



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.12 p.m. – 7.26 p.m.

Gibraltar, Friday, 15th June 2018

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The Gibraltar Parliament

The Parliament met at 3.12 p.m.

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

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

Clerk: Meeting of Parliament, Friday, 15th June 2018.
Government motions. The Hon. the Chief Minister.

Silence in memory of Grenfell Tower victims

5 **Chief Minister (Hon. F R Picardo):** Mr Speaker, before we start on the business of today, I am conscious of the fact that yesterday was one year since Grenfell Tower burned in London and that we should observe, as a Parliament, a minute's silence in recognition of the loss of life that that occasioned.

A minute's silence was observed.

Congratulations to Mr Speaker on appointment as Companion of the Order of St Michael and St George

10 **Chief Minister (Hon. F R Picardo):** Mr Speaker, from a tragic event to a happy event, this is the first time that the Parliament meets since you have been bestowed by Her Majesty with the Order of Companion of Honour of St Michael and St George.

I think I speak for the whole House in saying that you enjoy our sincere congratulations. I think everyone in this community believes that the bestowing of that Order upon you is very, very richly deserved indeed. You have held just about every office going in this land and you now, with a high degree of patience, sit and preside over our proceedings.

15 I think the whole House will want to join me in adding our congratulations for the many you will no doubt already have received. (**A Member:** Hear, hear.) (*Banging on desks*)

20 **Mr Speaker:** Thank you very much. I am very grateful for those kind sentiments from the Government benches.

Given that it is the Order of St Michael and St George, I can guarantee Members that I am not going to make a bid to be Bishop of Gibraltar! (*Laughter*)

25 **Mr Speaker:** The Hon. the Leader of the Opposition.

Hon. E J Phillips: Mr Speaker, we would echo the comments by the Chief Minister and offer our congratulations to you, your wife Julie and your wider family.

Also, just touching upon what the Chief Minister has said in respect of high office, Mr Speaker, you also, I recall, in December 2014 held the position of Acting Governor, so you must be one of the only people to have done all of the high offices in Gibraltar, and we offer our most sincere congratulations to you. *(Banging on desks)*

Mr Speaker: I am very grateful. Thanks for those kind sentiments.
The Hon. Marlene Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, I rise to echo the words of the Chief Minister and the Leader of the Opposition and to congratulate you and your wife Julie and family on a very well-deserved honour for a lifetime of service to Gibraltar. You have been Minister, Chief Minister, Mayor, Acting Governor and Speaker and we hope that this service continues for a long time to come.

I also take this opportunity to thank you for all the years that you have dedicated yourself to serving our community and wish you much health and happiness to enjoy this accolade in the years coming. *(Banging on desks)*

Mr Speaker: Again, thank you very much. I am very much touched by your kind words. Thank you.

Order of the Day

GOVERNMENT MOTIONS

**Hon. Sir Joe Bossano KCMG MP –
Conferral of Freedom of the City of Gibraltar –
Motion carried**

Clerk: We now proceed to Government motions. The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, this afternoon is going to be, at least for some time, an afternoon of kind words.

If I may have the honour to move the motion standing in my name, which reads as follows.

This House:

NOTES that Sir Joe Bossano was first elected to Gibraltar House of Assembly in 1972 and that this year, in 2018, he has served as an elected representative of the people of Gibraltar for 46 years;

– a lifetime, Mr Speaker, in my sense –

RECALLS that Sir Joe Bossano is now the longest-serving elected representative of the people of Gibraltar in the history of Gibraltar, as well as one of the longest-serving Parliamentarians in the Commonwealth;

RECALLS THAT Sir Joe served as Chief Minister following elections in Gibraltar in 1988 and in 1992;

FURTHER RECALLS that Sir Joe served as Leader of the Opposition following elections in Gibraltar in 1976, 1984, 1996, 2000, 2003 and in 2007;

FURTHER RECALLS that Sir Joe has continued to serve as a Minister following elections in Gibraltar in 2011 and in 2015;

COMMENDS his lifetime involvement with the trade-union movement during the struggle for parity and subsequently;

FURTHER COMMENDS the transformation of the economy of Gibraltar during his time in Government;

WELCOMES his visionary domestic policies of encouraging home ownership through a 50/50 scheme and the abolition of the points system to attend UK universities which opened the floodgates for many students to further their education abroad;

WELCOMES his trademark defence of the right of the people of Gibraltar to self-determination and to a democratic decolonisation and his rejection of the claim from Spain to the sovereignty of our country;

CONSIDERS that his appointment as a Knight Commander of the Most Distinguished Order of St Michael and St George ('KCMG') by Her Majesty the Queen in the New Year's Honours List for 2018 is richly deserved and was as such joyously welcomed in Gibraltar;

DECLARES that the award of a KCMG should be matched by the award of the highest honour that the Parliament of this country can bestow in the name of the people of Gibraltar;

HEREBY RESOLVES that the Freedom of the City of Gibraltar be conferred on the Hon. Sir Joe Bossano KCMG MP.

55 Mr Speaker, Sir Joe's political trajectory is well known to everyone in this community – and I think there is absolutely no risk whatsoever that he will ever be asked to be Acting Governor by the Foreign Office! Yet for the sake of the record of *Hansard*, Mr Speaker, it is right that I should record some of what we all know, so that it is known in perpetuity in the record of the proceedings of this House and in the record therefore of the democratic proceedings of this nation of ours.

60 Joseph, Joe John Bossano stands out as the longest-serving parliamentarian in Gibraltar's political history. I said 'a lifetime', Mr Speaker, at 46 years, because of course, as I always remember, this nation entered the European Community in 1972 and Joe Bossano was elected to this Parliament with you in that year – and I was born, so I can never forget the tally of years that we were in the European Union for and that Joe Bossano has been in this Parliament.

65 He continues to serve in what is said to be one of the longest-serving parliamentary records across the Commonwealth for that unbroken period of 46 years. That longevity marks a continuous period of eight years, from 1988 to 1996 as Chief Minister; almost 20 years, between 1984 and 1988 and from 1996 to 2011, as Leader of the Opposition – which many think is the worst job in a parliamentary democracy; and since 2011 as Minister responsible primarily for economic development in the Government that I have the honour to lead.

70 His contribution to the political emancipation and economic and social development of Gibraltar is as extensive as it is impressive and this record of public service extends far beyond the political, of course.

75 Mr Speaker, he coupled entry into Parliament in 1972 with his role as leader in the Transport and General Workers' Union. He was instrumental in organising and leading the campaign for parity of wages and conditions between the local workforce and UK-based workers in a Gibraltar economy that was then dominated by the UK Ministry of Defence presence, which then employed over 50% of the labour force, notably in the former Royal Naval Dockyard, times that many of the young people in Gibraltar cannot even imagine, let alone remember. That campaign started in 1972 and was finally settled in 1978, despite constant and sometimes hostile opposition from the then UK government, resulting in an end to the long-established wage discrimination at last.

80 I always find of great interest declassified material that sometimes emerges of the 1970s and early 1980s which reflects how the United Kingdom saw this firebrand of a politician who

85 refused to be covered and refused to take no for an answer. As chairman of the Cabinet in
which he sits I can tell you that 46 years later nothing has changed!

This contribution to trade unionism in particular in Gibraltar between 1972 and 1988 is itself
unequalled in terms of improving the well-being of the working and middle classes of Gibraltar
and extends beyond the parity issue, as Sir Joe's work also secured better conditions of
90 employment in both the public and private sectors for employees both in negotiated
settlements and in the resolution of countless claims from aggrieved individuals in surgeries
which required constant daily attention. He never turned people down, attending to their
problems at all times – and that continues to be the case today, with Sir Joe holding clinics every
weekend, even now, in his usual selfless style.

95 Joe Bossano managed the trade union role parallel to his early introduction to political life as
a Member of Parliament and he quickly established for himself a reputation in his interventions
in the Parliament Chamber on economic and public finance issues. Indeed, in 1973, as a Minister
in the AACR Government you welcomed that, although from the opposite benches, and in
respect of someone opposite you, a Gibraltarian was actually able to deliver an in-depth
100 economic analysis for the first time in the Appropriation Bill debate in that year.

That reputation was enhanced and proven later when, after forming and leading his own
political party, the Gibraltar Socialist Labour Party, in 1976, he won the General Election in 1988,
becoming Chief Minister. Straightaway he introduced the formation of a Government
comprising full-time Ministers dedicated exclusively to the running of Gibraltar's affairs. Before
105 that, Mr Speaker, only you had been a full-time Minister. Until then, Gibraltar's administration
had largely been governed on the basis of part-timers. This change in the composition and style
of Government was significant and it endures to this day.

Aside from elevating the role and commitment of Gibraltarian politicians in the running of
their country's affairs, it was ushered in at a time of massive change and challenge for Gibraltar.
110 The Frontier with Spain had been fully opened a few years earlier in 1985, coinciding with the
closure of the Royal Naval Dockyard, then followed by its failing commercialisation. This resulted
in high unemployment with all the social consequences that that brings and a pressing need for
economic diversification.

Gibraltar's resources were extremely limited, given its small land size, negligible lack of
115 primary industry and limited scope for inward investment, yet as Chief Minister from 1988 to
1996 Joe Bossano transformed the economy. That alone is a manifestly remarkable
achievement. Indeed, there are those who used to jest that Joe Bossano had a secret economic
plan. Well, Mr Speaker, not only did he have an economic plan; it was an economic plan that
worked.

120 With carefully managed land reclamation, a large infrastructure base was created, resulting
in new economic activity attracting new commercial businesses. The public utilities were
commercialised, bringing in United States and UK partnerships, introducing higher technology
and efficiency, and this in turn brought in new banking and insurance entities, attracted by
effective marketing of Gibraltar's EU position. This was followed by the entry of major
125 international gaming companies under strict licensing conditions, the first while Joe Bossano was
Chief Minister and as a result of his agreement with the chairman of the first of the companies
that moved to Gibraltar.

At the same time, part of the land reclaimed, funded by the profit of the other part sold for
commercial use, was allocated for public housing development sold on a co-ownership basis.
130 That scheme virtually resolved the chronic housing problem which Gibraltar had suffered for
decades. This was boosted by the negotiation of a lands agreement with the Ministry of Defence
in 1995, which resulted in the transfer of MoD land and properties, all of which were exploited
for further commercial and housing development. The home ownership ratio of Gibraltar surged
from 8% to over 50% during Joe Bossano's tenure in office as Chief Minister, with all the social
135 and economic benefits which flowed from it. It is often said that, as a result, Joe Bossano created
Gibraltar's middle class.

Having successfully diversified and strengthened the economy of Gibraltar, Joe Bossano turned his attention to the political and constitutional development of Gibraltar. He revived Gibraltar's cause internationally. He took Gibraltar's case for decolonisation and self-determination to the UN in 1993, a process which continues to date but which had been dormant for times before then. This was supplemented with a prolonged lobbying campaign in the EU and the Commonwealth, notably through the CPA.

Progressively, he achieved constitutional change with a de facto transfer of powers and responsibilities from Her Majesty's Government of the United Kingdom to the Gibraltar Government, and this was later enshrined in the new 2006 Gibraltar Constitution. In doing so and in opposing any form of discussion or negotiation with Spain, he became single-handedly the driver for Gibraltar remaining staunchly British to this day.

In terms of social and welfare development, Joe Bossano introduced a system of universal pension provision through the creation of Gibraltar Community Care, employing the long-term unemployed, who were sometimes considered unemployable by others, in a Government-subsidised community project scheme and introduced free scholarships for all students securing places in the UK and other universities. Of course, the creation of the independent charity, Community Care, was subject to challenge but it was shown to be an entirely independent charity. In his current role as Minister for Economic Development – including Employment until recently – he has introduced employment schemes which have virtually eliminated unemployment in Gibraltar and separately attracted significant inward investment into Gibraltar.

Joe Bossano is a selfless man, totally dedicated to Gibraltar. This involvement in the political life of Gibraltar is not a career; it is a full-time vocation in life, working seven days a week all year. And not seven days a week from nine to five, Mr Speaker. Those of us who know him and work with him know that that work can span the 24 hours of the day and that if you unsuspectingly leave your ringer on on your mobile phone, you might find it is not your alarm that wakes you in the early hours of the morning. And he has never sought any financial gain beyond his salary. Indeed, in his tenure as Chief Minister he also insisted on freezing the salaries of Ministers throughout the eight years that he was in office.

He has an unrivalled record in this Parliament, but more importantly his record in promoting and securing the economic and social development and well-being of the people of Gibraltar stands on its own. In particular, he has stood against difficult change and when the change required was challenging. No other Chief Minister or politician who has previously served Gibraltar in the modern era can be credited with such achievements.

This, Mr Speaker, is not a citation for the Freedom of the City written in preparation or in anticipation of Joe Bossano's retirement from public life, believe me. Joe Bossano repeatedly claims that he will be standing for election until the age of 90 – and he is presently seventy eight. **(Hon. Sir J J Bossano: Seventy nine.)** Seventy nine. I do not think that he will expect us to think that 90 was anything other than a moving feast, Mr Speaker, *(Laughter)*, a moving target. All of those who know him well have no doubt that, nature willing, he will continue to stand for election not just until he is 90 but until he can continue to do so physically. It may seem an obsession in life, but it underscores the unconditional dedication of this man to his people.

The best recommendation for this honour may come actually not from me but from Joe Bossano's principal political opponent of the last 30 years, Sir Peter Caruana QC, from his last Budget speech in this House, where he said, and I quote from *Hansard* for 24th June 2015:

Mr Speaker, during these 25 years – most of them spent as Chief Minister, but eight or nine of them in the no less worthy role of Opposition Member of this great institution – I have of course seen much change and my principal political rival, except in the latter years, the current Chief Minister was of course Joe Bossano. Joe was, I have to say, a formidable political opponent. Formidable but always engaging and I am glad that he is not in this House yet today to hear that, because I suspect he is not one taken for being eulogised and probably would enjoy eulogies even less coming from me.

But nonetheless I think it is appropriate to mark at the end of my parliamentary career

– a day you were, no doubt, keen to see –

that for many of those years I have had opposite me not just a formidable partisan political rival, but also a rival who himself contributed much to the Gibraltar that we all enjoy today and whose own political career will, when it concludes, I think, stand amongst the great ones in Gibraltar's politics.

A Member: Hear, hear.

185 **Hon. Chief Minister:** I have no doubt, Mr Speaker, that I will have said some things in presenting this motion which will not be agreeable to Members opposite, but the statement I have quoted from Sir Peter I also have no doubt will be one with which Members opposite in the GSD and even the most diehard anti-Bossano voters will agree with.

190 So Joe Bossano is a giant of our political life and therefore of the life of this Parliament and its predecessor House of Assembly. He is in no mood to retire and the party that he led from 1977 to 2011 is in no mood to see him retire. The fact that he is still as able and as agile in mind as he was in 1973 when he first made that speech on the Appropriation Bill that was a substantive contribution on economics from a Gibraltarian in this House demonstrates that.

195 Indeed, if ever there was, in my view, a man who will die with his boots on and has no desire to retire or give way, it is Sir Joe Bossano. This is a man to whom any award to be bestowed on his retirement is surely an award to be bestowed posthumously. Those of us who know him know that what matters most to him in life is his family and Gibraltar and we will no doubt all agree that he should have the recognition of his people, the recognition of Gibraltar, in life and not just in death.

200 In that way he will have an acknowledgment from friend and foe of the work that he has done, acknowledgment of the effect on the lives of all of us of that dedication he has demonstrated: from the students who have degrees and careers due to his change of the scholarship rules – many of us sitting in this House today as a result; from the elderly who receive the Community Care cheque; from the families that have been built by Gibraltarians in the affordable 50-50 homes he built from 1988; from those members of the trade union movement whom he has tirelessly represented; from all of those who have ever relied on Calpe House as a home away from home in London when they have been ill and needed a place to stay; and from every worker in our economy since the late 1970s when the battle for parity was won. Every single person, Gibraltarian or otherwise, who has worked in our economy has owed the size of their wage packet to the architect of the victory of the battle for parity. And finally, also acknowledgement and recognition from those of us who are proud to call Gibraltar British and who history will show owe a great and huge debt of gratitude to the man who saw the Foreign Office coming. Whether in Strasbourg in 1977, in Lisbon in 1980, in Brussels in 1984 or on the airport in 1987, they were never able to get one past Sir Joe.

215 Finally, Mr Speaker, I think all of us probably also have a story of friendship or other relationship with Sir Joe. I have not wanted to dwell on my personal relationship with him in presenting this motion, which will for posterity reflect the reasons why this House should bestow on him our highest civic honour, but it would be remiss of me not to say this for the record. From the Leader of the House to the Father of the House, from one Chief Minister to a predecessor, from one leader of the GSLP to its founder and the custodian of its ideological core: without his help, his guidance and his support, I would not have had the honour of holding the office I hold today.

225 For all of those reasons, Mr Speaker – the last of which might not find much favour with Members opposite, but something I am sure they will forgive him – I commend the motion in the terms I have earlier set out to the House. (**A Member:** Hear, hear.) (*Banging on desks*)

The Speaker: I now propose the question in the terms of the motion moved by the Hon. the Chief Minister.

The Hon. the Leader of the Opposition.

230 **Hon. E J Phillips:** Mr Speaker, there is an amendment on the motion that was filed on 3rd May.

