



# PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

**AFTERNOON SESSION: 3.08 p.m. – 6.51 p.m.**

**Gibraltar, Wednesday, 22nd January 2020**

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# The Gibraltar Parliament

*The Parliament met at 3.08 p.m.*

[MR SPEAKER: Hon. M L Farrell BEM GMD RD JP *in the Chair*]

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

## SUSPENSION OF STANDING ORDERS

### Standing Order 7(1) suspended to proceed with Questions

**Clerk:** Meeting of Parliament, Wednesday, 22nd January 2020.  
Suspension of Standing Orders, the Hon. the Chief Minister.

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**Chief Minister (Hon. F R Picardo):** Mr Speaker, I beg to move under Standing Order 7(3) to suspend Standing Order 7(1) in order to proceed with Questions.

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

# Questions for Oral Answer

## HOUSING, YOUTH AND SPORT

Q1/2020

### Newly built sports facilities – Update on outstanding remedial works and completion

10 **Clerk:** We now proceed to (viii) Answers to Oral Questions.  
We commence with Question 1 of 2020. The questioner is the Hon. E J Reyes.

15 **Hon. E J Reyes:** Mr Speaker, further to the answer provided to Question No. 150 of 2019, can the Minister for Sport update this House in respect of the facilities which still require completion or remedial works at any of the newly built sports facilities?

**Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

20 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, as per the answer to Question No. 150 of 2019, works are progressing.

Practical completion of the Europa Sports Complex is imminent. As far as the Lathbury Sports Complex is concerned, the works for the athletics track and the football pitch will start in the next few weeks.

25 **Hon. E J Reyes:** Mr Speaker, in his reply to Question 150, the Minister said that for Europa Point, minor works needed to be completed to the cricket oval. He added that the floodlights were ready and so on. Things were being prepared for the commissioning of the football facilities. Could he elaborate a bit more on what these minor works are, because January is nearly over and we were told that they would be completed early in the New Year?

30 **Hon. S E Linares:** Well, Mr Speaker, we are still early in the year, I think, and therefore the hon. Member can rest assured that it will be early in the year.

The fact is that when I say works will be ready imminently – I said that it would be ready probably the end of January – we are very close to the end of January and I would say now that I do not think it will be ready for the end of January, because there are a few things that need to be finished; the snagging and other issues that have cropped up.

35 One of them is, and I can tell the hon. Member, that the flooring of the outside is a bit slippery and therefore it is going to be changed at the cost of the supplier of the paint that they gave us. Things like that are what might delay the ... and it will be imminent and therefore that might delay slightly the completion.

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

Just to make sure I got it right: when the Minister mentions that the flooring is slippery, and I understand we want to remedy that, is he referring to the flooring by the spectator stands at Europa or what is the flooring we are referring to?

45 **Hon. S E Linares:** Yes, Mr Speaker, it is just that we have realised that once it was the material that they used ... and these are things that are to do with the contractor, not us – and therefore I am just explaining to the hon. Member things that have cropped up which we were not satisfied with and therefore you go back to the contractor and you say to the contractor, ‘Look, we do not think that this material is suitable.’

They have admitted to it and they are going to change it, so they are going to do it in phases. That might delay by a couple of weeks, not more than that.

55 **Hon. E J Reyes:** Grateful for that, Mr Speaker.

If I can go to the second part of his previous answer, the one in respect of the Lathbury Sports complex: last time we were told that the athletics track and football field would also be completed soon. I am grateful that today he has indicated that although he wanted to have Europa ready by the end of January, there may be a few weeks’ delay. Does he have at least from the contractor an estimated completion date? ‘Soon’ was said in December but he may be in a better position now.

60 **Hon. S E Linares:** Well, Mr Speaker, the situation in Lathbury is that we need to co-ordinate with the company that actually does the finishes to the running track and the AstroTurf. So therefore it is a question of trying to get the right time for them to be able to put the actual finish of the quarter. If the hon. Member remembers during the time of the Island Games, we completed the whole of the area and then part of the area was then dug up, because we had to go underneath. So therefore that part is the part that needs to be done.

65 Obviously it will take a couple of weeks because it will not be able to be done, for example, this week because of the rains, or the weather. So therefore we need to just work with the people who are doing it to make sure that they come over and they have – it will not be difficult to have – just a couple of days of good weather in order to lay what is left.

70 **Hon. E J Reyes:** Again, I am grateful for that, Mr Speaker.

75 I think on the final supplementary, we were told in December that the swimming pool is ready and all that is left are the final touches to the plant room. Have we made any progress in respect to that?

80 **Hon. S E Linares:** Yes, Mr Speaker, again these are issues that have to be completed. The pump room is nearly ready. If the hon. Member remembers, during the Island Games we did not cover the pool. We took the decision that the pool was not going to be covered for the Island Games and therefore the roof just needs a few finishing touches – and I reiterate, it is just a few finishing touches – before ... and like I said, the pump room as well, in order to be able to complete.

85 Remember also that during the Island Games, we brought in porta cabins to do for the changing rooms and the changing rooms are near completion as well. So therefore in relation to the swimming pool, I can tell the hon. Member that there is the pump room, just finishing a few touches in the roof, and basically the changing rooms are near completion as well.

90 **Hon. R M Clinton:** Mr Speaker, if I may ask the Minister a question, because I pass by the area very often and he mentions the pump room. I could not help but notice a rather large trench towards one side of the swimming pool building, which seem to have huge diameter wastage pipes. Can the Minister enlighten the House as to what that is for? Is that for sewage drainage of the swimming pool or some other related facility? These are very large diameter  
95 pipes that are going into the ground.

**Hon. S E Linares:** No, Mr Speaker. Those pipes have nothing to do with the swimming pool. In fact, it is to do with the drainage of the whole of the complex.

100 Remember that when you have a running track and an AstroTurf on top, when it rains, imagine the amount of or quantity of water that will collect. So it is to do with the whole of the drainage of the whole area. So those big pipes have nothing to do with specifically the swimming pool.

## Q2/2020

### Gibraltar Sports and Leisure Authority facilities – Cancellations

**Clerk:** Question 2, the Hon. E J Reyes.

105 **Hon. E J Reyes:** Can the Government inform this House how many cancellations have been necessary at any of the Gibraltar Sports and Leisure Authority's facilities since the answer provided to Question No. 152 of 2019; indicating the location, date and reason for the cancellation?

110 **Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, the only cancellations experienced by users at any of the GSLA's facilities since the answer to Question No. 152 of 2019 have been at the GSLA Pool Complex as reported in the local press.

115 I am glad to report that the pool was in fact re-opened on Friday, 17th January.

**Hon. E J Reyes:** Mr Speaker, just so that I am clear, my question said 'at any of the facilities of the Gibraltar Sports and Leisure Authority': am I correct in assuming that those pertaining to Lathbury Barracks and Europa Sports Complex fall under the category of the Sports and Leisure

120 Authority facilities or are they referred to differently? I do not quite know if they are already under the control of GSLA or otherwise.

**Hon. S E Linares:** No, Mr Speaker, they are not under control of the GSLA, because as I have just answered the previous questions, they are still under the contractor. The contractor is still there. So therefore the GSLA, there would not be any cancellation or anything, because allocations are not being given. It is not under the control of the GSLA because the contractor is still there.

**Hon. E J Reyes:** I am grateful for that clarification, Mr Speaker.

130 I understand the Minister's explanation about the pool and that it reopened on 17th January to which we are all glad.

I know, Mr Speaker, that the deadline for the notice of the question was Monday of last week, but since that period and today's answers, I believe in the last few days there was a need to make some cancellations at the Victoria Stadium. I do not know whether it was at the Tercentenary Sports Hall or the old sports hall, as such. Hearsay has it that it may have been as a result of some electrical failure, whether it was to do the power cuts or not. I do not know if the Minister has been provided with the updated details by his staff, but certainly cancellations did take place.

140 **Hon. S E Linares:** Well, Mr Speaker, first of all, I am not aware of what the hon. Member is stating and therefore, if it is hearsay and people rumouring or whatever, I have not got any information of the ones that he is getting via whatever source he is getting it from.

