibraltar is going to do very well in the future and that projects like Blue Water will not just take off; they will be a great success whoever is in Government to the profit of our whole community.

Hon. D A Feetham: Mr Speaker, of course everybody wants this particular project and many other projects to succeed. I am a partner in a business here in Gibraltar employing over 300 people. Part of the business belongs to me. If Gibraltar does not do well, I do not do well personally. I hope my children continue in Gibraltar, and continue to thrive and prosper in Gibraltar.

But I have a duty to discharge from this side of the House, as every Opposition Member on this side of the House has a duty to discharge, and that is to ensure that the Government is held to account through questions, particularly questions about projects of this nature, because people are entitled to know, Mr Speaker.

And therefore, I accept everything that the Chief Minister has said about Brexit – indeed, even before Brexit. If he reads my 2015 Budget speech, the Hon. the Chief Minister will see that I retraced the history of the East Side development. It was a particular project that when the Hon. the Father of the House was in Government, there was quite a lot of optimism that the first GSLP Government could pull off an East Side development and if they had, the economy would have grown even further than it did at the time.

But it is a particularly difficult project, it is not an easy project. There have been three Governments that have attempted to make this project a success. And all that, I accept. I accept all that.

But, Mr Speaker, I think that I am entitled on behalf of the people of Gibraltar the exercise of my role is to drill down and to see whether for example, it is envisaged that rather than having the Blue Water scheme, which is a rather grandiose scheme which the Government announced at the time would be worth £1 billion, whether it is now envisaged that there might be a smaller scheme worth significantly less.

And perhaps may I ask the Chief Minister, whether that is the position at the moment, whether the Government is trying to downscale or is talking about with the developers, the downscaling of this particular project from that £1 billion project to something that might be smaller, might be more manageable and then of course, we would be able to ask further questions and drill down further about whether that involves, for example, hotels, whether it involves a marina, etc.

But that is our job; our job is to ask questions in this House.

Hon. Chief Minister: Mr Speaker, really I always considered him a gift when he was Leader of the Opposition, and it is for reasons like this you see. He says in this tone of high representation and almost quasi-indignation, it is our role to ask questions, to get to the bottom, to dig. Whilst
855 he told us that the Budget speech from the now current Acting Leader of the GSD and of the Opposition was one of the best that he had ever heard. And in that speech we are told not to answer questions like the one that he has asked.

In other words, we are told by the one hand of the GSD make statements only when the ink is dry and we are told by him in righteous indignation, give us a blow by blow account of what is
860 happening on that plot. And he tells us that he has to come here to find out what is happening.

Well it may be, Mr Speaker, because he seems to have switched off a little bit from politics, that he is not watching quite as assiduously my *Direct Democracies*. But I have dealt with this question when I have had it asked of me by Members of that group of people that he used to consider the ring of steel, who nonetheless also honestly discharge their obligations as Members
865 of the fifth estate and ask me difficult questions. And I have given them the answer.

So I refer him, Mr Speaker to the detailed answers I have already given in public about the progress of negotiations in relation to the East Side and the potential for that plot to change, grow or to be in alternative use as it develops for the future for Gibraltar. It is at the end of the day a property lung for Gibraltar. It is an opportunity for further expansion and development, Mr
870 Speaker.

There is the opportunity that the plot might grow further, so that instead of there being a marina which houses boats, there may be more land which houses more properties for a larger development. So he need not, with his eye cocked on the gallery, hoping to see if he can persuade people that things may not be going quite so well, (*Interjection*) – the gallery is virtual
875 these days, Mr Speaker, it is not just current – that things might not be going as well, Mr Speaker, because look, what we all have to ensure is that things do go as well.

And Members on this side of the House, every single one of them works every hour that we have available in order to ensure that we do deliver on these and better deals for Gibraltar, across our geography and across our portfolios. Because that is our obligation and that is what
880 we will ensure happens and that is what will ensure that Gibraltar does very well, Brexit or no Brexit, Mr Speaker, for his children, for mine and for all future generations of Gibraltar.

Q681/2017

Mount Alvernia site–

Potential sale to hotel developer

Acting Clerk: Question 681. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government confirm if the site of Mount Alvernia has
885 been sold, or is being negotiated to be sold, for the amount of £53 million to a hotel developer?