Mr Speaker, I propose the following amendment to the terms of the motion standing in the name of the Hon. the Chief Minister, dated 23rd May 2018.

At paragraph 12, page 2 of the motion insert 'at an appropriate juncture after he ceases to be a Minister and a Member of Parliament' after the words 'the Hon. Sir Joe Bossano KCMG MP'.

Mr Speaker, I am speaking to the amendment on this point.

235 The conferring of the Freedom of the City on one of our citizens is the highest honour that this House can bestow. It is therefore rightly reserved for persons of distinction who have rendered eminent service to our city as provided for in section 2 of the Act.

240 The Government's motion seeks to bestow the Freedom of the City on the Father of the House, Sir Joe Bossano KCMG MP. As much as Sir Joe dislikes eulogies, as put by the Chief Minister, platitudes, badges and anyone singing Sir Joe's praises, he has reluctantly been persuaded, as he said in his contribution to his knighthood, to accept in the New Year's Honours List to become a Knight of the Realm. Mr Speaker, I suspect that he will feel equally reluctant today and probably uncomfortable in his chair when he hears today's contributions.

245 The knighthood bestowed on Sir Joe by Her Majesty is different in substance and form to what this motion is seeking to achieve. By operation of this motion we are, as parliamentarians, creating Sir Joe as a Freeman of our City on behalf of the people of Gibraltar and therefore it is important that when we reflect on the very full political life of Sir Joe we are cognisant of parliamentary custom, tradition, practice and procedure.

250 Mr Speaker, Her Majesty's Opposition accepts and agrees that 46 years of service to our community in his contribution to trade unionism, as a Member of Parliament, as Leader of the Opposition, as Chief Minister and latterly as a Government Minister is deserving of our community's highest accolade in principle. We on this side of the House have considered the Government's motion in Shadow Cabinet and none of us disagreed with the language that was proposed by the Hon. Chief Minister in his motion. However, it is our view – and a view we hope
255 the Government, after careful and fulsome reflection, would share – that the Freedom of the City should be bestowed on Sir Joe once he ceases to be an MP or a Minister. We believe as a matter of principle that this House should not confer the Freedom of the City on its own serving Members. We know of no parliamentary precedent in Gibraltar for conferring the Freedom of the City on one of its own serving Members and we do not understand at this stage the
260 Government's rationale for doing so in this instance.

We have heard it has been said that whilst we confer the Freedom of the City on serving Members of Parliament of the British Parliament or other parliaments, why cannot we bestow the Freedom on our own serving Members? In our view, that argument does not stack up to scrutiny. What we are doing here is bestowing our community's highest honour on one of our own whilst they are still serving our community. We believe that for our small Parliament to bestow awards for one of its own who is a serving Member at the time is inelegant and wrong as a matter of principle. It can also be seen to undermine the very award we are bestowing.

270 Mr Speaker, the issue of timing in respect of accolades of this nature was debated by this House on 5th July 1996 within which the House debated the question of the Freedom of the City for Sir Joshua Hassan and Sir Bob Peliza, where both Sir Peter and Sir Joe – as far as I can understand and navigate through *Hansard* – enjoyed a rather tense debate, which appeared to be more about form than substance. Importantly in that debate, at page 147 of *Hansard*, Joe Bossano, as he was then, said this:

This has nothing to do with timing, the timing is there because it is a timing that as far as we are concerned we consider to be appropriate, for both of them,

– and a reference is given to Sir Joshua and Sir Bob –

and because we were ready to support the previous motion when it had originally been proposed and therefore at the time when Bob Peliza was still Speaker of the House we would not have ourselves suggested that it should happen, because of course, we thought then that it would

275 – and these are the critical words, Mr Speaker –

not be appropriate to move a motion granting the Freedom of the City to somebody that was still sitting in that Chair, Mr Speaker.

Mr Speaker, it is in our view clear on this side of the House that the beneficiary of the Freedom which the Chief Minister is advocating be granted himself accepts that it would be inappropriate for a serving Member of this House to be granted our city's highest honour.

I repeat: we do not on this side of this House seek to question the motion presented by the Government; we form the view that it is right that once Sir Joe leaves this House the Freedom should absolutely be bestowed, but not now.

I do appreciate that as a consequence of our amendment and conscious of the many public statements about Sir Joe's political longevity – and in fact the Chief Minister referred to that – in Opposition and Government, and also Sir Joe's infamous words, which are still ringing in my head, when I saw Sir Joe on the top of the ICC, 'Feet front into North Front' – a catchy phrase, Mr Speaker – Sir Joe will receive his high honour when he leaves this House, which we firmly believe is a matter of principle and the appropriate approach.

On that basis, Mr Speaker, we would respectfully suggest to the Government that they revisit the position on our amendment and accept the small amendment that we have made in respect of the motion presented by the Chief Minister.

The Speaker: I now propose the amendment moved by the Hon. Elliott Phillips, which reads as follows: that at the end of paragraph 12 – which effectively is the end of the Chief Minister's motion – the following words should be added, 'at an appropriate juncture after he ceases to be a Minister and a Member of Parliament'. This is the question which is now before the House. The Chief Minister.

Hon. Chief Minister: Thank you.

Dealing with the amendment on its own, Mr Speaker, although I do not know whether the Hon. the Leader of the Opposition is indicating Opposition support for the motion with the amendment only, or whether he is indicating Opposition support for the motion whether or not it is amended as he has suggested, because he has not told us that. He has got up to tell us what he wants to amend the motion to say without giving us any indication of what his position on the motion would be.

I am going to give way, Mr Speaker, because he tells me now that he is happy to clarify.

Hon. E J Phillips: Mr Speaker if the position is that the Government accept the amendment, then of course we will support the substantive motion as amended. If the Government reject the amendment that we are seeking to place before this House, then we will be abstaining.

Hon. Chief Minister: Well, that is where he should have started, Mr Speaker, but of course I will forgive him another rooky error in his no doubt to be short-lived role as Leader of the Opposition while he does not hold the leadership of his party.

Mr Speaker, most of the motions on Freedoms of the City bestowed by this House are obviously not controversial, but I am sure that Sir Joe will be delighted by the controversy that his Freedom of the City is apparently going to create, in particular given that it is a controversy brought by the GSD that GSLP Members of this House and no doubt Liberal Party Members of

this House will be very pleased to defeat and therefore might add an additional gusto to the honour that might be bestowed by the end of this debate.

320 The Hon. Member first of all did not tell us what his position was going to be in relation to the motion; and second, has at the end asked me to revisit my view as to the amendment – except of course I have not given any view as to the amendment that I should therefore revisit. He has presented the amendment and I am now going to speak to it, but I have no mind to change because he has not sought our view in respect of the amendment. The Hon. Mr Phillips did not
325 write to me to say, ‘I am going to be proposing this,’ so that I replied to him saying, ‘We’re not going to accept it,’ so that he might now say, ‘Will you revisit your position?’ The Hon. Mr Phillips wrote to *you* to put the amendment, we have not had a conversation as a result of it and therefore he cannot ask me to revisit. He can ask me to set out my position, which I think he already has an indication of.

330 But look, Mr Speaker, I am very pleased indeed that the Hon. Member has set out in such inelegant, ungracious and badly researched form his party’s position in respect of this motion, because I think nothing could give us all greater pleasure than to be able to deal with a motion bestowing the Freedom of the City on Joe Bossano than in dealing also with an amendment that will be defeated. It will be defeated not just because they have not sought to concert with us on
335 the amendment, it will be defeated not just because we have put a motion which therefore clearly signifies our intent and the amendment goes contrary to the intent of the majority in this Parliament; it will be defeated because things have changed a lot in 20 years, first, and second because the things that he has said do not relate to a serving Member of this House other than as a Speaker.

340 First of all, what was the position in the 1990s and the 2000s in the UK in relation to honours? Honours were not bestowed on Ministers in that period. There was a convention that honours would not be bestowed; a convention that arose, in shorthand, as a result of some who had received honours then acting in a manner that was contrary to how those who had such honours should behave. One of those was the former President of Zimbabwe, Mr Mugabe, who
345 had received a knighthood and he was one of the catalysts for the decision that people should not receive honours and awards whilst they were still serving as Ministers. Hon. Members opposite may not have researched the fact that that changed. It changed indeed in 2016 when Mr Cameron, as he left, in his resignation honours bestowed honours on many front-bench Members of the British Parliament, and there are now many who enjoy honours as a result of
350 that bestowment and still hold front-bench ministerial office. So that is the first change.

If hon. Members had not been able to research that and understand it, then all they needed to do was look up from their pettiness and see that one of them is sitting in this House opposite them, the very same person who is going to be the subject of the bestowing of the Freedom of the City by the end of this debate, because Sir Joe was bestowed KCMG despite being a Minister.

355 The hon. Member set up the concept that that is different, but he does not explain why it is different. It was not different between 2016 and 1996 or earlier when the convention had arisen that honours were not bestowed whilst somebody was in front-bench ministerial office, but now all they say is it is different. Well, Mr Speaker, there is no reason why we should accept that it is different and that that should be determinative of a position, and clearly hon. Members know,
360 because of the motion we have put, that we do not think that it is different. We think it is analogous, Mr Speaker.

In particular, the hon. Gentleman took the best argument that I am going to put to the House and failed to distinguish it, but just said it is different, and that is that this Parliament bestows the Freedom of the City on sitting Members of the British Parliament. And so the hon. Member
365 thinks it is absolutely perfectly okay to bestow the Freedom of the City on somebody who has done great things for Gibraltar but is not a Member of this Parliament but it is not okay to bestow on a sitting Member of this Parliament the Freedom of the City, even though they may have done leagues more work for Gibraltar. It is just ‘different’, Mr Speaker. Well, look, we are

different. We believe it is absolutely right to recognise in life 46 years of service to Gibraltar – probably one of the longest-serving parliamentarians in the Commonwealth.

Mr Speaker, I do not want to be morose – Joe Bossano is not given to squeamishness – but the man says that he will die with his boots on. The hon. Gentleman opposite remembers from his PDP days being at Casemates and hearing him saying that memorable phrase about boots first. Is the hon. Gentleman genuinely saying that we must wait for utter physical fragility to visit Joe Bossano so that he is unable to sign his name on the nomination paper for a General Election before we are able to see the Freedom of the City bestowed, or worse still that he passes away before he can be bestowed the honour of being a Freeman of the City of Gibraltar? Is that really what the GSD has come to do today, Mr Speaker? Is that really what the GSD thinks is right to a man who their former leader – their successful former leader; they have had many leaders since, none of them successful, but their successful former leader – said is a legend in his own lifetime?

Mr Speaker, it is very difficult for me to see any logic other than spite behind what is happening here today. It is not as if because Joe Bossano is a Freeman of the City of Gibraltar that he is entitled not to comply with the Standing Orders and Rules. I think one of the things is he can march with his goats down Main Street, but that does not affect the debates in this House. He is not entitled to put motions later than the rest of us, he is not entitled to have his vote counted twice; there would be no advantage to Joe Bossano as a Freeman of the City of Gibraltar in this Parliament. There would be no advantage outside it either, Mr Speaker, because it is not as if I need to say the things I have said about Joe Bossano, to put them on the record in *Hansard* in Parliament for everybody outside of this place to know all of those things, because they have *lived* them. The people he sees on Saturday and Sunday do not need me to read out a speech saying that he sees people on Saturday and Sunday, so they are not going to decide to vote for him or not vote for him because he is a Freeman of the City of Gibraltar. It is absolutely without consequence in political terms but it is of huge consequence in civic terms to recognise in life the value of the contribution that the man has made.

Mr Speaker, the issue of the timing that the hon. Gentleman refers to in the context of the quote from *Hansard* is all to do with the timing of who put first the motion to bestow on Sir Joshua Hassan the Freedom of the City. That was the issue in controversy in 1996 and 1997. There were two motions to bestow the Freedom of the City on Joshua Hassan: one was put by the Government and one had been put earlier by Joe Bossano, and that was the motion that was heard first and therefore the motion that prospered. That is what the timing debate was about.

Of course, if one side of the House was trying to curry favour with the arbiter of proceedings in the House, that would be quite different, but Joe Bossano is not the arbiter of proceedings in the House – good luck to them if he were, whether or not we bestow on him the Freedom of the City and they object. The Speaker is the arbiter of proceedings in this House and it would have been, I agree with Joe Bossano, entirely inappropriate for one side to seek to bestow on the arbiter, on the referee, a civic honour and in that way seek to sway and curry favour.

If they do not see the difference between themselves as Members of this House and Mr Speaker as the arbiter of the House's rules and regulations, and why it would be inappropriate to move, whilst an individual is Speaker of the House, the Freedom of the City, then they do not understand their own role in this place. Maybe that is why they think sometimes that they are a law unto themselves and they can make rulings and do what they like, Mr Speaker. That is what would be inappropriate.

In effect, Mr Speaker, all the hon. Gentleman has done by quoting the *Hansard* of 1996 or 1997 is do you out of the opportunity for me to move the Freedom for you, because I think it is absolutely right that one side or the other should not be moving the Freedom for the guy who is the referee of the proceedings. So they have reminded us of that, but of little else. And the lack of understanding of the issue that was put at the time, absolutely rightly, I think is demonstrated in what we have heard.

But anyway, 20 years have passed, conventions have changed, and in any event, as they sometimes like to remind us when we tell them that we are doing the same thing that they were

doing, we are the New Dawn Government: we do things in a different way. And in a 24/7 social media world one no longer waits until somebody dies to be able to bestow on them an honour or wait for them to retire, which this particular person has equated with no longer being able to lift a finger and sign a nomination paper.

425 Mr Speaker, of all the things that he will do in his short tenure as Leader of the Opposition – as I have no doubt it will be, not because of elevation to come but for other reasons which are obvious to all of those watching – this must be his lowest and his most inelegant moment in the short time that he will hold this office, but it gives me great pleasure to confirm to the House that Members on the Government bench will be voting against the amendment. I have had
430 indicated to me by Sir Joe that he thinks it is appropriate that he should abstain during the course of this debate, but I am afraid to tell the hon. Gentleman that, much as the future holds politically today, he is going to be defeated.

Mr Speaker: Does any other hon. Member wish to speak on the amendment moved by the
435 Leader of the Opposition? The Hon. Marlene Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, when we rise here to discuss a motion to bestow the Freedom of the City to the Hon. Father of the House, Sir Joe Bossano, from my corner over here I am looking at a man who was my father's political enemy. He will know that we have not
440 often seen eye to eye and he will expect me to not share his ideologies and his affiliations. However, regardless of political allegiances, when someone has given his life to serve Gibraltar in all the capacities that have been reflected today, that person does indeed deserve to be recognised. Nevertheless, Mr Speaker, I believe that the GSD amendment calling for this accolade to be postponed until the hon. Gentleman is no longer in office and no longer a
445 Member of Parliament is entirely correct and appropriate.

Let me remind this House that the Freedom of the City which was bestowed upon Sir Joshua Hassan, a man who had served Gibraltar for 44 years, came eight years after he had left public office and Parliament, something which the Father of the House himself must be thanked for as the Leader of the Opposition at the time because he was the Member of Parliament who first
450 moved this motion, but eight years after Sir Joshua had left this House. The Freedom of the City given to Sir Joshua was therefore clean of political interest. Party affiliations and allegiances were not in question at the time of that appointment and I therefore believe that that was a decent example that was set as a precedent by politicians and this House, no matter what has happened in the UK, no matter what has happened before, no matter what has happened later.
455 It was a moral and conscious decision which everybody agreed with at the time.

Mr Speaker, the Chief Minister asks us to express the difference between knighthood and Freedom of the City. The Freedom of the City is symbolic of somebody having all and every trust and privilege over a city. It is a completely different type of accolade to knighthood and it is one which should be saved because that freedom, symbolic or otherwise, should not be given to
460 somebody in office. The proof is that just now the Chief Minister has mentioned that the Minister himself is going to abstain from voting, which is very decent and moral of him to do but it just shows the power that somebody sitting can have over his own accolade, and that in itself is dangerous. Saying that it is okay as well that this Minister deserves it right now because he is going to possibly die in office – may he enjoy 120 years of health and happiness – I believe is a shallow reason for bestowing it while in office as well.
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I therefore fully support the GSD amendment, given that I firmly believe that this most highest honour should be bestowed on retirement. Otherwise, Mr Speaker, what we are doing is setting the dangerous precedent of the politicisation of Freedom of the City to Members of Parliament while in office and, while dangerous, in my view it actually even effectively devalues
470 the accolade for the hon. Gentleman himself. (*Banging on desks*)

Mr Speaker: Does anybody else wish to speak on the amendment? The Hon. Daniel Feetham.

Hon. D A Feetham: Mr Speaker, I rise as one of those fallen angels that fell from GSLP heaven 18 years ago. Indeed, Mr Speaker, some would call me, on that side of the House, the Angel of
475 Darkness himself, according to GSLP dogma.

Mr Speaker, I rise to say this: I think it is a real shame, it really is. In all my years that I have been in Parliament, and observing politics but certainly since I have been in this House, it is probably one of those moments that I think really shame us all because everybody in this House agrees that if we were to pick somebody from this House as deserving of the Freedom of the
480 City it is undoubtedly the Hon. the Father of the House. There is no doubt about that for the Hon. the Leader of the Opposition, the hon. Lady and everybody else in this House, and it is a matter of great regret and, I have to say, an indictment of our political system and the way as well that sometimes we conduct politics – and I include myself in that, because I would like to think that the way that I conduct politics is to pull my sleeves up and to pull no punches – but it
485 is an indictment that we have not been able to get together and to agree by consensus a way forward that would cut across some of the recriminations and the counter-recriminations that we have seen today.