All I can say is that when the question was asked, this is the answer, and if there has been anything prior or after the question has been asked, I would not know until either he poses another question in the House or the hon. Member can write to me and we can see which one he is saying or hearsay or whoever is saying, and we can verify it.

**Hon. E J Reyes:** I am sorry, Mr Speaker, I may not have explained myself properly. It is not hearsay. I am told that it is factual that there were cancellations last week in respect of facilities at the Bayside Sports Centre Complex. What is hearsay is that it could have been as a result of power failure. That is the part that is hearsay. But that there were cancellations last week is vertical.

I do not know if the Minister perhaps could say, 'Look, I only have answers for you as at such a date,' but as of today, 22nd January, I do not think that answer is fully correct – not because the Minister is trying to mislead me, but because the Minister, I suppose, may not have been given updated information. That is what I am trying to say, Mr Speaker.

**Hon. S E Linares:** Mr Speaker, first of all, the hon. Member is now saying that it is not hearsay, that he is speculating whether it is happening or not happening. All I can say is that the hon. Member poses the question, I go back to the officials, I get the answer and this is the answer that I have got.

Now, if things happen in between, I can tell the hon. Member if he wants to either pose a question next month, or whenever it is Question Time, I will answer the question. If not, I am asking the hon. Member just to write to me or to phone me or email, and I will verify that from the day that the question was answered to this precise moment, I can give him whatever information there is, if there is any.

**Mr Speaker:** Are you happy with that?

170 **Hon. E J Reyes:** Mr Speaker, I know the Minister has given me alternatives of being able to contact him and if need be, I will pursue it down that avenue.

Q3-6/2020

**Gibraltar Sports and Leisure Authority facilities –  
Fees paid in 2018-19 for community use, advertising, sporting and non-sporting events**

**Clerk:** Question 3, the Hon. E J Reyes.

175 **Hon. E J Reyes:** Further to the answer provided to Question No. 153 of 2019, can the Minister for Sports provide a breakdown with details of users in respect of the £6,565 fees paid by users of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority for community use during the financial year 2018-19, together with details of any payments still pending to be received?

180 **Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, I will answer this question together with Questions 4 to 6.

185 **Clerk:** Question 4, the Hon. E J Reyes.

190 **Hon. E J Reyes:** Further to the answer provided to Question No. 153 of 2019, can the Minister for Sports provide a breakdown with details of users in respect of the £15,000 fees paid by users of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority for Advertising during the financial year 2018-19, together with details of any payments still pending to be received?

**Clerk:** Question 5, the Hon. E J Reyes.

195 **Hon. E J Reyes:** Further to the answer provided to Question No. 153 of 2019, can the Minister for Sports provide a breakdown with details of users in respect of the £17,911 fees paid by users of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority for sporting events during the financial year 2018-19, together with details of any payments still pending to be received?

200 **Clerk:** Question 6, the Hon. E J Reyes.

205 **Hon. E J Reyes:** Further to the answer provided to Question No. 153 of 2019, can the Minister for Sports provide a breakdown with details of users in respect of the £14,572.34 fees paid by users of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority for non-sporting events during the financial year 2018-19, together with details of any payments still pending to be received?

210 **Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, I now hand over to the hon. Member opposite a breakdown of the information requested.

Answers to Questions 3 to 6

*During the financial year 2018-19, the GSLA received the following amounts from Users.*

The breakdown is as follows:

Fitness Users	£6,285.00
Hire of lecture room	£280.00

*During the financial year 2018-19, the GSLA received the following amounts from Advertising Revenue.*

The breakdown is as follows:

RBSI (NatWest)	£15,000.00
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*During the financial year 2018-19, the GSLA received the following amounts from Sporting Events.*

The breakdown is as follows:

Straits Games	£1,260.00
Darts	£15,856.00
Misallocation of funds	£795.00

*During the financial year 2018-19, the GSLA received the following amounts from Non-Sporting Events.*

The breakdown is as follows:

Dazed and Confused	£1,800.00
Fresh Entertainment	£4,631.11
Project X	£5,341.23
Redefine	£800.00
Misallocation of funds	£2,000.00

**Q7-10/2020**

**Gibraltar Sports and Leisure Authority facilities–**

**Fees paid in 2017-18 for sporting and non-sporting events, advertising and community use**

**Clerk:** Question 7, the Hon. E J Reyes.

215 **Hon. E J Reyes:** Mr Speaker, further to the answer provided to Question No. 154 of 2019, can the Minister for Sports provide a breakdown with details of users in respect of the £107,523.50 fees paid by users of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority for sporting events during the financial year 2017-18, together with details of any payments still pending to be received?

220 **Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, I will answer this question together with Questions 8 to 10.

225 **Clerk:** Question 8, the Hon. E J Reyes.

**Hon. E J Reyes:** Further to the answer provided to Question No. 154 of 2019, can the Minister for Sports provide a breakdown with details of users in respect of the £11,954.41 fees paid by users of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority for non-sporting events during the financial year 2017-18, together with details of any payments still pending to be received?

235 **Clerk:** Question 9, Hon. E J Reyes.

**Hon. E J Reyes:** Further to the answer provided to Question No. 154 of 2019, can the Minister for Sports provide a breakdown with details of users in respect of the £15,000 fees paid by users



of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority for advertising during the financial year 2017-18, together with details of any payments still pending to be received?  
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**Clerk:** Question 10, Hon. E J Reyes.

**Hon. E J Reyes:** Further to the answer provided to Question No. 154 of 2019, can the Minister for Sports provide a breakdown with details of users in respect of the £10,994 fees paid by users of facilities falling under the auspices of the Gibraltar Sports and Leisure Authority for community use during the financial year 2017-18, together with details of any payments still pending to be received?  
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**Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.  
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**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, I now hand over to the hon. Member opposite a breakdown of the information requested.

Answer to Questions 7 to 10

*During the financial year 2017-18 the GSLA received the following amounts from fees for the hire of facilities under the Commercial Community Use scheme.*

The breakdown is as follows:

Fitness users	£9,475.00
Hire of lecture room	£1,519.00

*During the financial year 2017-18, the GSLA received the following amounts from Advertising Revenue.*

The breakdown is as follows:

RBSI (NatWest)	£15,000.00
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*During the financial year 2017-18, the GSLA received the following amounts from Non-Sporting Events.*

The breakdown is as follows:

Colour Festival	£500.00
Fresh Entertainment	£4,002.97
Project X	£5,690.00
Santos Productions	£1,761.44

*During the financial year 2017-18, the GSLA received the following amounts from Sporting Events.*

The breakdown is as follows:

Snooker Event	£64,002.50
Darts Events	£41,400.00
Straits Games	£ 1,221.00
FI BA (Advertising)	£900.00

Q3-6/2020

**Gibraltar Sports and Leisure Authority facilities –  
Fees paid in 2018-19 for community use, advertising, sporting and non-sporting events –  
Supplementary questions**

**Hon. K Azopardi:** Mr Speaker, while that travels across the floor, as it were, can I ask the Hon. Minister to turn back to the schedule he handed to us in respect of questions 3 to 6, and if I may, can I just ask a couple of supplementaries in relation to that?

In respect of the non-sporting events, there is a breakdown there of a number of entities that paid fees. Can the Minister perhaps illuminate us a bit about the nature of those events?

I know what Dazed and Confused is because I think my daughters attended that kind of thing. But in respect of the others, what kind of events were they?

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Well, Mr Speaker, I do not know specifically which events exactly they were, but I can tell him that Fresh Entertainment tend to do quite a lot of events around Gibraltar and could have been the electric festival, electronic festival, one of those festivals; Project X, similar; and Redefined, the same.

These are events that take place within the Victoria Stadium either in the MUGA area outside, or they take place in the Tercentenary, or have taken place not for very long anymore but in the Sports Hall. So it is within the Victoria Stadium and these are smaller events, bigger events, and these are the companies that actually do the events, and they have to pay a fee for that.