Acting Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I really do not understand that part of this question which goes to ‘or negotiated to be sold’ when that comes from exactly the person who asked me not to make any statements until things had been signed and ink was dry.
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But, Mr Speaker, no sir, there have been no negotiations at all with any party at any time for any purpose or any price in respect of this site.

895 The hon. Member appears to have swallowed an empty rumour, hook, line and sinker. He should, however, have worked this all out for himself when we told him in September, in answer to Question 456/2017 that there were no plans to relocate Mount Alvernia.

Maybe he is getting forgetful, Mr Speaker, or maybe he just needs to learn not to believe everything he hears on his coffee mornings in Main Street and the bars and coffee shops of Gibraltar which he is happily sipping at Taxpayers' expense whilst Ministers are working hard for this community!

Q682/2017
Consultative Council –
Ad hoc membership

Acting Clerk: Question 682. The Hon. R M Clinton.

905 **Hon. R M Clinton:** Well, Mr Speaker, I thought it was part of my job description to meet the electorate, but never mind.

Mr Speaker, can the Government advise to whom it has written or communicated in respect of invitation to ad hoc membership of the Consultative Council and what was the selection criteria for each individual identified?

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Acting Clerk: Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): It is his work description and all of our work descriptions to meet members of the electorate, which we all do, Mr Speaker. It is in nobody's work description to swallow rumours, hook, line and sinker – something of which they will happily accuse others in this House but do not realise they sometimes fall for too.

915 Mr Speaker, the Government will make a full announcement in respect of ad hoc membership of the Consultative Council in due course.

920 **Hon. R M Clinton:** Mr Speaker, if I may ask the Chief Minister, has he actually issued any invitations, as at today's date?

Hon. Chief Minister: Yes, sir.

925 **Hon. R M Clinton:** And, Mr Speaker, would he be willing to advise the House how many invitations have been issued?

Hon. Chief Minister: No, sir.

Q683-684/2017
Construction of affordable housing schemes –
Financing

930 **Acting Clerk:** Question 683. The Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, can the Government advise how it intends to finance the construction of the three new affordable housing schemes announced on 28th September 2017?

935 **Acting Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I will answer this question together with Question 684.

940 **Acting Clerk:** Question 684. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, how does the Government envisage to finance the affordable housing projects?

945 **Acting Clerk:** Answer, the Hon. the Chief Minister.

Hon. Chief Minister: Mr Speaker, the Government is considering a number of different options to finance the housing projects. As the House should appreciate, we are at an early stage of this process having only just sought expressions of interest that will help with the makeup of these buildings in the form of one-bedroom to four-bedroom properties.

This exercise will have an impact on cost, which will need to be included when financing the affordable housing projects. As is required for these large projects, we will be pursuing competitive procurement for this work. It is anticipated that the procurement notices will include a number of options including design, build and finance of these projects.

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Hon. R M Clinton: Mr Speaker, if the Chief Minister would just indulge me, there is a question at the end of this.

Going back to the construction of the Aerial Farm site at Eastern Beach and the Coach Park site, in that development, those two developments, 944 units were created at a cost of about £115 million according to the press release in September 2013. That equates to about £122,000 per unit, add a bit of inflation, call that £133,000 per unit. For 1500 units, that would come to about £200 million.

Mr Speaker, what I would like the Chief Minister to advise is if with these ballpark figures – and again, they are ballpark – how would he intend to finance this construction? Is it by direct Government borrowing or will it be indirect Government borrowing, through Government-owned companies?

Hon. Chief Minister: Mr Speaker, I do not do ballpark and I have already given my answer.

970 **Hon. R M Clinton:** Well, Mr Speaker, I will ask the question in much simpler terms. Does the Government intend to borrow directly in order to finance these projects?

Hon. Chief Minister: Mr Speaker, it is not that I did not understand the question; it is as I told him, I do not do ballpark and I have already given the answer as to financing. It is in my first answer.

So as I said before, he will realise when he goes to the House of Commons what this phrase means: I refer the hon. Gentleman to the answer I gave a few moments ago. It is already in that answer.