The reality of the situation is that the only difference here between both sides is everyone agrees that he deserves it, everyone agrees that he should have it; it is a question of
490 postponement – in other words, when does that take effect – and quite frankly, if you were to ask the Hon. the Father of the House privately what is important, what is important here is not the receipt of that honour at this present moment in time; what is important is that the House in general believes unequivocally, (**A Member:** Hear, hear.) without any doubt and without any hesitation, that the hon. Gentleman deserves that accolade.

My party has taken a position and I will vote in accordance with that position, even though I
495 have to say that within my own family certainly I am going to be reprimanded violently over this weekend for taking the position. But I do think that, on the principle of it, it is the right position to take and I hope that the Hon. the Father of the House can look at this and he understands that he can just simply ignore the vote and understand that everybody in this House believes
500 him to be deserving of this honour – and indeed I cannot think of anybody else in this House who would be more deserving.

I wish to just simply say this and then I will not make any further contribution later on,
Mr Speaker. The Hon. the Chief Minister, moving the motion, spoke of the Hon. the Father of the House's considerable achievements – I associate myself entirely with what he has said and I also
505 associate myself with the kind words that the Hon. the Leader of the Opposition has also expressed in relation to the Father of the House. But the reality is that you have many politicians, some of them also serving communities for decades. What distinguishes the hon. Gentleman and people like the hon. Gentleman from others is that there are very few people who in their political journeys through the political life of their community leave genuine
510 footprints. That is what the hon. Gentleman has done in the 46 years that he has been in politics. He stands for something and everybody knows what he stands for. He has been an indefatigable defender of the rights of the people of Gibraltar and of this community, and I cannot think of anybody else who is more deserving of this accolade than the hon. Gentleman.
(*Banging on desks*)

515 **Mr Speaker:** Is there any other contributor on the amendment?

I call upon the Leader of the Opposition to exercise his right to reply.

Hon. E J Phillips: Mr Speaker, I am not going to be dealing with the insults that have been
520 thrown about by the Chief Minister insofar as the methodology, the research or otherwise given by the Chief Minister in respect of the contribution. The Hon. Mr Feetham has elegantly set out the position of the GSD and its utmost respect for Sir Joe.

I remind the Chief Minister, and as echoed by the hon. Lady, that a knighthood is materially different to what we are doing in this House. Only we in this House can bestow the Freedom of

525 the City on Sir Joe, and that is why we referred to *Hansard* from 1996, as it demonstrates the parliamentary tradition of *this* Parliament, not somewhere else – not somewhere in Westminster or somewhere foreign to us, but *this* House – and we have the right to vote in respect of bestowing this honour on Sir Joe.

530 Therefore, it is of great regret that the Chief Minister could not simply have got his PA to pick up a phone, from the amendment that was circulated very shortly after 3rd May, to say to me, ‘Mr Phillips, I agree with this amendment,’ and that is the end of it, and we could have enjoyed a positive debate about the political life of Sir Joe Bossano.

535 Mr Speaker, we are disappointed by the Chief Minister’s rather childish reaction to this particular Freedom of the City motion that has been advanced and the amendment. In a long political life it is true that any politician will have in equal measure detractors and supporters, and therefore on reflection I am sure that there are many decisions that Sir Joe may have taken differently with the benefit of hindsight, and although we do not take objection to the substance of the Government’s motion and what it attempts to achieve, it would be remiss of me not to make the point that the Hon. Father of the House has divided public opinion in respect of certain
540 decisions that Sir Joe has made whilst conducting Gibraltar’s affairs. As we have said on the occasion that Sir Joe was knighted, there is no doubt that Sir Joe has made a substantial contribution to our way of life, from repositioning Gibraltar away from an MoD-reliant economy through to parity as described by the Chief Minister, through to education reforms and home ownership, and indeed, as the Hon. Mr Feetham put it quite rightly, the defence of our
545 homeland. These contributions are absolutely deserving of the Freedom of the City of Gibraltar, but we must not forget that we on this side of the House have in the past fundamentally disagreed with some of Sir Joe’s policy and other decisions, especially during the time that he was Chief Minister.

550 It is on that basis, Mr Speaker, that our formal position is that unless the Government accepts the amendment we will be abstaining from the substantive motion put by the Government.

Mr Speaker: I now put the amendment, as moved by the Hon. Leader of the Opposition, to the vote. Those in favour –

555 **Hon. Chief Minister:** Mr Speaker, I will call a division on the amendment.

Mr Speaker: We have a division.

A division was called for and voting resulted as follows:

FOR	AGAINST	ABSTAIN
Hon. R M Clinton	Hon. P J Balban	Hon. J J Bossano
Hon. D A Feetham	Hon. Dr J E Cortes	
Hon. T N Hammond	Hon. N F Costa	
Hon. Ms M D Hassan Nahon	Hon. Dr J J Garcia	
Hon. L F Llamas	Hon. A J Isola	
Hon. E J Phillips	Hon. G H Licudi	
Hon. E J Reyes	Hon. S E Linares	
	Hon. F R Picardo	
	Hon. Miss S J Sacramento	

560 **Mr Speaker:** There are 7 votes in favour of the amendment, there is 1 abstention and 9 votes against. The amendment is defeated (*Banging on desks*) and therefore what once again is on the table is the motion moved by the Chief Minister.

The Chief Minister has already spoken and the Hon. Elliott Phillips. I understand the Hon. Danny Feetham wished to cover both cases. Does anybody else wish to contribute?

The Hon. Dr Joseph Garcia.

565 **Deputy Chief Minister (Hon. Dr J J Garcia):** Yes, Mr Speaker. I will be speaking on the motion now, not on the amendment, but I do feel that it needs to be said that they continue to dig their own holes even deeper.

Mr Speaker, I welcome the opportunity to say a few words on the motion before the House today which seeks to confer the Freedom of the City of Gibraltar on Sir Joe Bossano. Let me say 570 first that I fully endorse the text of the motion and the words of my hon. Friend the Chief Minister.

Sir Joe is already one of Gibraltar's historic personalities. He started in politics before I was born. He has laid the foundations for the future of our country both politically and economically. His record of service to this community is second to none. The motion correctly points out that 575 from 1972 until 2018 he has been an elected Member for 46 years, first in the House of Assembly and then in the Gibraltar Parliament, but his involvement in politics predates even that. In May 1965, 53 years ago, Sir Joe became the founding secretary of the Pro-Integration Movement. The movement, which was led by Sir Robert Peliza, came about as a reaction to the ongoing crisis with Spain, both locally at the border and also at the United Nations.

In July 1965, in response to the circumstances of the time, Sir Joe wrote to the then Chief 580 Minister Sir Joshua Hassan. His letter called on the then Government of Gibraltar first of all to investigate the possibility of integrating the Rock with Britain; secondly, for executive power to be transferred from the Governor in Council to the legislature; thirdly, to reduce the status of the Governor's Council to that of a consultative forum between the Gibraltar Government and the three service Departments – the Army, the Navy and the Royal Air Force; that the payment 585 of Income Tax should be made to Westminster and that Gibraltarians should enjoy the benefits that would follow from that; self-government for Gibraltar in all internal matters, with the UK responsible only for foreign affairs and for defence; and equality of status for Gibraltarians and British citizens. A day after that letter, on 8th July 1965, the eleven elected Members of the 590 Legislative Council decided to bury their differences and unite in a coalition Government. There was to be no opposition. The Pro-Integration Movement could move and did move into that space. That letter, in my view, marked the entry into the political fray of Gibraltar of the person upon whom we seek to bestow this honour today.

Sir Joe did not contest the 1969 General Election. However, on Saturday, 23rd June 1972 he 595 stood for election for the very first time. He did so under the banner of the Integration with Britain Party, which had evolved from the Pro-Integration Movement, and at that first opportunity was successfully elected with 4,383 votes.

As the House knows, the Integration with Britain Party collapsed in the summer of 1976 following a visit from the then Minister of State, Roy Hattersley. Sir Joe formed then the 600 Gibraltar Democratic Movement in order to contest the elections that took place on 28th September of that year. He came fifth in that election and polled 5,021 votes, but more importantly became the Leader of the Opposition for the first time as four GDM Members were elected in total.

In October 1977 the GSLP was formed with the collapse of the GDM, and in the 1980 General 605 Election Sir Joe came second, only 64 votes behind the then Chief Minister, Sir Joshua Hassan. This was a remarkable achievement.

Mr Speaker, as the motion says, Sir Joe was Leader of the Opposition after elections in 1976, 1984, 1996, 2000, 2003 and 2007. He also served as Chief Minister after the 1988 and 1992 610 elections. Indeed, in 1992 he came first with a record of 9,228 votes and also with 73.1% of the total vote. The latter is still a record.

I think despite all that and despite all of those achievements it is important to note that Joe has not lost his sense of humanity, and if anybody is in a hurry I recommend to them that they do not walk with him from one end of Main Street to the other, because it will take them all day as Joe is stopped by different constituents and makes notes in one of his notebooks.

615 I would also want to draw attention to two themes that have run through Joe's political trajectory. The first is his promotion of the rights of workers, which my hon. Friend the Chief

Minister has already touched upon, both in politics and through the trade union movement. This includes a struggle for parity in wages and conditions with the UK, a struggle that he led and he won.

620 The second is his promotion of our right to self-determination. This is the very principle that the future of Gibraltar can and must only be determined by the people of Gibraltar. One of his enduring legacies will be National Day and everything that it represents in the context of our decolonisation.

625 Coupled with all of this is the unwavering and determined resistance that he has always shown towards the anachronistic Spanish claim to our country, and in this resistance he has also always led from the front. He was one of the few who saw the dangers in the process initiated at Brussels that led to the Lisbon Agreement in 1980 and the Brussels Agreement in 1984, a process under which the former placed our sovereignty on the table implicitly and the latter did so explicitly for the first time in history. And, Mr Speaker, he was proved right.

630 Sir Joe has shown, particularly during his time in Government, that sticking to your principles and sticking to your guns actually works. I still have the pleasure of meeting different Foreign Office officials in different parts of the world who bear the scars of close encounters at that time. Curiously, they also remember him with affection, almost with admiration – I should say that in the first meeting that my hon. Friend the Chief Minister and I had with David Davies, now
635 the Brexit Minister, who was Minister for Europe at the time when Joe was Chief Minister, the first thing he did was to ask after Joe and to send him his warmest wishes – an important recognition that he was defending his own people and their interests, even when those have clashed with the wider interests of London.

640 He has always defended the concept of creating the building blocks of nationhood through economic self-sufficiency. In his time as Chief Minister he dragged Gibraltar into the modern age.

I started to work closely with Sir Joe more than 20 years ago. Through thick and thin this has been and continues to be a privilege. We have contested five General Elections and two by-elections together. Time flies. It is therefore a genuine pleasure to support this motion.

645 Granting the Freedom of the City at this time is all the more relevant, given the knighthood bestowed upon him by Her Majesty the Queen recently. (**Hon. Chief Minister:** Hear, hear.) This House must follow that by granting the highest honour that it can bestow.

Mr Speaker, Sir Joe will go down in history as one of Gibraltar's political greats, especially if I write it. Thank you. (*Laughter and banging on desks*)

650

Minister for Health, Care and Justice (Hon. N F Costa): Brilliant!

Mr Speaker: Is anybody else speaking on the motion?

The Hon. Albert Isola.

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Minister for Commerce (Hon. A J Isola): Yes, Mr Speaker, nothing gives me more pleasure than to be able to rise and speak in support of the motion before the House this afternoon, especially in the presence of the great man himself, who is sitting with us in this House, and on this side of the House.

660

I think it is an absolute terrible shame that on a day when we celebrate the life's work of a man whose commitment to Gibraltar every single Member of this House is in agreement on – or so it appears – that we should fall into the silly temptation, in my view, of playing party politics, or should I call it patio politics?

665 Mr Speaker, what better way to bestow the Freedom of the City on a life-serving Member of our Parliament than for him to be here with us? Times move on, times change: are we going to remain in the way that they keep criticising us for doing, in not moving with the times and changing?

670 The award of the KCMG to a man who is sitting with us today was absolutely right and appropriate and so is this Freedom of the City, and I see absolutely no reason to talk about 'shame on us', to talk about 'clean of politics' as if the bestowing of this honour on Sir Joe is going to give him some kind of ulterior power which he will be able to use for political ends. Absolutely not. Every single member of our community knows that and understands that, and they are all, without exception – even the hardest fans of the Members opposite will be – saying that he deserves it. We all know that, so why engage in the disruption of what is, after all, a celebration for the entire community irrespective of political background or allegiance – in having this disruption to what is, in my view, an absolute celebration?

675 Mr Speaker, like yourself, lifetime service to our community is hard to find, and to the extent of what Sir Joe has done I think will never, ever be found again. There is not a single sector of our community that has not changed, benefited or enjoyed the fruits of the labours of that 1988-96 Government.

680 In my responsibility today as Minister for Commerce there is not a single area with which I work – whether it is financial services, whether it is gaming or whether it is the business community – that even today does not recognise the incredible work that was carried out in that eight-year period. Who would have thought that a socialist Chief Minister in 1997 would invite a leading accounting firm to review our financial services products to see how we can make them better, to work better to create new opportunities, new products and new business lines for our community? Sir Joe did that many years ago, and today those very same products continue to attract new business as to Gibraltar. It is not just that – and I simply do not have the time to take you through; the Chief Minister and the Deputy Chief Minister have already taken us through many of the different things that were done – but there is not a single millimetre of this community that has not been touched by the work of Sir Joe in those years.

685 But of course the measure of a good man is not just when he is in power, and that is where Sir Joe, for me, the work that he has done, has been most noticeable, because in those dark years of Opposition, in that thankless work in Opposition, Sir Joe carried on seven days a week always being available to anyone and everyone who needed his help or support. And that continues today. So if there is one thing that differentiates him from most other people involved in politics it is his absolute utter devotion to the people of the community that he serves. I do not think we will ever see anyone again who will work in that way and deliver what he has been able to deliver for the benefit of this community.

690 Of course, it all stems from one very simple word: principle. In politics, principles are often sacrificed for convenience. Not with Sir Joe. The principles he stood by in 1996, 2000 and every single election, including the last one – and I am sure it will be the same in the next one – are based on a core principle that he will *not* compromise, no matter what the political cost of doing that may be. That is what differentiates him again from many of those of us who have political work and political blood running through our veins.

700 The economy: the Chief Minister referred to the secret economic plan. I call it the secret economic miracle, because what Sir Joe did in that eight-year term to our economy was an absolute miracle. When you look at the numbers and you analyse the numbers of what it was before – MoD contribution/private sector contribution – and then you flip it over eight years later and you look at what it had done then, it is a miracle; it is absolutely staggering. And the one thing about Sir Joe when it comes to the economy, as the Members opposite will now be very familiar with, is he knows what he is talking about. His thinking, his vision and his ability to read numbers and predict their movements are something that we will continue, I hope, for many years to enjoy the fruits of his labour.

710 Mr Speaker, bestowing the Freedom of the City is in effect giving the hon. Member freedom from serfdom. It is not an irony that precisely what Sir Joe has done for 46 years is serve the people in whatever possible way he can.

I know that the controversy of the Opposition's position today will bring a smile to Sir Joe's face. Indeed, I have no doubt that he will actually thoroughly enjoy the proposition that he is

720 going to have the Freedom of the City bestowed on him by this side of the House and that that side of the House is not going to be supporting him. There is a little quirk of irony in that.

For me, Mr Speaker, honestly and truly it has been an absolute pleasure to have worked with Sir Joe for these 25 years or more in my life with the GSLP and to have the ability to continue to serve with him and learn from him, as I do every single day of the week. It is a pleasure and there is nothing really I can do more. Words are insufficient to describe what I feel about Sir Joe's contribution to our community, our economy and our people, and I will be absolutely delighted to support this motion today.

Thank you, Mr Speaker. *(Banging on desks)*

730 **Mr Speaker:** If there is no other Member who wishes to speak on the motion, I will call on the – Yes, the Hon. Dr John Cortes.

Minister for the Environment, Energy, Climate Change and Education (Hon. Dr J E Cortes): Mr Speaker, much has been said already during the course of this debate with which I obviously associate myself and I am not going to repeat, but I think that as the third-oldest Member of this House after yourself and Sir Joe himself, having been aware of Sir Joe's existence probably for as long and longer than some of the Members of this House have been alive, I think I have to say something about the old days.

I first remember Sir Joe when he came back as an active member of the trade union movement. I was a youngster in my teens and the first time I ever met him – he has probably forgotten this – was at a meeting in the John Mackintosh Hall called by my late father, Pepe Cortes, who was then a commissioner of scouts, as the scouts were preparing a nature conservation campaign, and he actually came to that meeting. I was overawed at the fact that he had walked in there and the contribution that he made, and as a young 16- or 17-year-old I sensed that he would rise to great heights. I am sure that neither he nor I imagined that one day we would be sitting in this House together, but I do go back a long way.