**Hon. K Azopardi:** Thank you for that.

Can the Minister perhaps help us a bit as to the basis on which these things are calculated? Why are there differences?

So if you organise an event for example on a particular day, why is there not a flat fee? What is the difference between the fees?

**Hon. S E Linares:** No, Mr Speaker, it cannot be a flat fee because it depends on how big the event is and therefore it depends on how many days they need, for example, the Tercentenary Hall. If they are doing the darts for example, they take two or three days to set up, and it is calculated to do with ... There are set fees, for example, on deposits but there are not set fees on the overtime that some of our workers in the GSLA have to work for. Some finish late, for example: they do not finish at 11 o'clock, which is the time that the workers at the Victoria Stadium or within the complex work and they have to stay until two to three o'clock in the morning. So it is all calculated depending on how much it costs us and then we pass the charge to the company that is actually doing the event.

**Hon. K Azopardi:** So when the hon. Member says how much it costs 'us' – i.e. GSLA – you mean that inbuilt into that fee, you are passing on staffing costs and things like that?

**Hon. S E Linares:** Absolutely and we have introduced that, because what was happening previously was that you would get a company come into the Victoria Stadium, doing an event; us, as in the GSLA, paying for damages, overtime, electricity, water, wear and tear of equipment, and we were paying for all that. And the event organiser used to get their profits and off they went.

So what we have done is we have introduced a fee which includes all these things, and it depends on how long they take in the event that they are charged. That is why there are differences of fees.

300 **Hon. K Azopardi:** Can the Minister then confirm: apart from these running costs that you are passing on, over and above that there is also a fee, or is it just the running costs that you are passing on?

And then finally on that schedule, the RBSI advertising: is that a cost, a sort of receipt in respect of the Island Games? Or is it something else?

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**Hon. S E Linares:** Sorry, could you repeat the question?

**Hon. K Azopardi:** The RBSI advertising revenue – what is that in relation to? That is really what I am asking. Is it the Island Games or is it something else?

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But my hon. colleague, Mr Bossino points out that there is a similar amount in 2017-18 so it presumably it is not a sort of Island Games amount then.

**Hon. S E Linares:** No, Mr Speaker, as the Hon. Chief Minister has reminded me, it is to do with the summer sports development – the summer programme that we run, which is also sponsored by NatWest. So that is –

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**Hon. Chief Minister:** A photograph of them handing over the cheque is in the *Chronicle* every year, so –

320 **Hon. S E Linares:** Yes, they do fantastic work for us, as in giving us a sponsorship by NatWest.

**Hon. Chief Minister:** One of the big cheques!

**Hon. R M Clinton:** Sorry, Mr Speaker, if I may ask the Minister: I cannot help but notice in the schedule he provided in answer to Questions 3 to 6 for 2018-19, there are two particular items that have ‘misallocation of funds’, which between them total £2,795 exactly. Can the Minister give the House an explanation as to how revenue receipts can be described as ‘misallocation’?

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**Hon. S E Linares:** Well, Mr Speaker, the note that the GSLA has given me as a supplementary – because I knew that question was coming, obviously! – is that the misallocation of funds was as the result of a payment credited to an erroneous subhead. So it was directed somewhere else, and then obviously it was not supposed to have gone there and they have redirected it. That is the answer that I have got.

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**Hon. R M Clinton:** I am very grateful for the Minister’s answer. Was he actually told what they were meant to be in respect of originally?

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**Hon. S E Linares:** No, Mr Speaker.

**Hon. E J Reyes:** Mr Speaker, just to clarify for me: the GSLA in both schedules gives the £15,000 revenue from advertising – which, I concur with the Chief Minister, I think is the adverts that are put round all the facilities at the Bayside Complex during the Summer Sports Programme and so on. Yet in respect to the financial year 2017-18, at the very bottom of the page, FI BA, which I think relates to basketball, has advertising in brackets. If it was for advertising, should the Treasury Department not want that better to come under an advertising heading rather than amounts received from sporting events? I do not quite know why an advertising item is not under ‘advertising’.

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**Hon. S E Linares:** Mr Speaker, I think this was the tournaments that were done by FI BA and they had their own advertising – they came with their own advertising. But obviously if they come with their own advertising, they should pay the GSLA a fee or at least a sum, because it

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seems like a very round figure. That is what I think it is: it is just that when associations do and they get their own sponsorship, they are supposed to be paying the Victoria Stadium some of that sponsorship.

355 But I will try and find out *exactly*, because I do not want to mislead Parliament. I will try and find out exactly what this FI BA means. But if I recollect, I think it was a tournament that FI BA did themselves.

**Hon. E J Reyes:** I am grateful and content, Mr Speaker, that the Minister will try to find out and then if need be he can report it. If he does report to his House, it means it goes in *Hansard* for whenever someone has to do future references.

Thank you.

#### Q11/2020

#### Gibraltar Sports and Leisure Authority staff – Maintenance done for GFA-owned facilities at Victoria Stadium

**Clerk:** Question 11, the Hon. E J Reyes.

365 **Hon. E J Reyes:** Can the Minister for Sport provide details of any financial arrangements currently in place whereby Gibraltar Sports and Leisure Authority Staff carry out maintenance and other works for the now Gibraltar Football Association-owned facilities at Victoria Stadium?

**Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

370 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, at present there are no financial arrangements in place whereby the GSLA carry out maintenance for the Gibraltar Football Association within the development area at Victoria Stadium. Staff continue to work as normal, carrying out day-to-day tasks including maintenance in the development area, as well as all other areas.

380 **Hon. E J Reyes:** So Mr Speaker, if the GSLA staff carry out duties in facilities that are now owned by the Gibraltar Football Association, does that mean that that staff has been seconded to the Football Association and is answerable to their managerial team or how quite does it work? And it raises a further question: why does this association receive actual staff support, whereas other associations – as the Minister was saying before – may have to cater for it in respect of costs?

385 **Hon. S E Linares:** Mr Speaker, I do not see which other association actually is charged any cost.

Anyway going back to his original question, what we are doing is working very closely with the GFA. The GSLA employees are under the GSLA management. They manage the Victoria Stadium as they have always done, and that is why I have put here ‘carrying out day-to-day tasks involving maintenance in the development area as well as in other areas.’

390 We are continuing as if it was the property of the Government because we are working with the GFA in order for them, once the area is started to develop – because up to now, there is no development, really, there is nothing happening – and until they start, that is when we are working with the GFA to see what regime we will put in place, because the GSLA will probably have Lathbury to run. So that is when it becomes a little bit of a problem.

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

Perhaps I had better wait till the Lathbury deal ...

400 Just one thing arises here. In previous questions, if you allow me, Mr Speaker, the Minister made reference that there is an MoU that the GSLA has entered into with the GFA. When we ask, could we have access to the contents of that, he said he would need to talk to the GFA first to see whether that could be handed over or not.

Has the Minister had an opportunity perhaps to see if we can have sight of those MoUs?

405 **Hon. S E Linares:** No, not yet; the reason being that some of the parts of the MoU are being amended by both sides. So although we do not quite have it actually have it signed, sealed and delivered, we are still on a work in progress.

410 But I can tell the hon. Member that for us on our side there is no issue as to showing you the final MoU that we will work on with the GFA. I am sure there are many things that we need to work with the GFA on, especially when they take over what is part of their land in relation to what is the Government's land. Things like access and roads, getting in and out and these are the sorts of things we are working at.

415 **Hon. K Azopardi:** Can the Minister also confirm whether the MoU spans the interim arrangements that he has been discussing now in respect of maintenance, in answer to my hon. colleague's question? And future arrangements? Or is the MoU narrower than that?

**Hon. S E Linares:** Mr Speaker, I could say that the MoU is basically the transition period, because ultimately what will happen is that the GFA will have its stadium where they will have to run it themselves, and we will have our part to do maintenance and all that.

420 So it is basically the transition period. It is a question of the GFA trying to get everything organised, employ their own people to run obviously the National Stadium, which they will be running. So basically this MoU is whilst all the construction work and all the moving about, for want of a better word, is happening.