980 **Hon. R M Clinton:** So, Mr Speaker, if I recall his answer correctly, there was an element of design, build and financing. Can the Chief Minister then confirm that this design, build and financing will be with a Government company or with the Government of Gibraltar as the contracting party?

985 **Hon. Chief Minister:** Mr Speaker, he just does not get it. The first sentence –

Mr Speaker: I am going to read out the first line of the answer.

Hon. Chief Minister: Exactly.

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Mr Speaker: Maybe the hon. Member did not hear it.
The first line is:

the Government is considering a number of different options to finance the housing projects.

Hon. R M Clinton: Mr Speaker, it may be beneficial in future if we get a copy of that as well.
(Hon. Chief Minister: Exactly!) It is very difficult because you overpowered me with your wonderful speech.

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Hon. Chief Minister: Thank you very much. It's the nicest thing you have ever said to me!
(Laughter)

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Mr Speaker: Any other supplementaries? We move on.

Q685/2017
Waterport Terraces purchases –
Excessive delays

Acting Clerk: Question 685. The Hon. L F Llamas.

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Hon. L F Llamas: Mr Speaker, can the Government provide details of the compensation paid to all who suffered 'excessive delays' in completing their purchases of Waterport Terraces?

Acting Clerk: Answer, the Hon. the Chief Minister.

1010

Chief Minister (Hon. F R Picardo): Mr Speaker, the issue of delays on payment of compensation happened during the GSD administration, for which we are not accountable.

1015

Hon. L F Llamas: Mr Speaker, this question has been filed as a result of their 2011 Manifesto where they pledged that they would be looking into paying out compensation. Therefore, can the Chief Minister confirm that this Government has not paid out any compensation to any purchasers of Waterport Terraces who have suffered excessive delays?

1020

Hon. Chief Minister: When this administration was elected, all those who had suffered damage had had the amounts paid to them or commitment to pay to them, entered into by the former administration which was the GSD administration.

We did a trawl, we sent out a notice, we received representations, we took advice and everybody who had suffered delays and had suffered loss, had had monies paid to them by then.

Q690/2017
Imperial Ocean Plaza –
Waiving of import duty for construction and fitting out

Acting Clerk: Question 690. The Hon. L F Llamas.

1025 **Hon. L F Llamas:** Mr Speaker, can the Government explain whether it was this administration's decision to waive the import duty for the construction, fitting out and equipping of Imperial Ocean Plaza and if possible, the estimated revenue this project would have generated had the import duty not been waived?

1030 **Acting Clerk:** Answer, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, the certificate of exemption from import duty was signed by me on 3rd March 2017. The logic behind the decision is the same as has been the case in every instance that a Chief Minister has waived such duties – namely, to encourage development and economic activity and to ensure that such development occurs within a specific period.

1035 It is not possible to gauge the level of import duty that would have been generated had it not been waived, as presently the site is still in its very early stages of development and very few imports have been registered.

Q691/2017

Question withdrawn

1040

Acting Clerk: Question 691. The Hon. L F Llamas.

Hon. L F Llamas: Mr Speaker, I give notice that I have withdrawn this question. Thank you.

1045

Mr Speaker: This question has been withdrawn.

Q692/2017

**Affordable home purchasers –
Obtaining mortgages**

Acting Clerk: Question 692. The Hon. L F Llamas.

1050 **Hon. L F Llamas:** Mr Speaker, is the Government confident that eligible prospective affordable home purchasers will be able to obtain mortgages?

Acting Clerk: Answer, the Hon. the Chief Minister.

1055

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

Questions for Written Answer

Acting Clerk: Answers to Written Questions, the Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to table the answers to Written Questions numbered W131 to W188/2017.

ADJOURNMENT

1060

Chief Minister (Hon. F R Picardo): And, Mr Speaker, I am grateful to the Hon. Mr Llamas for having withdrawn Question 691 after the discussion that he and I had earlier.

I now move, on a day that I note from a reference in that august daily *Panorama* is exactly 14 years after I left Hassans to go into politics in Gibraltar, as Leader of this House, it is now my pleasure to now ask that the House should adjourn *sine die*.

1065

Mr Speaker: The House will now adjourn *sine die*.

The House adjourned at 4.04 p.m.