Mr Speaker, things that are done that fundamentally change society have one disadvantage in that they often come to get taken for granted and the person behind it is forgotten and things that are day to day one does not realise that were not day to day in the past. In my own time, and I was, I think, again the only Member of this House who actually served with Sir Joe when he was Chief Minister, both as a civil servant as the General Manager of the Health Authority, and later as a contractor I worked closely with him and his Government on a number of issues which I am going to raise because they are relevant to me. One is Calpe House, which I was very happy and proud to have worked with within the Health Service to support this and make this happen. The other was in education, which I was not involved in at the time but I am now, and the difference that the scholarship system has made not just to the students who have taken advantage of it but to the whole community of Gibraltar in having so many people who have benefited from it. It cannot be overstated. And of course in the environment, in which it was the Government that introduced the Nature Protection Act, the Nature Reserve, the first Ministry for the Environment. So the Hon. Sir Joe has touched many people's lives, has changed many things which we have become accustomed to but would not have happened had he not been the person that he is.

Mr Speaker, Gibraltar owes a great deal to Sir Joe Bossano and the Freedom of the City is one way in which the community can say thank you.

765

A Member: Hear, hear. *(Banging on desks)*

Mr Speaker: The Hon. Samantha Sacramento.

770 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, what an unexpected turn of events this afternoon. I must say that I am surprised that those opposite

have chosen to take this course and I am indeed saddened. Sir Joe's knighthood is of course totally deserved, as is conferring upon him the Freedom of the City of Gibraltar, because this is a man who has selflessly dedicated his life to the city of Gibraltar and its people.

775 There is no need to refer to Sir Joe's achievements; the most significant ones have been listed by the Chief Minister and the Deputy Chief Minister. But we must all be thankful for Sir Joe's visionary policies in the economy, for the elderly through Community Care, for families in affordable housing and for the youth. And I personally have to be grateful to Sir Joe for his change of policy on scholarships, as I have achieved my professional qualifications as a result.

780 Mr Speaker, I come from a family with a very strong trade union background and we, in my family, are lifelong members of the GSLP. I was born in the same year that Joe set up the GSLP and I am a third-generation member of the party. It is therefore no surprise that Joe's socialist values have been instilled in me always, and I have to say that Joe has been an influence to me my whole life because I have known Joe all my life, as have my family.

785 Sir Joe continues to be as dynamic and as visionary as he has always been and it is a real honour and a real pleasure to work alongside him in Government. Personally, for me, Sir Joe is a legend and I fully support the motion.

Thank you, Mr Speaker.

790 **Hon N F Costa:** Hear, hear. (*Banging on desks*)

Mr Speaker: The Hon. Paul Balban.

795 **Minister for Infrastructure and Planning (Hon. P J Balban):** Mr Speaker, I can think of no one better and no one else who deserves this recognition more – that is to have the Freedom of the City of Gibraltar conferred upon – than Sir Joe, a truly dedicated man who does not know the difference between a Monday and a Sunday when it comes to his work.

800 Joe Bossano has only had one thing at heart since he returned to Gibraltar many years ago, and that was Gibraltar and its people. Nothing could be more important to him than to ensure that our future is safe and that its people are able to rightly decide their own future: *our* future. No adversary is ever too large, no threats ever too great for this unassuming man who has defended and has done so much for Gibraltar and its people.

805 Joe Bossano was in fact a large part of the reason why I became interested in politics long before I had even met him for the first time. His passion for Gibraltar and all things Gibraltarian shines through in every way, in each word, each breath and each of the steps he takes.

810 There are far too many things that are directly attributed to this man to be able to give him credit for here, but I cannot go without at least mentioning the giant strides taken to provide access to further education for all through the abolition of the points system, the creation of affordable homes and the realisation of the largest land bank created through reclamation in Gibraltar; a man respected by his peers, by our elders and in the world of politics; a man with a magnetic charisma when it comes to young people.

815 Regardless of political persuasion, surely no one can deny the fact that Sir Joe has dedicated his life to Gibraltar and its people. Today I warmly congratulate him for his 46 years of parliamentary service. I wish him many more fruitful years at the service of our community, ensuring that our wishes and rights as a people are respected.

I cannot end without also congratulating his family who have stood beside him, and especially his wife Rose, who without doubt has been a crucial part of his success and his great achievements.

820 It is right that this House confers the Freedom of the City of Gibraltar. Congratulations, Sir Joe, on behalf of myself and my family and, no doubt, all the people of Gibraltar. I am proud to support this motion.

Thank you. (*Banging on desks*)

Mr Speaker: The Hon. Neil Costa.

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Hon. N F Costa: Mr Speaker, whereas I was not going to rise this afternoon, given the speeches given by the Hon. the Chief Minister and the Hon. the Deputy Chief Minister having set out all of the extraordinary achievements of Sir Joe, given the contributions of Members opposite I feel strongly that I must stand to support this award on Sir Joe lest there should be any doubt whatsoever in my mind that Sir Joe must rank as one of the most deserving Gibraltarians to be bestowed this award – if for no other reason than Sir Joe will not retire from politics and he will work until his last breath, if I know him well. He would rather be working for the benefit of his community than be engaged in any other matter. I do not think that Sir Joe has ever taken a holiday willingly. I do not think that Sir Joe is willing to entertain the sort of rest that other people would consider natural and only deserving.

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I think we can all agree he is a man of utter and absolute conviction. He will not remember, I do not think, that I was 10 when I asked for the Chief Minister at the time to give me an interview as a student of St Anne's who had started a magazine. He did not only accept my invitation but spent an entire afternoon explaining to me the politics that he had chosen in his life and the reasons why. Forward that to where we are today, so many years later – in fact, almost 30 years later – and his political discourse today is exactly the same as it was 30 years before, which is to say that the hon. Gentleman's philosophy, politics and convictions have not changed one whit in those 30 years, which shows, as the Hon. Mr Isola said before, that he is a man of single-pointed devotion to the members of our community.

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The Hon. the Chief Minister and the Hon. the Deputy Chief Minister have listed in detail the Hon. Sir Joe's achievements in education, in the economy, in foreign affairs, in achieving the change to mandatory degrees for all those who want to attend university, and of course when one looks at those policies that were started by Sir Joe and you look at Gibraltar today, it is indisputable – there can be no doubt, it is incontrovertible – that the prosperity, the modernity and the sophistication of this community and the number of degrees per capita in a small area such as Gibraltar must rank as a testament, one of the better testaments, to the policies which the Hon. the Minister for Equality has called visionary, and they have been visionary.

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Mr Speaker, I think, as the Hon. Mr Balban said, we have to thank, of course, Sir Joe's family, who no doubt have been with him through thick and through thin, and notwithstanding the many years that Sir Joe stood as Leader of the Opposition in this House they were there for him to support him.

It is the measure of a great person that he is not only in Parliament when he is in Government but also when he is in Opposition and he meets and takes the meetings of all those who want to meet with him and will always give the people who meet him his honest advice.

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His question of integrity is beyond dispute. He has served this community, I think, with unswerving selfless devotion. I think that it will be very hard to find in this community a man or woman in the future who will serve his or her community with such passion and unswerving dedication.

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Therefore, there is no doubt in my mind that Sir Joe should – whilst he is a Member of the Government, whilst he is serving the people of Gibraltar, whilst he is still representing our interests abroad and nationally, while he still has the capacity to rationalise, outdebate us, outmanoeuvre us and is in every single way able to win every argument – be awarded the Freedom of the City, and I have no hesitation to recommend the motion to the House. (*Banging on desks*)

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Mr Speaker: The Hon. Steven Linares.

Minister for Culture, the Media, Youth and Sport (Hon. S E Linares): Mr Speaker, I was not going to speak on this motion because, as has been said, the Chief Minister and the Deputy Chief Minister have given a perfect synopsis of the life and work of Sir Joe Bossano.

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I rise, first of all, in disgust. I am not a very diplomatic person but I am of heart and I have principles, and I accept people with principles but I cannot accept the disgusting way in which this Opposition has behaved today. (**A Member:** Hear, hear.)

880 I have been in this Parliament probably, from the whole of you lot here (*Laughter*) and myself, the third person to be in Parliament – I have been 11 years. I think it is Joe Bossano who has been here the longest; second must be the Deputy Chief Minister, who has been here for 12 years; and I have been here 11 years. All the rest have been less.

885 **Hon. D A Feetham:** More than 11 years, actually. In fairness to you.

A Member: I have been here 11.

Hon. S E Linares: Thank you, even more – putting my argument into position.

890 I say that I do this in disgust because there has been – (*Interjection by Hon. D A Feetham*) No, from the year 2000, actually. (**A Member:** Eighteen?) So 18 years, yes; 11 in the Opposition – that is why the 11.

895 Anyway, what I was saying is I am disgusted, Mr Speaker, for the simple reason ... And this is the second time that I have seen this attitude and this politics of the GSD, because being on that side, like the Chief Minister said, is a very difficult position to be in and I have had the brunt of the previous administration for 11 years, being called everything except *guapo* for 11 years, and I have accepted it. I have sat down there and I have accepted every single word and every single thing that has been thrown at me, but every time, for example ... And this is why I think this is the second time that I am disgusted, because the first time that I was disgusted by the politics of the GSD was when they voted against the Budget. (**Several Members:** Hear, hear.) Yes, it is
900 incredible that anybody –

Mr Speaker: The Honourable... May I... Keep to the motion.

905 **Hon. S E Linares:** Yes, sir. I will tell you why –

Mr Speaker: It is not relevant.

Hon. S E Linares: No, I will tell you why it is relevant, Mr Speaker –

910 **Mr Speaker:** I do not think it is.

Hon. S E Linares: I have not –

915 **Mr Speaker:** I am warning you that I do not think it is, and if I am right ... I do not want to follow Mr Speaker Bercow in asking the hon. Member to sit down. Please, not today. Be very careful, because I do not think that you are being relevant, but I will give you a chance.

920 **Hon. S E Linares:** Mr Speaker, the relevance is that I learnt from Joe Bossano the fact that you never, even in Opposition, vote against a Budget.

Mr Speaker: That has nothing to do with this motion. Whether you vote for a Budget –

Hon. S E Linares: Yes, it goes to saying things about Mr Bossano.

925 **Mr Speaker:** Listen to me. Whether you vote for a Budget or whether you do not vote for a Budget has got nothing to do with any of the paragraphs of this motion, so move on to something else which is relevant and leave the Budget aside.

Hon. S E Linares: Okay, Mr Speaker, I will move on then.

930 The second part that I have hated today is that they seemed to be accolading and praising
Sir Joe but at the same time they had the audacity to say that they would abstain from giving
him the Freedom of the City.

935 It is nonsense that he is in Government now. It is nonsense that he is a Member of
Parliament. Or is it that the Opposition is actually insinuating that he is going to use his position
as a Freeman of Gibraltar and abuse it? Is that what you are saying? Because that is the way that
it seems in all of the argument that you are putting: he is going to abuse his position because he
is a Freeman of the City. So therefore, that argument for me... and that is why I say I am quite
disgusted at that.

940 But despite that, I have learnt a lot about Mr Bossano that I am not going to go on about
because everybody has spoken – even you yourselves have spoken highly of Mr Bossano and
why he is deserving of the Freedom of the City.

So despite that, I am honoured to be a Member of this Government and I am honoured to be
voting in favour of the motion, and I hope all the rest of you will as well.

Thank you very much.

945 **Several Members:** Hear, hear. (*Banging on desks*)

Mr Speaker: The Hon. Gilbert Licudi.

950 **Minister for Tourism, Employment, Commercial Aviation and the Port (Hon. G H Licudi):** Mr
Speaker, we have this afternoon heard a long list of reasons why this motion is so deserving of
support and why this motion deserves to succeed. It can all be summed up in one word, and that
is 'legacy'.

955 Unfortunately, legacy is something we often speak about in terms of a person who may have
passed away and we talk of the legacy that that person has left behind. In this particular case,
we are very lucky to be in the rare position of being able to enjoy with a person here with us in
this Parliament the legacy that he has left behind for all Gibraltarians – not just to enjoy, but as
we see and walk around Gibraltar it is there and it is palpable. Few people in the world, in fact,
whether sitting parliamentarians or people who have moved on, can have as an accolade the
sort of legacy for the whole of their country ... Whether it is economic legacy, whether it is social
960 legacy, whether it is political legacy, few people can enjoy the sort of recognition that we can
see in Gibraltar in terms of the benefit to the community and the benefit to the whole of the
nation that Joe leaves us. And he does not leave us and that is the beauty of what it is that we
are doing today, because it is not that we are talking of legacy in the past tense. I am sure that
the legacy of Joe Bossano tomorrow and in five years' time will be very different to what it is
965 today, although everything that we enjoy today will still be there, and it will be different because
we still have that benefit of being able to enjoy Joe's contribution to Government policy, to the
resolute defence of Gibraltar, whether it is in the United Nations or elsewhere, and that will
continue, hopefully, for many years to come. That legacy will simply be enlarged.

970 That legacy is evident everywhere we go around Gibraltar, whether we walk or we drive, and
it is so palpable and so much has changed in the many years that Joe has been in office which
actually improved the lives of so many Gibraltarians. All we have to do is walk or drive around
the Westside area – a piece of water before Joe came to office in 1988 and in four years that
area was transformed, and not just transformed into a piece of land which brought with it the
sort of benefits that we have heard from the Chief Minister and others in terms of being able to
975 build offices, being able to create the gaming industry and the financial services industry. All of
that was brought about as a result of decisions that Joe made at the time. When we look at
Montague Gardens, we look at Harbour Views and we look at Gib5, we see how the social matrix
of Gibraltar improved, how so many hundreds of families actually benefited from that vision of

980 the creation of land for social benefit and the co-ownership scheme that was devised by Joe, as we have heard.

I joined the GSLP in 1984, 34 years ago. It was the year, as the Hon. Dr Joseph Garcia has said, that the Brussels Agreement was signed, and I remember one day – and I was not involved in politics at all – after the signature of the agreement, listening to Joe in one of his speeches condemning in particular the danger of bilateralism that was included in Brussels: the thin edge of the wedge, where would it all lead, us not being responsible for our own destiny, and the need to object and to fight in whichever means we could against what the Brussels Agreement stood for. That touched me and that made me feel that there was something in this man that was worth listening to. It moved me to follow him into politics by joining the GSLP and very shortly thereafter I was asked to join the executive committee of the GSLP. That was in 1984. Still very proud to be associated with Joe and with the GSLP.

990 From a personal perspective also, following on from what the Hon. Samantha Sacramento has said, 1988 saw the GSLP come into Government, and as the GSLP had promised, that same year the scholarship system was changed. And again, so many hundreds of Gibraltarians have benefited from that fundamental change in how we saw higher education in Gibraltar and the opportunities that needed to be given to our children, to our brothers, to our sons, so that they could have the opportunity of going off to study, staying away if they wanted to but being able to come back and be able to benefit Gibraltar with the wealth of that information and those qualifications and being able to put those to good use.

1000 And it was in 1988, as a mature student at 28, and only with the benefit of that change of policy by Joe Bossano, that I was able to go off to study law, become a lawyer and enjoy a very ... I would not say successful; a very enjoyable ... As an aside I would remark that, the very first year, somebody else who was also benefiting from a scholarship from the GSLP Government was the Hon. Daniel Feetham –

1005 **Hon. D A Feetham:** I still remember the arguments!

Hon. G H Licudi: – and although it is digressing, we shared accommodation for a year. We lived together for a year. **(Several Members: Ooh!)** We had endless – *(Interjections and laughter)* Yes, we shared accommodation – in separate rooms – and I remember my room at the time being plastered, literally wall to wall, with the posters of the election in 1988, which included Joe and included Danny's father, and our *endless* discussions, sometimes even arguments, although at that time we often agreed on politics, well into the hours of the night, and that was a direct result of the change that Joe brought.

1015 I do not want to say any more, Mr Speaker, other than apart from what we have seen Joe contribute to Gibraltar in the past – whether it is in bricks and mortar, whether it is in social policy, whether it is in education or all the other areas that we have spoken about – there is one particular thing that I admire and value about Joe, and that is his judgement. Even today I have occasion, whilst we are in Government, to occasionally call Joe whenever I have to take particular decisions as a Government Minister, in order to have the benefit of his experience and importantly his judgement, his views and opinions. He is a fountain of knowledge and he is also, in my view, one of the people that I value most in terms of his opinions and his judgement, and I hope to be able to count on that support from Joe, as of course he does from me.

1025 **Hon. Chief Minister:** Hear, hear. *(Banging on desks)*

Mr Speaker: I understand the man himself wishes to say a few words. The Hon. Sir Joe Bossano.

1030 **Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano):** Mr Speaker, this is not an easy motion for me to be speaking to: this is about me.

It is probably a unique result in the context of the occasions where we have previously approved motions conferring the Freedom of the City of Gibraltar on somebody. In all cases that I can remember where I have participated, it has been by unanimity. The Opposition are perfectly entitled to take whatever view they think is correct.

1035 The honest thing about motions like this is that there are people who vote in favour because they really believe that the person concerned deserves it and because they have love, affection and admiration for the person and they want to express it in their vote; and there are people who vote in favour because they feel it is politically suicidal not to – it always happens.

1040 Obviously there are a couple of things that result from the way this has developed that create a problem for me. I had no doubt that I had to abstain because I was not going to vote to confer anything on myself.