425 **Hon. K Azopardi:** And so if that is the case, is the Government in some kind of parallel discussions with the GFA in respect of the terms of the transfer, for example?

I will just put a specific question, so I explain myself. Is the Government introducing any terms in respect of the transfer of that stadium to allow use of the facilities from time to time by other entities or is it going to be up to the GFA to determine use on request?

430

**Hon. S E Linares:** No, Mr Speaker, I think it would be where we could come into agreement with the GFA to see how we can use their facilities. Remember that they are going to use *our* facilities. So there has to be a *quid pro quo* as to who uses what when. Obviously the stadium will become a football stadium, but I am sure within that remit there can be ... because the complex is not only a football stadium; there are other amenities around it, and the general public will probably use it.

435

So we are working at that because it is how we get the final separation or final ... although it is separate, we can both share all our amenities.

440 **Hon. K Azopardi:** So would I be right to conclude from that answer that those decisions are still live and under discussion between the Government and the GFA?

**Hon. S E Linares:** Yes, Mr Speaker.

445 **Hon. E J Reyes:** One final thing if I may, Mr Speaker. We were previously talking about the facilities at Lathbury and Europa, for which the Minister said we were hopeful for quite soon completion of football-related facilities. Would those remain exclusive to GSLA and therefore form perhaps part of the of the MoU, so that the GFA can use the facilities or are those facilities

450 going to be handed over to the Football Association and therefore form part of an agreement via  
an MoU?

**Hon. S E Linares:** No, Mr Speaker, Lathbury, as I said, would be like the old Victoria Stadium. It will not be ... The GSLA will run it as if it was the old Victoria Stadium – that is it. And athletics will be played there, the children in schools can use it, the whole of the community can use it.

455 **Mr Speaker:** Next question.

**Q12/2020**

**Children’s play park, Laguna Estate –  
Initial opening; daily opening times and maintenance**

**Clerk:** Question 12, the Hon. E. J. Reyes.

460 **Hon. E J Reyes:** Can Government provide the date by which the children’s play park in  
between St Anne’s and Notre Dame Schools at Laguna Estate will be open for public use,  
together with details of opening times and indicating under whose responsibility will the day-to-  
day maintenance of these facilities come under?

465 **Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, the new Adventure  
Playground and ball-playing area will be ready for the contractor to hand over within the next six  
weeks, after which there will be a very brief snagging period. The facility will be added to the list  
of playgrounds currently under the GSLA’s remit with opening times in line with other similar  
playgrounds

**Q13/2020**

**Albert Risso House –  
Update on senior citizen warden facilities**

**Clerk:** Question 13, the Hon. E J Reyes.

475 **Hon. E J Reyes:** Further to the answer provided to Question No. 156 of 2019, can the Minister  
for Housing update this House with details of new arrangements made with the idea of  
implementing the same warden facilities at Albert Risso House as already enjoyed by the tenants  
of the other rental homes provided by the Government exclusively for senior citizens?

**Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

480 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, the answer remains  
the same as my answer to Question No 156 of 2019.

485 **Hon. E J Reyes:** Mr Speaker, the Minister sounded keen to enter into some sort of  
arrangements: is the Minister aiming for a particular date by when we hope to have come to a  
satisfactory arrangement with the residents of Albert Risso House and new facilities?

**Hon. S E Linares:** Mr Speaker, I know the hon. Member was not present at the debate last month, but we did bring up all these issues and yes, as soon as it is ready, it will be implemented. It is not ready yet, but it will be.

**Q14-15/2020**  
**Government rental homes –**  
**Investigations into unlawful occupation**

490 **Clerk:** Question 14, the Hon. E J Reyes.

**Hon. E J Reyes:** Further to the answers provided to Question Nos. 161 and 162 of 2019 can the Minister for Housing provide details of the final outcome of the case of unlawful occupation which the Housing Department was dealing with?

495

**Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, I will answer this together with Question 15.

500

**Clerk:** Question 15, the Hon. E J Reyes.

**Hon. E J Reyes:** Can Government inform this House how many cases of unlawful occupation of Government rental homes are currently being investigated by the relevant authorities?

505

**Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, the answer remains the same as my answer provided in respect of Question 162 of 2019.

510

**Hon. E J Reyes:** Mr Speaker, I hope I understood: what remains the same in answer to Question 162 was that there was still no final outcome; they were still looking into working in respect of an unlawful occupation.

515

But my Question 15 now says how many are currently being dealt with? Can the Minister please clarify there has been no new one and it is just the same one that is pending? I am not entirely clear when I refer back to answers next month or whatever next session, I am confused and then I pose erroneous questions, Mr Speaker.

520

**Hon. S E Linares:** Mr Speaker, the answer was last time that there is one case of unlawful occupation which the Housing Department is dealing with. We are still dealing with that one and the rest of the answer is exactly the same.

**Q16/2020**  
**Joshua Hassan Centenary Terraces –**  
**Update on affordable housing project**

**Clerk:** Question 16, the Hon. E J Reyes.

525 **Hon. E J Reyes:** Can Government provide an update in respect of its affordable housing project 'Joshua Hassan Centenary Terraces', indicating the number of homes sold, number of homes still to be sold and its estimated construction dates?

**Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

530 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, it is very difficult to provide an exact figure as to how many flats have been allocated at Hassan Centenary Terraces as sales are taking place daily. Well over 500 flats have now been allocated.

The contractor has taken possession of the site and construction will begin shortly. A contract programme needs to be finalised but it is anticipated that the project will take 39 months to complete

535

**Hon. K Azopardi:** Mr Speaker, can the Minister ... I appreciate he cannot give us a scientific commencement date but does he have a bit more than 'shortly'? Does he have an anticipated commencement date of the construction? I am not going to hold him to it but just loosely.

540

**Hon. S E Linares:** Mr Speaker, as I understand it the site is already ready; contractors are already moving in, as we speak. Therefore, when I say 'soon', I could easily have said 'now'. It is going on now. I do not know whether ... It is public knowledge that there are two phases and phase 1 is already on the way.

545

**Hon. E J Reyes:** Mr Speaker, my question was the number of homes that had already been sold and the Minister has answered saying that over 500 have been allocated. I do not want to go into legal technical terms of what the difference is – 500 homes have a name to it and are perhaps at particular different legal stages, whether one calls them homes or allocated. I even take it perhaps that initial deposits have been made and certain instalments are forthcoming.

550

But I carried on my question by saying the number of homes still to be sold. I know the Minister was careful in saying that the numbers are changing daily, but he was able to round off a figure which I accept, around 500. So is he able to round off a figure of how many homes are still available for 'grabs', if one wants to use that word?

555

**Chief Minister (Hon. F R Picardo):** Mr Speaker, I do hate to labour the point, but one does feel as if we have been here for an hour having what might be termed almost a 'fireside chat' with each other, which I will be delighted to do with hon. Gentlemen, but there are 665 homes available at Joshua Hassan Centenary Terraces; the hon. Gentleman has told him they have sold 500. It is a simple matter of mathematics: 165.

560

**Hon. R M Clinton:** Sorry Mr Speaker, if I may ask the Minister he mentioned two phases, phase 1 and phase 2. Could he elaborate as to what phase 1 is? Is this to do with clearance of the mound on the site? No? Or if it is not, is it that the site is actually level and ready for construction? I am sorry to disappoint the Chief Minister.

565

**Hon. S E Linares:** Well yes, Mr Speaker, it is because the hon. Member has not taken time to read our press releases and has not done his homework – I will tell him as a teacher. It is out in the public domain. Everybody knows about the Hassan Centenary Terraces, how it is going to be built, how many houses there are.

570

But to come to this House and ask me that question!

**Hon. Chief Minister:** The answer to that question is already public knowledge.

575 **Hon. S E Linares:** It is public knowledge. *(Interjection by Hon. R M Clinton)*



Mr Speaker, I am not here to do the hon. Member's work! (*Interjections*) I am here to answer questions of things that he wants to ascertain from Government that the public do not know. What the hon. Member cannot do is come here ask me, 'What is the press release number that you brought this out?'

580 Mr Speaker, it is getting beyond the ridiculous!

**Q17/2020**  
**Joshua Hassan Centenary Terraces –**  
**Update on unsold units**

**Clerk:** Question 17, the Hon. Ms M D Hassan Nahon.

**Chief Minister (Hon. F R Picardo):** Hear, hear!

585 **Hon. Ms M D Hassan Nahon:** Thank you – what a welcome, Mr Speaker! I wish it was like that every time I rose. (*Interjections*)

Following on from last week's revelation in the press that 150 units are still available/unsold in Hassan Centenary Terraces, what reasons does the Government attribute to such a glut in this development?

590

**Clerk:** Answer, the Hon. the Minister for Housing, Youth and Sport.

**Minister for Housing, Youth and Sport (Hon. S E Linares):** Mr Speaker, there is no glut as the hon. Member is repeating from statements in the press. The allocation process is still ongoing; there are a total of 665 flats to be allocated in the development, for which Gibraltar Residential Properties Limited has received over 2,400 applications.

595

Of these applications, nearly 900 have been seen at least once. There are many more applicants yet to be seen than there are remaining flats. Government is confident that all of the flats will be allocated and that there will still be even more people wanting to buy flats at Bob Peliza Mews and Chatham Views.

600

**Hon. Ms M D Hassan Nahon:** Mr Speaker, I really did not mean to draw a defensive response from the hon. Member. (**Several Members:** Hear, hear!) Oh, very popular today, Mr Speaker! I am feeling very popular today, Mr Speaker, from all sides of the House. It is nice.

605

I recently understood that the Government or the Housing Department offered an upgrade in size to people who technically only had a need for smaller units and I was wondering whether perhaps this had anything to do with or this was following on from the possibility that the Government was not filling up the demand for houses.

610

Could it be that the purchase terms are causing obstacles to potential purchasers and that is why it has not been filled? Yes, the hon. Member says that there is more left to sell but by now there had been a lot of talk about so much over-subscription and yet we understand that at this point not all of them had been sold. So I am wondering whether perhaps bridging loan issues have been an issue or anything of the sort that has contributed to this 150-odd that have not been sold.

615

**Hon. S E Linares:** Mr Speaker, the hon. Lady must understand that I was not even thinking of being on the defensive at all – that is for the starters.

620

But just to put the hon. Lady right, there are 665 houses to be sold. People show an interest, of which there were 2,400 people interested in buying. Therefore, if there are 665 houses and 2,400 interested people, of course there are going to be people who have to wait, and of course

there are going to be people who will not be able to buy because there is a higher demand than there is the supply.

Therefore what we did was we actually did upgrades and that is why the movement ... and I said it was alive; I said it at the very beginning, it is flexible. If somebody has a house now and it is upgraded, then that house has to be sold. What you do is you go over the list. Nine hundred people have been seen at least once in order to call them in to see which house they prefer. So we are working through the whole list and it will take time, but I can guarantee the hon. Lady that what happens is that other people also are waiting for the other two estates. So this is the issue. The issue is that – *(Interjection by Hon. Chief Minister)* Yes, exactly – just for the mathematics.

So that is what I say that there is more demand than there is a supply for *this* estate. But there are two more estates coming through. So these are the issues that come on a daily basis and that is why I would not even dare to say how many houses *exactly* we have sold. I cannot. *Now* they are probably selling a few, so I would be misleading the Parliament if I gave exact figures.

**Hon. Ms M D Hassan Nahon:** Thank you for that answer.

Mr Speaker, if the hon. Gentleman might be able to indulge me: why would he think that the press would pick up on the fact that there are 150 houses or units yet to sell, if it is a perfectly normal path of the way that these projects seem to develop? Why was it flagged up?

**Hon. Chief Minister:** Mr Speaker, because we issued a press release. For that simple reason – because we wanted to update the community what was happening, because we receive daily requests for information of people who want to buy and want to know why they have not yet been called.

The numbers that the hon. Member was giving are important ones, because look, if you have got 2,400 applicants for 665 properties, the problem that you have is not that you have a glut of properties; it is that you have a glut of applicants. And so, Mr Speaker, the important number for her to go away with is that the 165 left will have to be all that is available for the 1,500 that have not yet been called.

Of the 900 that were called, 500 have bought these particular properties. So I think we are in a very good position. This estate has seen remarkable acceptance. It is one that people are really wanting to buy into, because of the price, because of the terms and conditions which are extraordinarily generous, and indeed because of the location, which is a very favourable one. I remind all hon. Members that that was seen as an area only for luxury development. What others suggested should be for the luxury market, we have made available for Gibraltarians on the housing waiting lists who are eligible to buy. That, Mr Speaker, is the approach that we are taking and that is the sort of reality that underlies the Housing Policy which determines how we are going to continue. Great sites like the Eastside development, like the area on Queensway, where we are going to develop Chatham Views, like the area of the port we are going to develop, Bob Peliza Terraces or Mews, or whatever it is that it is called.

Mr Speaker, all of these are *excellent* opportunities for young Gibraltarians eligible to buy to get their foot on the housing ladder. These properties have had *huge* acceptance and we are very proud of the way the sales are going.

I would like to thank the people at GRPL who are responsible for this work, because the diligence with which they do this work – if they realise that somebody has been missed out, they call them back in; if they think somebody has not had the opportunity of having the best choice put to them, because they have had somebody else considering a home, they will call them back in and say, 'Look, you considered three homes but somebody else has gone for another one; you should consider this one also' – that level of *diligence* is something which the Government finds absolutely commendable, and I thank the men and women of GRPL for the work that they are doing.

HEALTH AND CARE

Q18/2020

Hearing aids –

Patients waiting over 12 weeks

**Clerk:** Question 18, the Hon. Keith Azopardi on behalf of the Hon. E J Phillips.

675 **Hon. K Azopardi:** Mr Speaker, with your indulgence because Mr Phillips is flying back, but because of the bad weather may suffer a bit of a delay, so I will take his questions while he arrives.

Mr Speaker, Further to Q171/2019 how many patients have been waiting over 12 weeks for hearing aids?

680

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

**Minister for Health and Care (Hon. P J Balban):** Mr Speaker, currently, 39 patients have been waiting over 12 weeks for hearing aids.

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**Hon. E J Reyes:** Mr Speaker, in respect of these patients is there any sort of obvious explanation of why this number of patients have had to wait? My understanding is that the 39 patients, at least most of them, who have been waiting over 12 weeks are still at the stage where the hearing aid has to be ordered, and then of course that will incur the delay of whatever delivery date the supplier is able to offer.

690

Does the Minister have any further information as to why there seems to be this backlog of 39, as opposed to his ideal average waiting time of 12 weeks?

**Hon. P J Balban:** Mr Speaker, the question that the hon. Gentleman is asking was in fact replied to quite comprehensively last month and what I explained last month is that there is a process which culminates in a person receiving a hearing aid, and as part of that process there are several appointments whereby patients are asked, to see what best fits them, whether they are internal fitting devices or external fitting devices. Some are relatively straightforward, simple and in fact can be given off the shelf and that reduces the waiting time considerably. But there are other patients who request a hearing aid which is an internal device and that needs to be produced specifically, taking into consideration the contours of the inner ear.

700

So there are a number of reasons why people have to wait more time than others, and I said last month we did explain this, and if you look at *Hansard* you can recap on what was said then.

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

In fact I did look at it following that, but it is the number of patients who have been waiting over 12 weeks to yet to be called in to see what hearing aid is the one they are going to choose, to see if it is one available off the shelf, to see if it is one that has to be ordered. But the 12 weeks have elapsed and they are still waiting and have not even had indication of a date or when they are due. They already had all the hearing tests needed, already had more than one appointment to follow up. They are now, from what they tell me, in a state of limbo, waiting to see what is going to happen. They were surprised at the answer that was given of 12 weeks. The 12 weeks had elapsed for them and they had heard nothing further.