1045 In any case, everybody in this Chamber and indeed outside in the rest of our tribe knows how I feel about honours. But over 46 years, the one thing that I have learned is that there is no greater reward and no greater honour than the warmth, affection and love that people show you, and, as Samantha says, when it transcends generations. I am privileged that having been as long as I have, doing what gives me most satisfaction in life and being paid for it at the same time, we've just had all that happen, that, I can be with the grandchildren of the people who started with me.

1050 I am going to abstain on this motion because it is wrong for me to vote in favour, which puts me in an extremely difficult position of having to vote with the Opposition against my own Government. *(Laughter)* That may well explain why they are doing it: they cannot think of anything worse to do to me than that!

1055 Why should they be so scared of me getting it now in the knowledge that the one thing that this motion has already secured for me is not the Freedom of the City to be able to do what the Freedom of the City allows you to do – which I will explain shortly, which may explain their fear – but it has secured for me, I think, the votes of all the Members on this side for the selection process for next year's General Election when I intend to stand as a candidate.

1060 I have already publicly proclaimed support for my candidature for the 2019 election if I manage to keep on going in my present state of health and my present state of mind. I think 80 is a good age to start on a thing, and of course as the Chief Minister mentioned, 90 really well... Look, every day we read in the newspapers how the lifespan is growing and getting longer, and so what looked like a very far day ... Ninety does not look so far away after all now, *(Laughter)* so I am sure I can persuade my colleagues that the 90 was a symbolic date, really.

1065 Nothing is going to be added to what I can or cannot do in Parliament, but what is being added is what I can do outside Parliament, and that is that I can go down Main Street with bayonets fixed. They may not like the idea of meeting me in Main Street with bayonets fixed and they want it to happen when I am not here. And given the intentions that I have of being here for a very long time, that means that they want it to happen when they are not here, because they are likely to stop being here well before I do. *(Laughter)*

1070 So, on that basis, Mr Speaker, I cannot commend people to vote for the motion because I am actually going to abstain, and it will be the first time – and the only time, I hope – in my life that I vote with the GSD. *(Banging on desks)*

Mr Speaker: The Hon. the Chief Minister.

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Hon. Chief Minister: Mr Speaker, I have to start, in dealing with the contributions we have heard, with the contribution from the hon. Lady who said that it was dangerous to bestow on Sir Joe the Freedom of the City whilst he was a Member of this House – well, I think he has done a better job than me of speculating on why there might be any potential danger of somebody having this honour despite the fact it has absolutely no parliamentary effect – and that it devalues the honour in some way. I really cannot understand that, other than that she wanted to make a speech on the subject which somehow enabled her to not support the motion. I must

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say to her, with the greatest of respect, I think it is sophistry to try and go down that road because it is very clear that there will be absolutely no material change to the rights and privileges as a Member of this Parliament that Joe Bossano will enjoy as a Knight of the Realm and Member of Parliament or as a Knight of the Realm, Member of Parliament and Freeman of the City of Gibraltar.

In fact, she said of course he has the power to vote on his own honour. Well, he has already indicated that he is going to disappoint us all by voting with the Opposition on this one, aka not voting by abstaining. The hon. Lady there has, I think, reflected a deep misunderstanding of what it is that happens when we vote on legislation in this House. There is legislation before the House today, as there will have been on many occasions in the times that all of us have been here, where Ministers will present Bills that will give them power to do things. They will present the Bill, they will vote in favour of the Bill and ask everybody else to support them, and they will take from this Parliament real power to do things as Ministers empowered under legislation to do things. In this vote all we are doing is showing our affection and our thanks for the work done by the hon. Member.

Indeed, very often in the history of this House when there was a different practice, mayors would be appointed from within the rank of the House and therefore a Member of the House was bestowed the rank, privilege and honour of the mayoralty and sat in this House and voted on the honour, because in the days when that was the case under the old Constitution, the majority was one and therefore if it was not going to go by unanimity the mayor nominee had to vote himself as mayor – if he was not the Speaker, for example – in order to ensure that the vote was won. We had a number of instances where mayors were members of the political party that was in Government.

So the hon. Lady's argument I think has absolutely no truck with reality, but if she will allow me this reflection, if there is anything that could make Joe Bossano's receipt of this honour even sweeter it is perhaps that with one vote of the GSLP Liberal Government we are going to defeat the GSD and Hassan to get him the Freedom of the City which he rightly deserves. I think if she will allow me that affectionate reflection it will be even sweeter.

Mr Speaker, how can the people of Gibraltar not follow Her Majesty the Queen in recognising the efforts and the work of Joe Bossano? We, in a representative democracy in this Parliament, are the representatives of the people of Gibraltar and with our votes today those of us who raise our hands will recognise that work, that devotion of Joe Bossano in the same way that Her Majesty, in the bestowment of the KCMG, recognised it also.

I think it is very clear to hon. Members opposite that by taking the attitude they have taken they have not ruined Joe Bossano's day – they have probably made it, to an extent. If I know somebody of whom saying that he is mired in controversy is more of an accolade than it is a concern, it is Joe Bossano.

The Hon. Mr Feetham rose to say that a day like today shames us all and that it was with great regret that he saw the way that the debate was going. Well, Mr Speaker, it shames us all only because there is a motion before the House which could have passed by unanimity and they have chosen, without consultation with the Government, to present an amendment which has caused the controversy in the terms that we have debated.

So, if there is regret, why do it, Mr Speaker? They are still in time – their amendment has been defeated. All they need to do is raise their hands or intone a 'yea' rather than silence when the vote is called.

I will tell him something, Mr Speaker – honestly and genuinely I will tell him this: I do not think this would have happened if he was Leader of the Opposition. I genuinely do not believe that. I think that what we are seeing here today is something designed outside of this House, not within it, and I genuinely believe that this motion should have gone by unanimity and that if he were Leader of the Opposition ... Indeed, I will go further, Mr Speaker: if chance had dealt us different cards and if he were Leader of this House, this motion would have gone by unanimity. I am utterly sure of that. We know each other very well and he knows that in all the time that he

1135 has been a Member of this House he has at different times intoned it in a different way, but he
has never hidden his affection for Joe Bossano and his contribution to this community.
Mr Speaker, it is clear, I think, almost beyond peradventure, given that he said, 'My party has
taken a position and I will support it,' so I think it is very clear to me that what he was saying to
1140 us was intoned as support for the amendment but actually by way of apology to Joe Bossano,
and on this side of the House I for one will interpret it in that way because I think that is
genuinely what he intended to do, for all the right reasons. He could not have been clearer in
the way that he described the 'legacy', as Gilbert Licudi put it, of Joe Bossano: what distinguishes
1145 Sir Joe is that he leaves genuine footprints in our community, in our nation. Well, as those of us
who have had occasion to step into them know, Joe Bossano has giant shoes. He leaves giant
footprints in this community and the hon. Gentleman knows that and rightly expressed his views
as to the legacy of Joe Bossano in that way for that reason, because despite the cut and thrust of
politics, and on one occasion the invitation to go downstairs and take politics one step further,
despite that, the genuine affection –

1150 **Hon. D A Feetham:** That is why I am abstaining.

Hon. Chief Minister: Because of the bayonet? (**Hon. D A Feetham:** Yes!) The genuine
affection has always been there at a human level and I am sorry that he has been put in this
position, which is absolutely clear given his own words in *Hansard* that his party has taken a
1155 position and he is therefore going to support it.

Mr Speaker, the Hon. Mr Phillips then said that Mr Feetham had set out elegantly the
position of the GSD. Well, perhaps more elegantly than he did, that is for sure, because he
expressed that reluctance at the step that they were taking ... a reluctance that was not
evidenced in the gusto with which he presented the notion that the application of the motion
1160 should be suspended until Joe Bossano retired.

And then Mr Phillips said it was a shame that the Chief Minister had not got his PA to pick up
the phone and that then I had told him that I had accepted his amendment and there would be
therefore no need for this debate. Well, given that I moved the motion, which did not
countenance the suspension, I think it is pretty nonsensical to think that I would have actually
1165 acquiesced to an amendment which blunts the effect of what I proposed to the House we
should do. I will say to him that I think it is a shame he did not get his PA to pick up the phone
and tell me that he agreed with the motion that we had put and that he was not going to move
his amendment. Then, as he said, we could have had a much more convivial debate, because the
conviviality is taken out of the debate only by the actions that they have sought to implement
1170 today.

You see, Mr Speaker, the fact is that all we are asking them to do in exchange for the
lifetime's commitment that this man has given to Gibraltar – for National Day; for the homes; for
the scholarships, and he may have been one of the beneficiaries of those scholarships; for the
hours spent seeing people, sorting out their problems – all we are asking them to do is to raise
1175 their hands or say yes when that question is called. That is all, and they cannot even bring
themselves to do that.

The Hon. the Deputy Chief Minister, in characteristic style, reminded us of things that many
of us might have forgotten – that is the role of the historian – and I want to deal with something
that he said. He told the House that Joe Bossano started in politics before he was born, and lest
1180 anybody think that he is younger than me I was very happy to see that he clarified that Joe
Bossano's contribution to politics and public life in Gibraltar started even when Joe Bossano was
not in Gibraltar. I think that is an important reminder to us that the trajectory of the Hon. Sir Joe
Bossano does not start in 1972; it starts way before, in the mid-1960s. And the letter that he
remitted to Sir Joshua at that time, the second limb of which was amongst those that the Deputy
1185 Chief Minister set out, was absolutely prescient, and achieved now, as a result of the steps taken
from the moment that Joe Bossano was elected in 1988 as Chief Minister, which was that letter

that he commended Sir Joshua should have sent to the Governor demanding self-government for Gibraltar in every respect and the withdrawal of the Governor from the Council of Ministers and internal self-government, therefore, in every respect.

1190 I am reminded, Mr Speaker, by note that in fact at the time that Joe Bossano was elected in 1988 and made all his Ministers full-time Ministers and froze their salaries, the salaries frozen were those of part-time Ministers, namely the part-time salaries of Ministers. Those who have been on the political journey with Joe Bossano certainly have the wounds to show for it, Mr Speaker! Certainly!

1195 Dr Garcia reminded us that Joe Bossano's influence in this community is constant as he walks down Main Street and people stop him and seek his intervention and he takes out one of those notebooks and writes down the problem in order to ensure that he gets back to the individual.

1200 Mr Speaker, Dr Garcia should try walking with Sir Joe down Main Street on National Day. It is absolutely impossible to get yourself to the stage in time – if you do – and you have soon got to leave him behind and hope that he will catch up, and en route he will no doubt lose one or more of the notebooks and his passport. The minute he then meets up with you again he will tell you that he is sure you have got it and that it is absolute sabotage that you are trying to perpetuate on him.

1205 It is particularly amusing when he loses the passport on arrival at US immigration – and I can confirm to hon. Gentlemen that it is possible to get back on an aeroplane once you get off, when it is empty, if you have the right argument – namely, 'We're getting back on this plane to go back to London or we're finding the passport that the hon. Gentleman has lost.'

1210 But National Day, Mr Speaker, is Gibraltar's day and it is Gibraltar's day because Joe Bossano made it Gibraltar's day. It should also be his day and one of the things that we are certainly going to do if this motion enjoys the support of the House – as I am sure it will do, given the things that hon. Members have said – is that we will seek to liaise with the Self-Determination for Gibraltar group so that the Freedom of the City which this House votes today should be bestowed on Sir Joe Bossano on 10th September this year. That is the most fitting date for Joe Bossano to be made a Freeman of the City.

1215 Mr Speaker, it is also absolutely true that all of the officials that I have met in the time that I have been Chief Minister who had occasion to do 10 rounds with Joe Bossano when he was Chief Minister remember him as entirely uncompromising and, as they have subsequently said to us on condition of anonymity, absolutely right when he was making the arguments and fantastically affectionate and a good friend once the argument was over. That, I think, is a characteristic that Joe Bossano has brought to politics in every respect, and every one of his political opponents, however bitter they may have been at any time, whenever they have needed his support have found it. That, I think, sets him apart from so many.

1220 Mr Speaker, what Joe Bossano deserves is the unanimity of this House on the bestowment of the Freedom of the City. Hon. Members have said that they believe that he deserves it. In a representative democracy we represent the people, and they represent just barely ... in fact, just under a third of the people of Gibraltar. But even that one third of the people or less that they represent, they have said they believe Joe Bossano should have the Freedom of the City; it is just a question of when.

1230 But when the time comes to vote, the history of this place will show that only one side of the House actually voted in support of his deserving entitlement to the Freedom of the City. It matters little. In fact the Freedom will pass, and I think to an extent the fact it will be the first Freedom not to pass with unanimity ... but I seem to detect with no votes against might actually be another badge of honour that Joe Bossano can wear with pride.

1235 When you look at how combative he has been in his career and you ask yourself is this man just controversial for the sake of it ... I asked him a question once when I was flying with him to New York – occasions on which he educated me on the human genome, on the basics of economics and the detail of politics. I said to him once, 'Joe, you lost the election in 1996 because you did certain things which people didn't like. Why did you do them? Would you do

1240 them again if you had the chance?’ and he said to me, ‘Every single one of the things I did was
 the right thing to do for Gibraltar and I would do them again, even if I knew it would lead me to
 losing the election.’ That demonstrates not a desire to seek controversy but a desire to do the
 best for Gibraltar even if it is controversial, and that is hugely valuable, and that no doubt will
 have come out in the magazine that Neil Costa was responsible for editing when he was a boy. I
 commend him to go from this place to his home and find a copy and bring it on Monday to the
 1245 Cabinet session so that we can all understand what it was that Joe told him then.

Mr Speaker, this is a man who has never sought comfort or elevation, and the best way to
 recognise his ‘legacy’, as Gilbert Licudi put it, is to enshrine that legacy in the award of the
 Freedom of the City which this House can bestow, because if there is one thing that Minister
 Licudi said with which I disagree it is that he said that hundreds had benefited from scholarships.

1250 **Hon. G H Licudi:** Hundreds of families.

Hon. Chief Minister: Hundreds of families. Now it is probably thousands, if not indeed tens of
 thousands. Given the numbers that he used to remind me, when he was Minister for Education,
 1255 we had already outside of Gibraltar, just now I think it is probably thousands, if not tens of
 thousands of Gibraltarian families who have had the benefit of scholarships.

So, Mr Speaker, as I come to the end of my contribution and I commend this motion to the
 House and I reflect on the position that hon. Members opposite have taken, I am reminded of
 the words of Michelle Obama in the context of an election in the United States when her
 1260 husband was being insulted and the insults were spilling on to her and she said, ‘When they go
 low, we go high.’ Mr Speaker, hon. Members are going low today: we will go high.

This motion is about Joe Bossano and his love for Gibraltar, and what we are saying back to
 him is that Gibraltar loves him back. That is why I commend this motion to the House. *(Banging
 on desks)*

1265 **Mr Speaker:** I now put the question in the terms of the motion proposed by the Hon. the
 Chief Minister. Is there a division required?

Hon. Chief Minister: Absolutely, Mr Speaker.

1270 *A division was called for and voting resulted as follows:*

FOR	AGAINST	ABSTAIN
Hon. P J Balban	None	Hon. J J Bossano
Hon. Dr J E Cortes		Hon. R M Clinton
Hon. N F Costa		Hon. D A Feetham
Hon. Dr J J Garcia		Hon. T N Hammond
Hon. A J Isola		Hon. Ms M D Hassan Nahon
Hon. G H Licudi		Hon. L F Llamas
Hon. S E Linares		Hon. E J Phillips
Hon. F R Picardo		Hon. E J Reyes
Hon. Miss S J Sacramento		

Mr Speaker: There are 9 votes in favour of the motion, with 8 abstentions. The motion is
 carried. *(Banging on desks)*

We will now have a recess of 20 minutes.

The House recessed at 5.25 p.m. and resumed it sitting at 5.50 p.m.

**Pensions Act –
Pensions (Amendment) Regulations 2018 –
Motion carried**

Clerk: The Hon. the Chief Minister.

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Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move the motion standing in my name, which reads as follows:

That the Gibraltar Parliament approve by resolution, the making of the Pensions (Amendment) Regulations 2018 as set out in the enclosed draft for circulation, pursuant to section 3(3) of the Pensions Act.

Mr Speaker, this resolution is required as a result of section 3(3) of the Pensions Act, which allows Government to give retrospective effect to a regulation made under the Act in order to confer benefit upon a person, provided the approval of the Parliament is received by resolution.

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These Regulations amend Regulation 5(2) to allow non-pensionable officers – industrials, that is to say – to retire, in special cases approved by Government, at the age of 50 rather than 55.

This particular amendment does not require retrospective effect. The two provisions which do require retrospective effect are Regulation 3(2)(b) and Regulation 4, and I will deal with each of these in turn.

1285

The amendment in Regulation 3(2)(b) allows for HMGOG, in special certain cases approved by the Government in writing, to waive the requirements set out in Regulation 5(5) of the Pensions Regulations that non-pensionable officers – that is to say, again, industrials – may not receive a pension, gratuity or other allowance until attaining the age of 60, even if they retired earlier. Therefore, under this provision, non-pensionable officers may decide to take a commutation before reaching the age of 60 as long as there is an agreement in writing with the Government, which can be by way of an early exit scheme agreement.

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The retrospective date applying to this provision is 4th February 2011, which was the date when the Government then, the former administration, and the Building and Works Department Early Exit Scheme Agreement was entered into. Therefore, non-pensionable officers – industrials – who have left under any early exit scheme since this date but who are currently waiting until the age of 50 to receive their pensions award may reach an agreement with the Government to receive their pension and gratuity or allowance before attaining the age of 60.

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Regulation 4 is also given retrospective effect to 4th February 2011. This provision amends Regulation 2 of the Pensions (Amendment) Regulations 2011 so that an industrial can, in special cases approved by the Government, at the time of retirement, as from the age of 50, be treated as if he were an officer in a pensionable office and receive the same pension and gratuity as an officer in a pensionable office with the same amount of pensionable service.

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Mr Speaker, for all those reasons I commend the motion to the House.

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Mr Speaker: I now put the question in the terms of the motion moved by the Hon. the Chief Minister.

The Hon. Roy Clinton.

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Hon. R M Clinton: Thank you, Mr Speaker.

I am grateful to the Chief Minister for having set out the various amendments and the effects of those amendments, and indeed the legislation under which the amendments are coming to this House – and indeed the Pensions Act itself under section 3 requires this House to give approval by resolution for anything that is to have retrospective effect, as the Chief Minister has correctly said.

1315

The section that is being sought to be amended under 3(2)(b), where it says:

(b) for subregulation (5A) substitute –

‘(5A) Subregulation (5) shall not apply in special cases approved by the Government in writing, such approval being set out in the terms of an early exit scheme agreement or otherwise, specifying that such officer may be granted a pension, gratuity or other allowance before attaining the age of sixty.’.

And then (c) says:

delete subregulation (5B).

The original sections 5A and 5B – Mr Speaker, with your indulgence I shall read them to the House – say:

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5A Subregulation (5) shall not apply to those officers who are subject to the Housing Works Agency Early Exit Scheme and commute their pension in accordance with paragraph (3) or take a pension in accordance with paragraph (6) of the side letter of agreement which came into effect on 14th November 2017.

And then (5B) reads:

Regulation 2 of the Pensions (Amendment) Regulations 2001 shall apply to those officers referred to in subregulation 5C as if the age stipulated in that regulation were fifty instead of sixty.

Mr Speaker, I am not aware, and maybe the Chief Minister can enlighten me, that the side letter of agreement has been presented to this House. Maybe it has in the past – I cannot say. I have not seen such a letter.

1325

My concern is whether the wording that now is being sought to be put in substitution seems now to be rather generic in that it could apply to any early exit scheme agreement, and not this one in particular. Is it that the Chief Minister is asking this House to approve as it were – I use the words carefully – a ‘blank cheque’ in respect of exit schemes, in terms that it could apply to any exit scheme the Government so chooses to design? I would be grateful for the Chief Minister’s explanation for that.

1330

Also, I must admit I am curious as to why 50 is now being substituted in place of 55. It does seem somewhat generous to people to retire at the age of 50 and commute their pensions. Again, Mr Speaker, I am not aware of the contents of the side letter agreement with the Housing Works Agency.

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My concern – and it very much depends on what the Chief Minister or others may be able to contribute to this motion – is what is likely to be the future effect of this motion in terms of the future early exit schemes, and certainly in respect of the application retrospectively. Can the Chief Minister give us some indication of what the cost of this scheme will be, although I recognise that in terms of any future liability a liability, if already exists, but how much would he expect would be able to be commuted immediately by this motion coming into effect today?

1340

Mr Speaker, in terms of the Chief Minister’s response, then we will be able to take a view as to our position on the motion.

Thank you, Mr Speaker.

1345

Mr Speaker: Does anybody else wish to speak on this motion? The Hon. Sir Joseph Bossano.

Minister for Economic Development, Telecommunications and the GSB (Hon. Sir J J Bossano): Mr Speaker, the reason for the amendment initially came about because of an agreement that was done with the relevant union then reaching the Principal Auditor, who thought that in fact what had been agreed and accepted required an amendment to the existing regulations. Therefore, the regulation has been changed in order to be able to honour an agreement that was entered into on the basis that both sides entering into that agreement thought that the provisions that already existed covered that situation.

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The position of going to 50 years, which is a new element that is being introduced at the same time, is on the basis that it will be cost neutral. There will be no cost involved because

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1360 people who choose to take their pension at so have to commute 100%. Therefore, if they did not commute 100% it would mean that the cost would be five more years of pension, but if they commute 100% the amount that they get at the age of 50 as a lump sum will be the same amount as they would get at the age of 55 as a lump sum. There is a small element of the fact that the money would be worth more five years earlier in terms of inflation, but in terms of the cost, the cost would have been prohibitive, and when people make representations about being able to go at 50 – and there are already categories in the public service that can go at 50; for example, firemen can go at 50 – it was considered on the basis that it would not cost a significant amount of money.

1365 I think, in terms of numbers, we are probably talking about less than a dozen people being involved, and in terms of the cost, if they choose to go at 50 it will mean that it would be the cost of getting a lump sum payment five years earlier than they would have got it, and therefore the benefit to them will be that the money, in theory, would be worth more because five years later it would be the same amount of money reduced by inflation. There is no other cost over and above what existed before.

Mr Speaker: Any other Member wish to speak on this motion?

I call on the mover to reply.

1375 **Hon. Chief Minister:** Well, Mr Speaker, I think the Hon. Sir Joe Bossano has set out the intention of the Government and the reasoning behind why the amendment is required.

The Pensions Act is a sacrosanct Act, in the sense that we have to be very careful with what we allow under it or we do not allow under it, and therefore it is when we are convinced that an amendment is required that we would bring it to ensure that we are able to cover all of the eventualities that the Government envisages, as Sir Joe has set out, and for that reason, Mr Speaker, I commend the motion to the House.

Mr Speaker: I now put the question in the terms of the motion moved by the Chief Minister. Those in favour? (**Members:** Aye.) Those against? Carried.

**Select Committees on Parliamentary Reform and on Constitutional Reform –
Membership –
Debate commenced**

1385 **Clerk:** The Hon. the Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move the motion standing in my name which reads as follows:

THIS HOUSE:

Recalls the establishment of Select Committees on Parliamentary Reform and on Constitutional Reform:

AND NOW HEREBY RESOLVES:

to add the Hon. L Llamas to both these Select Committees;

to add the Hon. Dr J Cortes to the Select Committee on Constitutional Reform;

to add the Hon. S Linares to the Select Committee on Parliamentary Reform.

1390 Mr Speaker, the history of this motion is well known to all Members of the House. We have seen Mr Llamas depart the GSD after the Budget session last year and, as a result of that, given

that he became a new independent Member of the House, the Hon. the Deputy Chief Minister moved a motion that he should be added to the Brexit Select Committee.

1395 Subsequently, well indeed, that debate engendered a rather lively contribution by hon. Members opposite. As I have said before, it will go down as the Hon. Mr Feetham's best speech in this House, as far as we are concerned on this side of the House, and indeed Mr Llamas had something to say about the attitude that hon. Members had taken. I will put it no further than that.

1400 Subsequently, and despite all of that and all the things that were said, the Hon. Mr Llamas has now told us that he has returned to the GSD. He gave an indication to the House, therefore, of what his position would be in respect of select committees and it is therefore necessary for us to make an amendment to the motion, of which I have given written notice. I think some changes are required.

1405 The notice in writing I think is with hon. Members and in effect what we will do now is we will remove Mr Llamas from the Select Committees, including the Brexit Select Committee, and not add any other Member of the Government, so that the motion therefore serves to remove Mr Llamas from the Committee on which we have put him, rather than add him to any others.

I apologise to the House, Mr Speaker, for the confusion, but I assure you it is not of our making.

1410 **Mr Speaker:** What I propose to do first of all is to put the amendment to the motion to Members beforehand, which has been circulated. Do the Opposition have the amendment?

A Member: Where is the motion?

1415 **Hon. Chief Minister:** The motion is on the Order Paper.

Mr Speaker: Do they need the motion as well? (**A Member:** Yes.) Yes?

For the record, let me read out the motion – it is not very long. The Chief Minister's motion reads as follows – the original motion:

THIS HOUSE:

Recalls the establishment of Select Committees on Parliamentary Reform and on Constitutional Reform:

AND NOW HEREBY RESOLVES:

to add the Hon. L Llamas to both these Select Committees;

to add the Hon. Dr J Cortes to the Select Committee on Constitutional Reform;

to add the Hon. S Linares to the Select Committee on Parliamentary Reform.

1420 That is the motion and now you have the amendment before you, and it is the amendment –

Hon. Chief Minister: If I could be of assistance, I think it may be that there is another –

Mr Speaker: The amendment has to be moved.

1425

Hon. Chief Minister: Yes, indeed, but I think it needs to be tweaked to add the deletion of the words 'Select Committees on Parliamentary Reform and on Constitutional Reform', so that it should read instead:

Recalls the establishment of the Select Committee on Brexit:

1430 I think that has to be the first amendment, and then the amendments I have put. So I will have to give written notice of that as well, in writing – as written notice inevitably is. And so I will just write it on here, Mr Speaker.

Hon. Members really do make our lives interesting with their toing and froing.

1435 So if that could be moved as one amendment, Mr Speaker, the one of which notice has been given in the letter, and the one which I move now is one amendment. Then I think we deal with it.

Mr Speaker: I wonder whether hon. Members would like to move on to the next motion and then come back to this one. No?

1440 **Hon. E J Phillips:** We need a discussion.

Mr Speaker: I cannot hear you.

1445 **Hon. E J Phillips:** Consult.

A Member: Okay, he wants to discuss (inaudible)

1450 **Hon. Chief Minister:** Well, Mr Speaker, if they want to consult, that is fine. It is a motion to do what Mr Llamas asked us to do, which is to take him out of the Brexit Select Committee and not put him on any other, but no difficulty with moving on to the other motion if hon. Members want to do it that way. I have no difficulty with that and we can come back to –

Mr Speaker: Would you like to move on to the next motion?

1455 **Hon. Chief Minister:** Or recess? Do they prefer that?

1460 **Hon. E J Phillips:** I am happy to move to the next motion but what I am suggesting is that the Chief Minister and I have a short discussion outside, behind the Speaker's Chair, on this particular point.

Hon. Chief Minister: Mr Speaker, the Clerk is inviting me to recess for five minutes – probably the most sensible thing to do.

1465 **Mr Speaker:** Yes, let's have a short recess.

The House recessed at 6.13 p.m. and resumed its sitting at 6.25 p.m.

**Select Committees on Parliamentary Reform and on Constitutional Reform –
Membership –
Debate concluded; amended motion carried**

Mr Speaker: Hon. Members all have now the amendment as proposed by the Chief Minister, and therefore I am going to put that to the vote.

1470 Do you want to speak on it? If you do, by all means go ahead. The Hon. the Leader of the Opposition.

Hon. E J Phillips: Mr Speaker, we appreciate the short break which has enabled the opportunity for the Chief Minister and I to speak about this particular issue.

1475 Our view is that we have no objections to the amendments being sought in relation to this motion. We do, however, lay down a marker generally in respect of the composition argument that we deployed the last time this matter came before the House insofar as the Select Committee in respect of Constitutional Reform and Parliamentary Reform.

Mr Speaker: Does the Chief Minister wish to reply to the Leader of the Opposition in respect of the amendment?

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Chief Minister (Hon. F R Picardo): Mr Speaker, only to note the marker that they purport to lay down and to indicate that our marker is the one that is set out by the effect of this motion.

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Mr Speaker: I now put the amendment to the vote. All in favour? (**Members:** Aye.) And against? Carried.

So we now have the motion as amended before Parliament. Does anybody wish to speak on the motion as amended?

I will put that to the vote as well. All in favour? (**Members:** Aye.) All against? Carried.

**RAF Gibraltar –
Conferral of Freedom of the City of Gibraltar –
Motion carried unanimously**

Clerk: The Hon. the Chief Minister.

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Chief Minister (Hon. F R Picardo): Mr Speaker, I now have the honour to move the motion standing in my name which reads as follows:

‘THIS HOUSE:

*WELCOMES the long and historic relationship between RAF Gibraltar and Gibraltar;
RECALLS that two RAF camps were constructed in Gibraltar at the beginning of the Second World War. The first was RAF North Front on the site of the old racecourse which was to become the main camp. The second was RAF New Camp which was built on reclaimed land next to Montague Bastion. Although these were the first permanent RAF camps in Gibraltar, the history of aviation and the RAF’s involvement starts somewhat earlier. The first record of aviation in Gibraltar was in 1903 when two officers and 16 Non-Commissioned Officers installed a captive balloon and equipment to Gibraltar for reconnaissance at the southern end of the Rock;*

NOTES that works on an airfield in Gibraltar began on a grass strip on 3rd September 1934 and was completed 18 months later on 10th March 1936. It was during this construction period that the RAF first dispatched military aircraft to Gibraltar. Construction of a solid surface runway began in late 1939 and land reclamation commenced towards the end of 1941 along with the construction of the RAF camp at North Front. Following the declaration of war with Germany in September 1939, the War Office realised that there was a strong possibility of German submarines concentrating in the Straits of Gibraltar and using Spanish port facilities;

RECALLS that on the 9th September 1939, No 202 Squadron was ordered to Gibraltar, heavily loaded with equipment. Shortly after the Squadron’s arrival, No 200 Coastal Group was formed with its headquarters in the Bristol Hotel. It operated as part of RAF Mediterranean Area and later a combined HQ was formed with the Royal Navy at the Tower in the dockyard. This began antisubmarine patrols in early 1942. It took the fall of France in 1940 to concentrate minds on the building of a proper runway;

TAKES NOTE that at the end of November 1941 it was decided that the runway should be extended seaward to give a total length of 1550 yards. Construction teams were brought from the UK and they used stone blasted from the north face of the Rock and dumped into the sea along with stone taken from tunnel construction. The extended runway was ready for use in

July 1943 but towards the end of that year operations in Gibraltar began to dwindle in number. However, there was no reduction in transit aircraft;

RECALLS that the RAF North Front's biggest moment came on the night of 7/8 November 1942 when no fewer than 650 aircraft of many types were parked along both sides of the runway in readiness for operation TORCH, the Anglo-American invasion of North Africa. In October 1944 RAF New Camp became a satellite of North Front;

CONSIDERS that Gibraltar should rightly be proud of these remarkable achievements;

HEREBY DECLARES that the Freedom of the City of Gibraltar be conferred on RAF Gibraltar in view of its historic and close connection with Gibraltar and its people.'

Mr Speaker, the motion to a very great extent speaks for itself, but it is of course true that RAF Gibraltar and the RAF generally are as much a part of the defence of the sovereignty of the Rock as they are of the sovereignty of the United Kingdom and of Western parliamentary democracy, as part of the NATO alliance.

1495 Mr Speaker, it is also apposite to note that the runway that today we take for granted and that was so important in the 1960s and 1970s, when Gibraltar was once again laid siege by Spain, was constructed by the RAF for the RAF during the Second World War in the circumstances set out here. And so we see in the Royal Airforce as important a part of our life in Gibraltar as any other one of the armed forces and one, Mr Speaker, that has been a feature of

1500 life for all of us in the time that we remember Gibraltar.

I remember happy days, Mr Speaker, as a boy seeing the Red Arrows fly around the Rock during RAF open days. Today the RAF is perhaps less visible. They have a lot of personnel in Gibraltar but they are not as visible on our streets as they might have been years before. But the relationship between Gibraltar and the Royal Air Force is as strong if not stronger than it ever has been and this motion should reflect that. I sincerely hope it will be a motion that all hon. Members will find possible to support so that the whole of Gibraltar is seen, through this representative democracy of ours, to be bestowing on the Royal Air Force the Freedom of the City on this their first centenary.

1510 **Mr Speaker:** I now propose the question in the terms of the motion moved by the Hon. the Chief Minister.

The Hon. the Leader of the Opposition.

1515 **Hon. E J Phillips:** Mr Speaker, a very special and enduring relationship exists between Gibraltar and the Royal Air Force. Many of us, as the Chief Minister himself has said, have fond memories of the Red Arrows. In fact, I think Minister Isola will remember our interactions with the Royal Air Force in a different life now, but also with the Red Arrows as well, Mr Speaker.

1520 We would also remember the screaming tornadoes across our waters when many of us of course were studying in Bayside and those lessons were often disrupted, but for good reason, I am sure.

I am also sure that we will also recall the impressive vertical short take-off landings of the Harriers and of course, one of our many famous air days which are sadly something of the past and something which I am sure all of us miss.

1525 There have been many tributes over the last few months celebrating the centenary of the Royal Air Force and it is of course right that we join those celebrations and mark it by conferring the Freedom of the City on the Royal Air Force. The Hon. Chief Minister has properly placed the Royal Air Force in its historic context and set out the important links given our airfield's position at the western end of the Mediterranean and as a staging point for aircraft and operations and as a supporting base for major NATO exercises.

1530 There is, of course, the RAF's involvement and reach into the wider community. On receiving this notice, Mr Speaker, I have to say that it has stirred the emotions somewhat, in that I was correctly reminded, when we received the motion, by my Hon. Friend, Mr Reyes, that both he

and I had served and wore RAF uniforms whilst we were members of Royal Air Force Air Training Corps No. 2 Overseas Squadron, which, as Members will know, is an organisation under the command of the Royal Air Force.

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The hon. Member was a commissioned officer in the Royal Air Force Volunteer Reserves and a founding member of the squadron. Although I have resisted the temptation to keep saluting the Hon. Mr Reyes, the Hon. Member is right to reflect on the very positive influence the Royal Air Force has had on the lives of many young Gibraltarians teaching discipline, hard work, teamwork and above all, respect.