710

That is what I was trying to ask the Minister: why that delay? This has nothing to do with the time the unit may need to come from UK, if one off the shelf is not suitable for that individual.

715

**Hon. P J Balban:** Mr Speaker, the delay is perceived in certain patients ... in fact some patients are even fast-tracked, especially those with severe hearing loss and elderly, so there is a

720 prioritisation involved. But the delays are something which obviously was raised last month and I  
am taking an interest to see whether things can be done to make this even further, because it is  
in our best interests, always, to make people wait less for things, and that is what our aim is.

725 We are looking into it but there is a process whereby a patient is referred to ... A patient goes  
to his GP, sees his GP, and then is referred. A letter of referral is sent to the audiologist and the  
patient is then seen in the clinic a few weeks later and then there is a process that there is some  
waiting time. The average waiting level is, as we said, for 12 weeks because of not only the  
amount of new requests coming through and referrals coming through but also there are  
numerous hearing aid devices which are lost – they fall, they are trodden on and they are  
damaged – and this adds to the requirements.

730 Once the audiologist sees the patient, then as I said, it can be a very quick process – in fact it  
is instantaneous. By that time the hearing test is carried out, they know what is necessary and  
they can just hand them a hearing aid off the shelf. If not, then there can be a wait of three to  
four weeks after that to receive the device. So it is the time that it takes.

**Mr Speaker:** Next question.

**Q19/2020**  
**Gibraltar Health Authority Health Card –**  
**Application criteria**

735 **Clerk:** Question 19, the Hon. K Azopardi on behalf of the Hon. E J Phillips.

**Hon. K Azopardi:** Mr Speaker, can the Government state the criteria for the application of a  
Gibraltar Health Authority Health Card?

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

**Minister for Health and Care (Hon. P J Balban):** Mr Speaker, the criteria in respect of  
applications for Gibraltar Health Authority registration are provided for under the Social Security  
(Employment Injuries Insurance Act), the Social Security (Insurance) Act, the Group Practice  
745 Medical Scheme Act and the Group Practice Medical Scheme Regulations.

Other than these, registration is possible under the United Kingdom Reciprocal Agreement  
Pensioner list, or those in possession of an E121 from another EU country.

**Q20/2020**  
**GHA consultants –**  
**Number engaged since 2019 General Election**

**Clerk:** Question 20, the Hon. K Azopardi on behalf of the Hon. E J Phillips.

750 **Hon. K Azopardi:** Mr Speaker, can the Government confirm how many consultants have been  
engaged by the GHA since the 2019 General Election?

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

755 **Minister for Health and Care (Hon. P J Balban):** Mr Speaker, since the 2019 General Election,  
the GHA has employed three Medical Consultants.

**Hon. K Azopardi:** Mr Speaker, apart from medical consultants, are there any other consultants that have been engaged, i.e. have people been providing services on a consultancy basis to the GHA?

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**Hon. P J Balban:** Mr Speaker, the question that was asked was specifically to do with medical consultants, and I think – (*Interjections*)

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**Chief Minister (Hon. F R Picardo):** Mr Speaker, I think in answering this question, the people compiling the information have interpreted the question as being about medical consultants, because of the GHA and the word ‘consultant’ in the context of the GHA meaning one thing.

770

So I do not want to see the Minister or myself venture an answer that might be incorrect. The hon. Gentleman is right, his question is not limited to medical consultants. It says ‘consultants’ but I think it has, in good faith, been interpreted because of the context as being medical consultants. If he wants to know whether anybody has been asked to consult in the GHA in relation to something else – for example, I don’t know, computers – we would not be able to give him the answer today, but if they ask again or they write to us, I am sure that we can provide the information.

775

**Hon. K Azopardi:** Mr Speaker, I accept that in good faith it can be misinterpreted, but given that the question has already been put, rather than put us to the added burden of asking the question again, the Minister has our question and perhaps he can send my colleague a list of information. If indeed there have been people engaged as consultants or providing consultancy services to the GHA since the last election, he can send my colleague Mr Phillips that information.

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**Hon. P J Balban:** Happy to, Mr Speaker.

**Q21-25/2020**  
**Mental health care –**  
**Waiting times for various treatments**

**Clerk:** Question 21, the Hon. K Azopardi on behalf of the Hon. E J Phillips.

785

**Hon. K Azopardi:** Mr Speaker, can the Government confirm average waiting time for consultant psychiatrists?

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

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**Minister for Health and Care (Hon. P J Balban):** Mr Speaker, I will answer this question together with Questions 22 to 25.

**Clerk:** Question 22, the Hon. K Azopardi on behalf of the Hon. E J Phillips.

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**Hon. K Azopardi:** Mr Speaker, can the Government confirm the number of people in 2019 who have been prescribed with antidepressant/antipsychotic medication for the purposes of a mental health complaint?

**Clerk:** Question 23, the Hon. K Azopardi on behalf of the Hon. E J Phillips.

800

**Hon. K Azopardi:** Mr Speaker, can the Government confirm how many patients are currently sectioned under current mental health legislation?

**Clerk:** Question 24, the Hon. K Azopardi on behalf of the Hon. E J Phillips.

805

**Hon. K Azopardi:** Mr Speaker, can the Government confirm how many patients receiving treatment for a mental health condition have a history of drugs misuse, either prescribed or use of illegal drugs?

810

**Clerk:** Question 25, the Hon. K Azopardi on behalf of the Hon. E J Phillips.

**Hon. K Azopardi:** Mr Speaker, can the Government confirm the number of acute and non-acute admissions to the Ocean Views facility since it opened its doors?

815

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

**Minister for Health and Care (Hon. P J Balban):** Mr Speaker, the average waiting time for a new referral appointment to see a Consultant Psychiatrist is currently three weeks for a routine referral. However, patients are triaged by the mental health team, and those that present with a more acute problem are seen sooner.

820

According to the GHA's prescribing data, the number of patients prescribed antidepressant and/or antipsychotic medication in 2019 was 3,974.

There are currently 25 patients sectioned under mental health legislation.

GHA records show that 244 patients present as having a history of drug misuse and a documented mental health issue.

825

All admissions into Ocean Views hospital are considered as acute. There have been 715 admissions into Ocean Views since it first opened.

**Hon. K Azopardi:** Can the Minister just help me, because I cannot recall when it opened, but does the Minister?

830

**Chief Minister (Hon. F R Picardo):** Mr Speaker, honestly I cannot tell him the date, but I am sure it was in our first term, and I think it was in the last year of our first term. So I believe it might have been between September 2014 and October 2015. I cannot be more precise than that and I may be completely wrong, but that is from memory what I recall.

835

**Hon. K Azopardi:** Yes. In relation to the answer on patients receiving treatment for a mental health condition with a history of drugs misuse, does the Minister have a bit more information about that? He has given us the statistic of 244. Are those current patients being treated, or is it a broad range over a span of years?

840

**Hon. P J Balban:** Mr Speaker, if this helps, a total of 421 patients are currently recorded in EMIS as having a history of drug misuse. Of these 421, 244 have a documented mental health problem.

845

**Hon. K Azopardi:** Thank you, that is helpful.

In relation to the answer that the Minister gives on the number of people in 2019 prescribed with antidepressant or antipsychotic medication, I think I took the number correctly as 3,974. I think that is the number, and obviously, that is a range of different conditions – some will be very mild and transitory; others will not be.

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Does the Minister agree with me that that is a rather concerning statistic over a period of a year? And if the Minister had not seen that statistic till now, because we have posed the

question, or if the Minister was aware of that statistic, what steps is he taking to understand that situation a bit more clearly, because of the size of the issue?

855

**Hon. P J Balban:** Mr Speaker, I would not like to hazard a guess as to whether ... This may well be pretty normal for a population of a given size. I could ask the professionals who have provided us with information, but I would not like to say either it is worrying or whether it is pretty conservative for the population in size. It is something which I am not qualified to ascertain.

860

There is also one thing we have to take into account: there are people who take antidepressants; there are people who take antipsychotics; and there are people who take both. These have all been included, so it could be the same amount of patients taking both medication, as opposed to just one or the other. So we would really need to see what the views are of the medical profession, to see whether it is above what is expected or otherwise.

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**Hon. K Azopardi:** So is the Minister saying that he knows for sure or that he is speculating as to whether there is double counting in these figures?

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**Hon. P J Balban:** In that case I am sure because I have information here which, for example ... We have in one given year, for example, there are 3,600-odd patients on antidepressants, 775 on antipsychotics and 439 taking both. So I know that there is a mixture of patients here.

875

**Hon. K Azopardi:** But then there are only 400 that are ... He has got a statistic, he has just given me figures, 3,600; 400 taking both. But you have given me a total of 3,974. So that does not suggest double counting.

880

**Hon. P J Balban:** No, the way this was explained to me, Mr Speaker, is they add this 300 ... Let's hope the maths here stands up because I had this conversation with my staff and again, I need to take their advice. If we look at antidepressants and add antipsychotics to them, and then take away both, that is how they have contrived the figure – if that is at all useful.

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**Hon. K Azopardi:** Whether there is an element of double counting or not, and the Minister said he was not sure whether this is a sort of normal figure – even with some element of double counting, the number of people or prescriptions of antidepressants and antipsychotics is quite significant as a proportion of the population. At the very least, perhaps the Minister would speak to the specialists in the field, understand whether it is the norm and, whether it is the norm or not, have a conversation – I would urge him – perhaps in respect of what steps can be taken in any way to assist the causes of these issues.

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**Hon. P J Balban:** Mr Speaker, yes, absolutely.

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One thing I would like to mention is that mental health is something which affects most of us to very different levels and degrees. When it comes to depression and anxiety and very mild depression, it is something which patients will be prescribed something to help them on the way – it does not necessarily mean, I am not saying that it is something normal, but it is something which ... When look at antipsychotics, obviously the medication is much more powerful and it is something which is more restricted to certain categories and types of patients. But very mild antidepressants are something which are prescribed depending on the GP or the mental health professional, and so this is why there appears to be a huge number of people on ... I hate to say 'slightly milder' because I cannot say that and I am not in a position to say that, but there is a massive spectrum, from people who are slightly anxious, there is even the reported case of students who while they are studying they feel that they are anxious, and it is something which is transient because mental health ... I know few people who can say hand on heart that they have never been low, depressed or anxious. This reflects, I think, that.

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905 **Hon. K Azopardi:** Mr Speaker, will the Minister take steps to clarify this double-counting issue  
in this sense, because the question that my hon. colleague, Mr Phillips posed was: can the  
Government confirm the number of people. I appreciate that in obtaining the information, as  
the Minister has explained, there may be an element of people taking both and double counting,  
910 but because we asked precisely the number of people, and because it would be helpful for the  
Government to know precisely how many people, are taking one or the other or double and  
they are not double counted, so that you know the number of cases that there are in Gibraltar,  
will the Minister take steps to drill down on the statistics in a clearer way?

**Hon. Chief Minister:** Mr Speaker, in case it is helpful, certainly we will do that exercise  
915 because I think it is worth having clarity in that respect.

But we have to be careful that we do not fall into traps in this respect. First of all, when we  
are looking at the population, the hon. Gentleman needs to remember that those who are  
entitled to prescriptions under the Group Practice Medical Scheme do not just make up the  
32,000 people who are resident in Gibraltar; they also make up those who are working in  
920 Gibraltar, etc. He has been given the answer a moment ago about registrations. We talk about  
15,000 people working in Gibraltar, so if we were doing a rough calculation, we would be talking  
about approximately 47,000 people being entitled to prescriptions under the Group Practice  
Medical Scheme. So the base is not 32,000 from which 3,900 would be over 10%; the base is  
potentially 47,000-plus. So that is the first point.

925 The second point, Mr Speaker, is that in respect of mental health, I think the key issue is that  
people should not consider that having a mental health problem is a stigma in any way.  
Therefore he will find that a lot of the thinking in this respect is that more prescriptions in  
respect of antidepressants should not be seen as necessarily a bad thing, when we are trying to  
encourage people who have mental health issues to speak up and take advice and go to a GP. So  
930 the first blush reaction might be as the hon. Member has suggested, that we should all be  
concerned – and indeed we must all be concerned about those who have issues of mental health  
to ensure that they are getting the best possible service from our GHA. But we must not say  
anything in this House, and I am sure the hon. Gentleman will agree with me, and he will not  
want any of what he said to be interpreted in this way, as suggesting that people have a mental  
935 health issue should not manifest with it, they should not go to their GP and indeed that they  
should not have a drug prescribed.

I hope that is helpful, Mr Speaker, and I do agree with him that we need a little more clarity  
in respect of the statistic provided, so that we do know not just those taking one or the other,  
but we know exactly how many are taking one or the other, whether they are taking both or not.

940 **Hon. K Azopardi:** I certainly was not suggesting, and I do not think the hon. Member was  
saying I was, but because of the way he put it, I just make clear: I certainly was not suggesting  
that I adopt or accept any kind of stigma of people who have mental health issues. They  
certainly need addressing and it is a good thing that people should come forward and we need  
945 to break down barriers of acceptance to people with mental health issues.

What I am rather concerned about, though – and this is, I believe, a cross-party issue – is that  
as a society in Gibraltar we properly grapple with the issues that are causes of mental health  
problems, to the extent that they are not physical causes. If there are causes or exacerbations  
created by factors outside the individual – for example, it might be social media bullying or any  
950 kind of issue like that – that we drill down in a better way the statistics so that we understand  
them, so that not only the Government has that source of information, but as a society we  
understand it a bit better. The Government will not be able to address those issues unless it  
understands precisely the size of the number of people that are taking these medications in  
different categories and then drill down on the statistics in a better way, so that it understands  
955 for example, is it predominantly younger people, more than older people? And if it is younger  
people, more than older people, without specifying or breaking down barriers, respecting the



privacy and confidentiality of individuals, in discussions with specialists and interested groups and NGOs in this field, it would be important to try to come up with plans and steps to see if we can, with a better statistical analysis, address the issues that are coming up commonly that are being spoken to, to specialists, that specialists and nurse practitioners are understanding.

So I am giving a long intro to that question, so that the Hon. Minister has the opportunity to agree with me that it must be in the interests of the Government and society at large for the Government to have a better statistical recourse.

**Hon. Chief Minister:** Mr Speaker, the answer to that would appear to be yes; except of course, the issue is not whether the Government – or indeed the GHA, better described – has the statistical resource. The only issue is whether or not the information provided in answer to the question is the answer sought, because the Government, aka the GHA, does have that information. Indeed, I will allow the Hon. Minister to say something else now.

But what was concerning me, Mr Speaker, was that the hon. Gentleman was taking us down a road, and he has clarified I think inadvertently, of saying too many people seem to be in receipt of these drugs – that must be a cause of concern. Well, Mr Speaker, that is the *opposite* of the approach that I think he has clarified we are both keen to ensure that everyone takes, which is that if you do have a mental health issue, we do not consider you a problem: we want you to come forward and if you need medication, you should have that medication. I think what he is saying and what I agree with and is certainly the policy of the Government – and indeed, it is only the policy of the Government because we are advised by the professionals that it should be – it's that people should be encouraged to come forward as much as possible and not be regarded as a problem or indeed a statistic.

Now, Mr Speaker, the Hon. the Minister will say something now about how the numbers are compiled. He should not think that the Government does not have, aka the GHA, that information, that breakdown by age groups, that breakdown by sex. It is quite another thing to see whether they have sought it, which I do not think they have, or indeed if they have sought it, whether we have given it in this House. I think the important thing is not so much that we should have it – if hon. Members want it and it is available, we should; and we should, I put it to him, perhaps potentially debate it in the context of a different part of the process of this House, because the professionals in the GHA certainly do have it – I did not like his use of the words 'grapple with', but look, that is a matter of personal style – are certainly working with it, to understand how best to deal with the issues that manifest.