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Mr Speaker, the RAF through the Air Training Corps gave young Gibraltarians a unique insight into the Royal Air Force and service, with numerous visits to RAF camps and bases in the United Kingdom, to briefings with pilots and ground crew through to opportunities to fly fixed and rotary wing aircraft.

1545

Mr Speaker, last month – just over a month ago now – Her Majesty issued a statement on the centenary of the Royal Air Force and Her Majesty said:

Through its enduring focus on professionalism, excellence and innovation, the Royal Airforce stands as a shining example of inspiration around the world today and for the next generation.

Critically, Her Majesty said ‘next generation’.

Mr Speaker, the RAF was born in the greatest battle ever fought. Its inspiring motto, *Per Ardua ad Astra* – ‘Through Adversity to the Stars’ – is a clear message to those that serve and for future generations. Mr Speaker, since the Hon. the Chief Minister published the motion proposing that this House do confer the Freedom of the City on the RAF, I have attempted to reach out to many of my contacts to assess the career destinations of young Gibraltarians who have served. Notably, three of our number are currently pilots; one is serving in a senior position in Afghanistan; one is currently the Commanding Officer of the Royal Gibraltar Regiment; another is a Lieutenant Commander in the Royal Navy Reserves; and many others are working in important areas of public administration. It is clear, Mr Speaker, to me that the Royal Air Force has had a constructive and positive influence over the lives of our young people, and long may that continue.

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Mr Speaker, as Her Majesty correctly articulated in Her Majesty’s speech, the Royal Air Force has an important and valuable role for inspiring the next generation. The RAF, through its association with No. 2 Overseas Squadron, provides training, useful in service and civilian life. It fosters the spirit of adventure and develops qualities of citizenship and leadership.

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Mr Speaker, as Parliamentary Leader of the Opposition and on behalf of my colleagues, it is a privilege and honour to support this motion, not only because of the role that the RAF does in maintaining British sovereignty over our Rock, but also the important role it plays within our community and in inspiring the next generation. (*Banging on desks*)

1565

Mr Speaker: Does any Hon. Member wish to speak on this?

The Hon. Trevor Hammond.

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Hon. T N Hammond: Mr Speaker, I must admit, I was not intending to speak on this motion, so I do not have a prepared speech, but I feel that, as somebody who has worked with the Royal Air Force for 20 years now, very closely, and therefore somebody who has worked with the Royal Air Force for a full one fifth of their entire existence, I felt I could not miss the opportunity to say something, having the privileged position of being in this House at a time when this motion is being presented to the House.

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As I say, I do have a great deal of experience and a great deal of respect for the Royal Air Force in the time I have worked with them and it is particularly appropriate, as has already been pointed out, that in this year that that arm or branch of the armed forces is celebrating its centenary, its one hundredth year of existence, this motion should be brought to this House.

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The motion itself does set out some of the history obviously and necessarily in brief, but it is it is a very important history and the connection of the Royal Air Force to Gibraltar, in time of war and in time of peace, has been very important. Of course, in time of war, most prominently in the Second World War, as the motion states, we had a squadron based here – 202 Squadron –
1585 whose primary function was maritime patrol, anti-submarine patrols of these straits and of course RAF Gibraltar’s motto now is ‘Guard the gateway’. That was obviously associated with the fact that RAF Gibraltar played a very important role in guarding that gateway, that entrance of the Mediterranean, and in doing so played a very important role in restricting the access to the Mediterranean of Axis forces which may be coming from outside. So a critical role in that respect.

1590 Of course also interestingly, it is the colours of 202 Squadron that we see every year at the Queen’s birthday parade. They are specifically flown out to Gibraltar for that parade and that is done because we do not have a squadron based in Gibraltar. But it is also, I think, a very important link to the past and the past role that RAF Gibraltar and indeed Gibraltar itself have played.

1595 Of course after the Second World War, RAF Gibraltar in Gibraltar continued to guard that gateway, during the Cold War where maritime patrol was a key element to the whole of the United Kingdom’s strategy towards the Soviet bloc and the Warsaw Pact.

I can say, although I never worked here during the Cold War time – I am not quite that old – I certainly did see aircraft operating from RAF Gibraltar, which were to some extent a throwback to that period. The Nimrod in particular which served many, many years out of Gibraltar. There were many nights where we had to stay at RAF Gibraltar, keep the place open 24 hours, in order to allow these aircraft to operate for their full range and have somewhere to return to if necessary in an emergency. So Gibraltar played a crucial role there in supporting the activity of the RAF. It was very much a symbiotic relationship in that respect.

1600 And of course Gibraltar continues and RAF Gibraltar continues to provide a very important function as a forward-mounting base, which we saw only last year in support of the activity to help out those in the Caribbean who suffered the effects of a very severe hurricane. Indeed, Gibraltar played a very important role as a base that was recognised indeed by the Chief Minister subsequently when he held a reception at No. 6 to thank all those agencies who played a part in that, and we must not lose sight of that ability.

1610 Although, as has been said, we probably do not see as much of the RAF as we used to, we still maintain a very important capability and the RAF maintain and provide a very important capability – a long arm, if you like, in support of the other forces, which can then provide support in other parts of the world, so very important in that respect.

1615 I think it is also important that we do not lose sight of the role the RAF and RAF Gibraltar play in our community. My Hon. Friend, Elliot Phillips has already spoken about the RAF cadets and how successful many who go through the cadets system have been subsequently. I think there are lots of other activities that go on at RAF Gibraltar in support of the community. Not least and happening later this month is the lunar walk, which I think is now celebrating 10 or 11 years. I was there for the very first lunar walk. I have supported it throughout and I think is a great charity event which the RAF wholly back year after year after year, and I think it is a very unique event that many in our community do enjoy, and of course which raises money.

1620 Of course there are other events , the way the RAF has offered the use of the hangers, the use of aprons and occasionally, the use of the runway.

1625 Now, of course that always needs to be tied with the safety of aviation and I think it is important to point out that the RAF play a very important role in ensuring that aviation operates in and out of Gibraltar safely. It does so in conjunction with all the other organisations at the airfield but that safety activity is always and inevitably underpinned by the RAF. So for those of us who fly in and out of Gibraltar, which I think is probably everybody here and our families, we must recognise that the RAF play a very important part in ensuring the safety of those flights.

So I will end my contribution there, but I will say this: I feel very privileged that this motion should have arrived in this Parliament at a time when I am serving in this Parliament.

Thank you. (*Banging on desks*)

1635

Mr Speaker: Any other contribution to this motion? The Hon. Marlene Hassan Nahon:

Hon. Ms M D Hassan Nahon: Mr Speaker, I wish to align myself with the words of the Chief Minister and the Opposition Members on this very deserved appointment of the Freedom of the City to the RAF.

1640

I take this opportunity to wish the RAF a very hearty congratulations for this accolade, as well as to thank and to pay tribute to the Air Force, its survivors and its fallen servicemen and women for their fierce defence of Gibraltar in the last 100 years, Mr Speaker, because without them we may not be here today.

1645

Thank you. (*Banging on desks*)

Mr Speaker: Any other contribution? The Hon. Edwin Reyes.

Hon. E J Reyes: May I, Mr Speaker, make a short minor contribution for the record? I am sure that Dr Garcia as a historian will be interested.

1650

There are in fact records of Gibraltarians who were evacuated during the evacuation period of the Second World War, who having reached the teenage years volunteered to join the Air Cadets or the Air Training Corps and indeed served mainly as assistants to the ARP wardens and so on.

1655

A prominent Gibraltarian, the late Commissioner of Police, Joe Canepa, became one of those young teenagers and he in fact was instrumental in setting up in Gibraltar the Gibraltar No. 2 Overseas Squadron or the Air Training Corps. So to those like Joe Canepa and others whom I know served in the Cadets and Gibraltarians who actually served in active service, in all ranks as senior and commissioned officers and as officers and so on, our spirit of gratitude is to be recorded as being embedded in this thing.

1660

Lastly, I must say on behalf of my wife we both personally thank the RAF because there used to be a chapel down at the Royal Air Force, called St Michael and All Angels, and that was the happy place where my wife and I got married, close to 30 years ago. (*Banging on desks*)

1665

Mr Speaker: Any other contribution? Chief Minister.

Hon. Chief Minister: Mr Speaker, I am very grateful indeed to all Members who have spoken, especially Members opposite for their indication that they will be supporting this motion. I had thought that they were going to try and pass an amendment to this to not bestow the Freedom on the RAF until they stopped flying! (*Laughter*) So I am very pleased indeed, Mr Speaker, that we shall be able to enjoy the benefit of conviviality and unanimity, at least for something as inanimate as the institution of the Air Force, although we are not able to enjoy it for something as animated as the Hon. Sir Joe Bossano.

1670

Mr Speaker: I will now put the motion to the House in the terms moved by the Chief Minister. Those in favour; those against? (**Members:** Aye.) Carried unanimously.

1675

BILLS

FIRST AND SECOND READING

**Police (Amendment) Bill 2018 –
First Reading approved**

Clerk: Bills – First and Second Reading.

1680 A Bill for an Act to amend the Police Act 2006. The Hon. the Minister for Health, Care and Justice.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I have the honour to move that a Bill for an Act to amend the Police Act 2006 be read a first time.

1685 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Police Act 2006 be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Police (Amendment) Act 2018.

**Police (Amendment) Bill 2018 –
Second Reading approved**

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I have the honour to move that the Bill be now read a second time. (*Banging on desks*)

1690 The Gibraltar Police Association was established in 1961 under section 52 of the Police Act. Policing Gibraltar and its demands have considerably changed since the 1960s. The Association's Council has nevertheless continued to work during this time on a voluntary basis whilst fully operational and with limited facility time afforded to conduct their role effectively.

1695 In 2009 the Royal Gibraltar Police Council started to lobby Government so that the Association should become a Federation enacted in law and for the Federation to have full-time representatives for its officers in order to address officer needs promptly and effectively.

1700 In June 2015 representatives of the Association approached the Chief Minister with the Association's proposals. The Government were supportive of the Association's request and in 2016 increased the RGP's complement by two extra police officers, thereby releasing two officers so that the Federation could have two full-time conveners, Federation representatives, to work completely independently in this role from the Police. Government has also provided the Association with a fully furnished and equipped office where officers' confidential meetings take place, together with a budget to maintain and provide accredited training by the Police Federation of England and Wales for its conveners and board members.

1705 The Bill before the House has been drafted in full consultation with the Association and in line with our manifesto commitment on this issue to establish the Gibraltar Police Federation.

The Bill amends the Police Act 2006 for the purposes of establishing the Police Federation, which comprises members of the RGP, and is set to formally replace the Police Association.

1710 The Bill provides a legal framework to establish and regulate the Police Federation. The Federation will become a completely independent body providing its members with a forum to raise matters, with the Commissioner, the Police Authority and Government, which are deemed to potentially affect the welfare and efficiency of the RGP.

Clause 3(3) replaces all of Part 4 of the Act. Within the new Part 4, which is entitled 'Membership of Federation etc.', there are provisions relating to the formation of the Police Federation, the membership of the Police Federation, the objects of the Federation and

1715 provision as to the independence of the Federation. The new sections that follow deal with prohibited associations and offences in connection with prohibited associations as well as the prohibition against membership of trade unions.

1720 Clause 3(4) amends section 79 of the Act, setting out the power Government has in consultation with His Excellency the Governor to make regulations for the constitution, procedure and functions of the Federation and generally for the better functioning of the Federation. Indeed, such regulations have now been agreed and shall be published as soon as the Bill is commenced as an Act.

I commend, Mr Speaker, the Bill to the House.

1725 **Mr Speaker:** Before I put the question, does any hon. Member wish to speak on the general principles and merits of this Bill? The Hon. Daniel Feetham.

Hon. D A Feetham: Mr Speaker, just a very short contribution.

1730 I start by congratulating the Hon. Minister for bringing this Bill to the House. It was something that I had in my sights when I was Minister for Justice from 2007 to 2011 and I regret that I was not able to steer this even past the drafting stage.

1735 It was not something, in fact, that was completely uncontroversial during those days. There was not support for the very top of the RGP for the concept, or at least there was some scepticism, and I was not able to do this during the time that I served in his role when we were in Government. It is something that, in my respectful view, I always thought was ... The case for it that was put to me by the Association was, as far as I was concerned, unanswerable and therefore we certainly, this side of the House, are going to be supporting it.

1740 May I also congratulate as well the Chairman of the Association, Henry Bautista, because it is really his work, his energy and his constant advocating for the introduction of the legislation that really we are here today considering this piece of legislation, and certainly on behalf of the Opposition – I know the hon. Gentleman as well will associate himself with my comments – we certainly congratulate the work that Henry Bautista has done.

Mr Speaker, we will be supporting this Bill.

1745 **Mr Speaker:** Does the hon. mover wish to reply?

Hon. N F Costa: Mr Speaker, obviously in the first place to thank the Hon. Mr Feetham for relaying the fact that the Opposition will be supporting the Government Bill.

1750 I agree entirely with the comments that he has made in respect of Mr Bautista in his indefatigable advocacy for the need of a Federation, and he is right in saying that he has been dogged in his approach in that respect and therefore it is right that his work should be recognised. I also wish as well to pay tribute to Anna Jones, who has also been as dogged as Mr Bautista in bringing about this particular change.

1755 And therefore, I wish to conclude simply by saying that, as he alluded to at the beginning of his contribution, this is a step that we all clearly agree is overdue and therefore it is right that the Bill should have been brought and thankfully passed unanimously by this House. (*Banging on desks*)

1760 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Police Act 2006 be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Police (Amendment) Act 2018.

**Police (Amendment) Bill 2018 –
Committee Stage and Third Reading to be taken at this sitting**

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

1765

Mr Speaker: Do all hon. Members agree that the Committee Stage and Third Reading of the Bill be taken today? (**Members:** Aye.)

**Mutual Legal Assistance (Miscellaneous Amendments) Act 2018 –
First Reading approved**

Clerk: A Bill for an Act to amend the Mutual Legal Assistance (International) Act 2005, Mutual Legal Assistance (European Union) Act 2005 and Drug Trafficking Offences Act 1995.

1770

The Hon. the Minister for Health, Care and Justice.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I have the honour to move that a Bill for an Act to amend the Mutual Legal Assistance (International) Act 2005, the Mutual Legal Assistance (European Union) Act 2005 and the Drug Trafficking Offences Act 1995 be read a first time.

1775

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Mutual Legal Assistance (International) Act 2005, the Mutual Legal Assistance (European Union) Act 2005 and Drug Trafficking Offences Act 1995 be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

1780

Clerk: The Mutual Legal Assistance (Miscellaneous Amendments) Act 2018.

**Mutual Legal Assistance (Miscellaneous Amendments) Act 2018 –
Second Reading approved**

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I have the honour to move that the Bill be now read a second time.

1785

The Bill amends the Mutual Legal Assistance (International) Act, the Mutual Legal Assistance (European Union) Act and the Drug Trafficking Offences Act 1995 in order to enhance mutual legal assistance that may be provided in criminal matters.

Mr Speaker, the amendments contained in the Bill can be split into two sets. The first set is that contained in clause 3(3) and (4), clause 4 and clause 5. These are similar amendments to the three main Acts under which mutual legal assistance is obtained in Gibraltar.

1790

These amendments ensure that in each case the central authority under the Act may direct that an order under the relevant provisions of the Criminal Procedure and Evidence Act be applied for when an appropriate request for assistance is received. These are orders for the production of special procedure material. This material includes documents which a person has acquired or created in the course of any trade or business and which is held in confidence – such as, for example, bank records.

1795

There are safeguards, of course, set out in Schedule 1 of the Criminal Procedure and Evidence Act that need to be followed and met before any such order will be granted by a judge or magistrate.

1800 The reason for the need for these amendments arises from advice from the Gibraltar Law
Officers that it is arguable that the current provisions, in the light of UK case law dealing with our
equivalent provisions, may limit the type of evidence that can be sought in Gibraltar under
mutual legal assistance requests. The amendments are proposed so as to remedy this potential
issue and continue to provide all the necessary safeguards on a par with the use of such orders
1805 domestically.

The amendment to section 15 and the equivalent in the Mutual Legal Assistance (European
Union) Act update the references contained therein to the now repealed sections 25, 26 and 27
of the Criminal Procedure Act and replaces them with the equivalent sections in the Criminal
Procedure and Evidence Act 2011.

1810 The other amendment contained in the Bill is set out in clause 2(2). This is an amendment to
the Mutual Legal Assistance (International) Act 2005 and in particular to its definition of 'state'.

Currently under the Act assistance can only be given to a state or territory outside Gibraltar if
it was a party to an agreement with the Government of Gibraltar on mutual legal assistance in
criminal matters and the state or territory was included in Schedule 2 to the Act. To date only
1815 the United States of America is included in the said schedule. This means that other countries
which fall outside the European Investigation Order and the Republic of Ireland and Denmark,
which remain under the Mutual Legal Assistance (European Union) Act, continue to have limited
recourse to legal assistance in Gibraltar if the offence being investigated is not one which falls
under the Transnational Organised Crimes Act in the case of a state that has ratified the UN
1820 Convention on Transnational Organised Crime or is not a drugs trafficking offence and from state
party to the Vienna Convention.

In practice, most cases where assistance is required do fall within the definition of a
transnational organised crime. However, it is not too difficult to come up with examples of cases
where the need for an offence to be transnational may and has resulted in Gibraltar being
1825 unable to provide mutual legal assistance at the investigation stage unless witnesses have been
willing to provide evidence on a voluntary basis.

As an example, without going into too much detail for operational reasons, Gibraltar was
asked to assist in a suspected case of child abduction where details of a Gibraltar mobile
telephone subscriber were requested to eliminate the person and the number from the list of
1830 possible suspects. There was no supported evidence included in the request that pointed to a
transnational crime and the state requesting it did not fall within Gibraltar's EU arrangements.
Fortunately, on that occasion the evidence was provided on a voluntary basis.

To overcome this issue, the definition of 'state' is to be amended to allow Gibraltar to
provide assistance to overseas authorities without the need of an agreement if none exists. This
1835 may be provided on a case by case basis provided the state undertakes that under their
procedures it would be able to reciprocate in respect of similar requests issued by Gibraltar and
received by them.

In summary, Mr Speaker, all of these amendments improve Gibraltar's ability to provide
mutual legal assistance.

1840 Mr Speaker, I commend the Bill to the House.

Mr Speaker: Before I invite hon. Members to speak on the general principles and merits of
this Bill, I want to place on record that, pursuant to section 35(3) of the Constitution of Gibraltar,
I have received certification from the Chief Minister that consideration of this, the Mutual Legal
1845 Assistance (Miscellaneous Amendments) Bill 2018, is too urgent to permit the expiry of six
weeks from the date on which the Bill was published, and that is why we are proceeding with it
today.

Does hon. Member wish to speak on the general principles of the Bill?

Hon. D A Feetham: Mr Speaker, just on that and then the general principles.

1850 The Opposition has been consulted on the issue of urgency and it would be a matter of great regret if there was a request for assistance that arrived urgently to Gibraltar within the six-week period for publication of the Bill before it could be taken and Gibraltar could not assist simply because the Bill had not been enacted. Therefore, because we are dealing with potentially the type of example that the hon. Gentleman has provided to this House in terms of assistance in
1855 child abduction cases or involving children, it is only right that the certification be provided.

Mr Speaker, this Bill has been the subject matter of exchanges of e-mails between myself and the Hon. Minister Costa, and indeed between myself and Parliamentary Counsel as well, Mr Warwick, where I asked several questions in relation to this, and it has also been the subject of a telephone conference between myself, Minister Costa and Parliamentary Counsel Kevin
1860 Warwick, and I have absolutely no hesitation, on behalf of the Opposition, to indicate that we will be supporting this Bill.

Mr Speaker, may I say this as well: that as I understand it, the assistance in relation to this – and indeed I think that the hon. Gentleman said that during his own contribution – is also predicated on the basis that a state will do likewise for Gibraltar, and that is very important
1865 because what we cannot have is a situation where we effectively ... And I know that we are dealing sometimes with crimes where one would say, 'Well, you would expect that Gibraltar would assist,' but you would also expect the other state to assist Gibraltar as well and part of the problem here has been that there has been a question mark in relation to not only the possibility of Gibraltar assisting a jurisdiction but that jurisdiction assisting Gibraltar as well.
1870 Therefore, in my respectful view, this is a Bill that is of benefit to Gibraltar and of benefit to the worldwide and international fight against crime and the solving of crime. So we have absolutely no hesitation in supporting this Bill.

Mr Speaker: Does the Hon. the Minister for Health wish to reply?

1875

Hon. N F Costa: Yes, Mr Speaker, only very briefly to thank the Hon. Mr Feetham across the floor of the House for making himself available at such short notice to be able to discuss the intricacies of the Bill – I can confirm that we did enjoy some fruitful discussions on the clauses that are present in the Bill – and to agree with him that of course it is important that Gibraltar
1880 should be seen internationally to assist other jurisdictions in the fight against crime; that therefore we all agree that for the reputation of Gibraltar it is important that this Parliament is able to act swiftly when required so that no jurisdiction finds us wanting in the fight of any kind of crime; and also, of course, to echo his remarks that it is also equally important that where Gibraltar does provide that that assistance to any state, that state should also reciprocate in the
1885 assistance that we may require in future – God forbid – if there is any crime that is being investigated.

So I wish to thank the Opposition once again, Mr Speaker, consecutively, for their support on this Bill.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Mutual Legal Assistance (International) Act 2005, the Mutual Legal Assistance (European Union) Act 2005 and Drug Trafficking Offences Act 1995 be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

1895 **Clerk:** The Mutual Legal Assistance (Miscellaneous Amendments) Act 2018.

**Mutual Legal Assistance (Miscellaneous Amendments) Act 2018 –
Committee Stage and Third Reading to be taken at this sitting**

Mr Speaker: Committee stage.

Minister for Health, Care and Justice (Hon. N F Costa): Mr Speaker, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

Mr Speaker: Do all hon. Members agree that the Committee Stage and Third Reading of the Bill be taken today? (**Members:** Aye.)

**Equal Opportunities (Amendment) Bill 2017 –
First Reading approved**

Clerk: A Bill for an Act to amend the Equal Opportunities Act 2006. The Hon. the Minister for Housing and Equality.

1900 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, I have the honour to move that a Bill for an Act to amend the Equal Opportunities Act 2006 be read a first time.

1905 **Mr Speaker:** I now put the question, which is that a Bill for an Act to amend the Equal Opportunities Act 2006 be read a first time. Those in favour? (**Members:** Aye.) Those against? Carried.

Clerk: The Equal Opportunities (Amendment) Act 2017.

**Equal Opportunities (Amendment) Bill 2017 –
Second Reading approved**

1910 **Minister for Housing and Equality (Hon. Miss S J Sacramento):** Mr Speaker, I have the honour to move that a Bill for an Act to amend the Equal Opportunities Act 2006 be read a second time.

Before I proceed, Mr Speaker, I will be making an amendment at Committee stage to the date of the Bill.

This Bill intends to support and protect mothers who choose to breastfeed their children in public establishments without discrimination.

1915 Breastfeeding in public places is a very emotive subject with strong views for and against. While it is perfectly natural to breastfeed, I know that there will be people who will raise their eyebrows and question the necessity for this change. So, in the midst of that debate, it is vitally important to acknowledge that we as a society are continuously evolving, especially when it comes to equality issues. In that process we are continuously being forced to evaluate and
1920 recycle outdated views that can no longer be tolerated.

1925 Mr Speaker, breastfeeding is globally accepted as the most natural, healthy, best start that a mother can provide a child, and in short there is no better answer than the health benefits to both mother and child as to why we can support mothers to breastfeed their child whenever they need to. This law is for those women who choose to breastfeed, so that they are not discouraged from doing so.

We wish to remove the stigma and negative attitudes towards breastfeeding in public places. Women need to be made to feel comfortable to breastfeed and it is absolutely vital that there is legislation to protect against discrimination on this ground, and it is important to protect them in order to promote this.

1930 I am grateful to the Gibraltar Breastfeeding Association, who are actively promoting the rights of women to breastfeed anywhere and anytime without embarrassment or anxiety. Indeed, they are running a very successful campaign, meeting with establishments and giving the establishments accreditation where were these establishments go the extra mile to make mothers breastfeeding feel that more comfortable. But now they will be able to do so because
1935 this amendment will enshrine such protection in law and it will make it clear that it will be discriminatory to treat women less favourably because they are breastfeeding.

I also wish to thank all GHA professionals who provide the clinical support and advice.

Now turning to the formalities of the Bill, Mr Speaker section 6 is amended by the introduction of a new subsection (4)(a). The effect of this amendment is to widen the ambit of
1940 discrimination on the grounds of sex so as to include breastfeeding. It is therefore not new ground but an extension of the interpretation of that term.

This Bill will benefit women and children in Gibraltar. I commend this Bill to the House.

A Member: Hear, hear. (*Banging on desks*)

1945 **Mr Speaker:** Before I put the question, does any hon. Member wish to speak on the general principles and merits of the Bill?

The Hon. the Leader of the Opposition.

1950 **Hon E J Phillips:** Mr Speaker, just to pick up on one of the remarks by the Hon. Minister in relation to the differing views that she may have received. I must say I have not received a different view on this particular question and therefore I was quite surprised to learn that there was an issue in our wider community about this. I certainly have not received any different opinions about it.

1955 Needless to say, Mr Speaker, Her Majesty's Opposition will support the Bill that seeks to amend the Equal Opportunities Act to ensure the widening of the scope of the prohibition against less favourable treatment afforded to women who are breastfeeding.

The proposed Bill closes a lacuna, in our view, in the law, which provides protection for women not to be treated less favourably in the context of work and non-working cases. Our laws
1960 already contain certain provisions to protect mothers in the workplace under the commonly referred to 'six pack health and safety provisions' contained in the Protection of Pregnant Workers Regulations 1999. However, the amendment being promoted closes the gap to less favourable treatment in the context of equal opportunities. The amendment importantly sends, as I think was alluded to by the Minister, a strong message to business and the public at large
1965 that it is a woman's right to breastfeed her baby in public without interference.

Whether a mother is sitting in Commonwealth Park, the beach, the library, having a coffee or having lunch at our many restaurants, every mother should feel safe, confident and comfortable when doing the most natural thing in the world: feeding her child in the best way that she can. It is therefore right that the Government lead by example on this important issue and ensure that
1970 all public buildings in our community provide an environment for women to feel safe, secure and comfortable.

We must, of course, extend our thanks to the wonderful work being done by the Breastfeeding Association, who kept this issue high on the domestic agenda through its support of World Breastfeeding Week and campaigning at the Big Latch-on, on 5th August last year. The
1975 Association must, in our view, continue to be supported in promoting breastfeeding, which will maximise very early child development.

1980 We also commend the Bill to the house, but one item I just wanted to raise – and this is something that has just come up in research – is that currently the Seaside Rules, as far as I understand, may cause a difficulty with a woman choosing to exercise her right to breastfeed, so I was wondering if the Government could in fact review the current Seaside Rules that may provide for a restriction on that type of activity. I just mention it now. It has come out as research. They may be comforted by their review of the Seaside Rules, but I would invite the Minister to take a look at that. (*Banging on desks*)

1985 **Mr Speaker:** Does any other hon. Member wish to speak? The Hon. Marlene Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, it is with great pleasure and satisfaction that I welcome this measure by Government aimed at making the lives of mothers in particular and women in general fairer and more comfortable.

1990 As a mother of four children myself, I distinctly recall the days when I used to breastfeed and would have to hide away in some corner to nurture my child while the group of people I was with would continue their social gathering without me. It always felt like some sort of punishment. Each and every time I was called by my screaming baby to feed, I was expected to extricate myself from the world and it felt completely wrong.

1995 Because this is an issue that connects with broader societal and moral issues, I suggest this legal measure be accompanied by a media campaign aimed at changing public perception with regard to breastfeeding in public, so that we may start to understand child rearing as a social phenomenon and one that requires an honest commitment and contribution from all members of society.

2000 So, back to the issue of the Bill, I receive this measure with some satisfaction but I cannot say that I am fully satisfied at how women are treated in our community. We still have a long way to go in the pursuit of gender equality and there is a remarkable lack of awareness in this House of how much Gibraltar is still lagging behind the developed world on this front.

2005 I therefore I urge this House to take on the challenge of making Gibraltar a jurisdiction free from gender equality, while thanking the Minister for Equality for passing this Bill today.

Thank you.

Mr Speaker: Does the hon. mover wish to reply?

2010 **Chief Minister (Hon. F R Picardo):** Mr Speaker, can I?

Mr Speaker: The Hon. the Chief Minister.

2015 **Hon. Chief Minister:** Mr Speaker, I heard what the hon. Lady has said and I assume in that context she will be very supportive of the Government that appointed the first Minister for Equality in the history of this Parliament and is taking measures of the sort of that we have seen the hon. Lady move today, which are the tip of the iceberg – I will not use any other phrase that might come to mind – of the great work that she has done, in the context of the almost seven years already that we are in Government, to bring real equality to the way that this society is governed; not just – if I may say so, because I think this is a lesson I have learnt from her – in respect of the way that we treat men and women, but in the way that we treat all the sexual orientations, not just the genders.

Mr Speaker: Does the hon. mover wish to reply?

2025 **Hon. Miss S J Sacramento:** Mr Speaker, yes.

In reply to the hon. Gentleman, in his mention of his surprise that this was an issue, it is not, as I understand it, a great issue – and a lot of it is thanks to a lot of the work that has been done in the last few years – but if it is an issue for one person, then it is an issue. So, what this legislation does is cure the loophole that existed with the intention to give full protection so that people feel encouraged and comfortable should they choose to breastfeed. So that protection is there, and because of the work undertaken by the GHA, by the Association, and a lot of it in partnership and in consultation with the Ministry of Equality, then I am proud that this initiative has been a success.

2030
2035 The hon. Gentleman mentions the particular regulations. I was not advised at the time that we drafted this that it was incompatible with any other legislation, so it may not be legally incompatible, but I will certainly check it out to ensure that nothing is undermining the intention of this legislation.

2040 And in reply to the hon. Lady, as the Chief Minister said, Gibraltar has for the first time a Ministry for Equality, which has an incredibly busy agenda, getting busier by the day on all the protected strands, not just gender.

2045 I can assure the hon. Lady that a lot of work and a lot of progress on gender equality has already been achieved during our terms in office and we have very exciting times ahead and a lot will be done. So, if the hon. Lady set to me a challenge to have a Gibraltar that is free from gender equality, that is already a challenge that we set for ourselves in December 2011 and have been working very hard on it since.

Mr Speaker: I now put the question, which is that a Bill for an Act to amend the Equal Opportunities Act 2006 be read a second time. Those in favour? (**Members:** Aye.) Those against? Carried.

2050 **Clerk:** The Equal Opportunities (Amendment) Act 2017.

**Equal Opportunities (Amendment) Act 2017 –
Committee Stage and Third Reading to be taken at this sitting**

Minister for Housing and Equality (Hon. Miss S J Sacramento): I beg to give notice that the Committee Stage and Third Reading of the Bill be taken today, if all hon. Members agree.

Mr Speaker: Do all hon. Members agree that the Committee Stage and Third Reading of the Bill be taken today? (**Members:** Aye.)

COMMITTEE STAGE AND THIRD READING

2055 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I have the honour to move that the House should resolve itself into Committee to consider the following Bills clause by clause: the Police (Amendment) Bill 2018, the Mutual Legal Assistance (Miscellaneous Amendments) Bill 2018 and the Equal Opportunities (Amendment) Bill 2017.

In Committee of the whole House

**Police (Amendment) Bill 2018 –
Clauses considered and approved**

Clerk: A Bill for an Act to amend the Police Act 2006.
Clauses 1 to 4.

2060

Mr Speaker: Stand part of the Bill.

Clerk: The long title.

2065

Mr Speaker: Stands part of the Bill.

**Mutual Legal Assistance (Miscellaneous Amendments) Act 2018 –
Clauses considered and approved**

Clerk: A Bill for an Act to amend the Mutual Legal Assistance (International) Act 2005, Mutual Legal Assistance (European Union) Act 2005 and Drug Trafficking Offences Act 1995.
Clauses 1 to 5.

2070

Mr Speaker: Stand part of the Bill.

Clerk: The long title.

Mr Speaker: Stands part of the Bill.

**Mutual Legal Assistance (Miscellaneous Amendments) Act 2018 –
Clauses considered and approved**

2075

Clerk: A Bill for an Act to amend the Equal Opportunities Act 2006.
Clause 1.

2080

Mr Speaker: All we need to do to clause 1 is to amend 2017 and replace it with 2018. Is that agreed, that small amendment? (**Members:** Agreed.)
So, clause 1, as amended, stands part of the Bill.

Clerk: Clause 2.

2085

Mr Speaker: Stands part of the Bill.

Clerk: The long title.

Mr Speaker: Stands part of the Bill.

**Police (Amendment) Bill 2018,
Mutual Legal Assistance (Miscellaneous Amendments) Bill 2018
and Equal Opportunities (Amendment) Bill 2017 –
Third Readings approved: Bills passed**

Mr Speaker: Chief Minister.

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to report that the Police (Amendment) Bill 2018, the Mutual Legal Assistance (Miscellaneous Amendments) Bill 2018 and the Equal Opportunities (Amendment) Bill 2017 have been considered in Committee and agreed to with one amendment, and I now move that they be read a third time and passed.

Mr Speaker: I now put the question, which is that a Bill to amend the Police (Amendment) Bill 2018, that a Bill to amend the Mutual Legal Assistance (Miscellaneous Amendments) Bill 2018 and that the Equal Opportunities (Amendment) Bill 2017 be read a third time and carried. Those in favour? (**Members:** Aye.) Those against? Carried.

ADJOURNMENT

Chief Minister (Hon. F R Picardo): Mr Speaker, I have the honour to move that the House should now adjourn.

I should inform hon. Members I am going to adjourn the House to 2nd July. I had expected to take the Appropriation Bill much later in the month, but for circumstances outside of my control we are going to have to take the Appropriation Bill on that day – on Monday, 2nd July at 10 a.m.

Mr Speaker: At 10 in the morning?

Chief Minister: At 10 a.m.

Mr Speaker: I now put the question that this House do now adjourn to Monday, 2nd July at 10 in the morning. Those in favour? (**Members:** Aye.) Against? Carried.

The House will now adjourn to Monday, 2nd July at 10 a.m.

The House adjourned at 7.26 p.m.