Mr Speaker, I will forever be sad that I had a very close personal friend who did not manifest, who did not take an antidepressant, and therefore is not with us now.

**Hon. K Azopardi:** Mr Speaker, I am sorry that certainly, that was a matter of regret on that last comment that he made, and I share that with him. And I am sorry that he did not like my use of the word 'grappling' (*Interjection by Hon. Chief Minister*) despite his love of man-to-man contact.

Given his comment that the Government is in possession of a breakdown of age groups, can the Minister illuminate us in respect of that?

**Hon. P J Balban:** Mr Speaker, I would have to ... that question would need to be asked independently. I do not have that information with me.

What I do stand up to explain: you mentioned whether I could discuss whether there was double counting and if we look at the statistics which were required, the answer to Question 22, there was a number of 3,974 patients. If I give you the breakdown: people on antidepressants, 3,638; people on antipsychotics, 775; on both, 439. So if you add 3,638 to 775 and deduct 439, you get 3,974, which is the answer given to the question. So there is double counting.

**Hon. K Azopardi:** Yes, Mr Speaker, but precisely for that reason then there must be no double counting. Can the Minister not agree? He has just told me there is no double counting.

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**Hon. P J Balban:** Mr Speaker, what I have said is that there are people who have been double counted – we are talking about the total amount of patients – so if a patient is taking antidepressants but he is also taking an antipsychotic, then obviously there is a deduction that needs to take place. There is a total of 3,974 patients, of which 3,638 are on antidepressants and of which 775 antipsychotics: if we add those together, you get a number greater than 3,974. So then we deduct those which are double, and this is the figure that has been provided.

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**Hon. K Azopardi:** Yes, precisely, Mr Speaker – precisely.

So what he has done is he has added the 3,600 to the ones that are the 775 and then deducted. You come up to roughly speaking 4,400-plus and you have deducted it to remove the double counted ones.

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**Hon. P J Balban:** To get the exact number of patients – you asked me how many patients are on – (*Interjections*)

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**Hon. K Azopardi:** Correct. And therefore, the figure ... In a second; I will just make the point, and then I may ...

So in effect, you have removed the 439 that are taking both to remove the double counting, so the 3,974 excluded the double counting. Is that not correct?

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**Hon. Chief Minister:** Mr Speaker, can I just advise, if possible, so that we might make some progress, that hon. Members at the end of this particular part of the Question Time take this algebraic part of the debate to the antechamber whilst we have coffee and then perhaps agree the number. I do not think we need to have a debate about the number; we just look at the number and tell him why it is we think it says one thing, and then we can make a decision together as to what the number represents.

1035

I do not think Question Time is about doing mathematics together.

**Hon. K Azopardi:** No, Mr Speaker. Question Time is not about doing mathematics; but Question Time is about extracting information and what I was trying to extract is the correct explanation because before, I was given the explanation that there was an element of double counting and what we now know is that 3,974 is the correct number without the double counting. But if we need to discuss it again, we will.

1040

Can I move on to another supplementary on the number of questions that we asked? In relation to Question 25, if I may, the Hon. Minister says there are 715 admissions through Ocean Views. Does he have a statistic on the length of the average stays of those admissions or not? I appreciate that we have not asked that question, so if he does not have it we will ask it again.

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**Hon. P J Balban:** Mr Speaker, I would not be able ... Let me just scan through the information given to me, but that is not something which I think would have been interpreted as a legitimate part of the Question.

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No, Mr Speaker.

**Mr Speaker:** We will have one last question on this subject.

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**Hon. Ms M D Hassan Nahon:** Mr Speaker, I was trying to interject for a while because I think there is something that has escaped all of us and maybe I will be assisting the Leader of the Opposition here, who will be forgiven perhaps for not being aware of this, seeing as he was not a Member of the House last year when I asked the Government questions.

1060 A very large pharmaceutical company had actually made the GHA aware of its concerns – and I believe it may have been Pfizer – warning us that with the levels of antidepressants, and benzodiazepines, which are made the main ingredient of these antidepressants that are used today, that for a population of 30,000, *too many* people were using and procuring the pharmaceuticals from them – and that is only one company showing its concerns.

1065 And now when it transpires that we see that about 10% of the population is on antidepressants and antipsychotics after such a warning, which should have set alarm bells ringing throughout the entire GHA, I find it really shocking and alarming, even though I could understand that the new Health Minister has not been aware, but I believe in this case a really strong brief should have been given to him in handover to come up with a strategy based on this advice and warning, and the fact that the Minister has no awareness of this concern or of these numbers until now, it seemed, and how we are going to curb things, is extremely worrying.

1070 I want to know what Government has done actively since Pfizer – I believe it was Pfizer in these big pharmaceuticals – issued these warnings to Gibraltar, given that it appears that nobody has any idea of the levels of over-subscription. Do not forget, Mr Speaker, we are talking about the numbers of people only in GHA. We have to assume that there is also another portion of the community that is getting them privately. So it is probably much more than 10% of our community and that is a very concerning figure.

1075 So I would like to know what the Government has done about this since the pharmaceuticals' warning.

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**Hon. Chief Minister:** Well, Mr Speaker, the hon. Lady is confusing – with the very greatest of respect – apples with pears. The Pfizer warning was about opioids and the opioid crisis, Mr Speaker. That led to a press release from the Government and a whole programme to reduce, not the subscription but the prescription of opioids in the GHA, which is a current and ongoing programme.

1085 But the hon. Lady needs to realise that she is falling into the same trap that the Leader of the Opposition was falling into. I say a trap, because I do not think either of them mean to do this.

1090 If there are people with mental health issues in our community and if that is 15%, 20% or 28%, which appears to be the average in other countries, then we have got a problem if we have not got 28% of those people somehow being prescribed the drug that they need, if they need a drug. So we should not be concerned, Mr Speaker, that it appears that 10% of our population is taking these drugs. We should be concerned if there is one person in our community who needs these drugs, who is not taking them, as much as we should be concerned about one person in our community who does not need these drugs or who does not need them any longer continuing to take them or be prescribed them. Those are the key issues.

1095 And the Pfizer issue is unrelated to *this* issue. It is related to a completely different crisis, which is equally important but which does not relate to mental health. It relates to a different issue, which is the opioid crisis, which affects many Western nations and is affecting Gibraltar as well. And hon. Members can look at the press release issued by the Government at the time that this issue arose.

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**Hon. K Azopardi:** Mr Speaker, does the Chief Minister not agree with me that rather than just that – because I do agree with a lot of what he said, but – it does not end there. Surely the Government is concerned not just about that but also about understanding better and tackling the causes of mental health, and also understanding and tackling better the adequacy of the medication-taking. We also are exposed to a number of programmes – I saw one last year on the BBC – about the adequacy and effectiveness of young people taking certain antipsychotic or antidepressant medication and how it does not work and how people are being prescribed these things automatically. That is a matter for not just clinicians but for governments and for societies at large to grapple with – yes, I will use it again, *grapple with* – the idea of whether we are giving

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our young people antidepressants and antipsychotics when there are better ways of tackling these things. Does the Government not agree with that?

1115 **Hon. Chief Minister:** Mr Speaker, we are in *violent* agreement with that and this is not an issue to grapple with; it is an issue to resolve, but we are not going to resolve it by having an argument across the floor of this House. We are going to resolve it by giving the resources to the professionals, who are going to advise us, who are trained as advocates but not as psychologists or psychiatrists, to be able to determine in which instances there may be an over-prescription or  
1120 an under-prescription because both are equally dangerous. If somebody takes more of a drug than they need, they are put in danger; and if somebody does not take a drug that they need or takes less of a drug than they need, they are also potentially in danger.

This is the key point to put across. We should not be concerned about the amount of drugs being prescribed if they are the right amount of drugs being prescribed. We should certainly be concerned about drugs being prescribed if they do not need to be prescribed.

1125 Mr Speaker, this is an issue where we have managed to show the community that even where we agree, we are able to find a way of having an argument about it. I think I would commend to the hon. Members that they use either other mechanisms in this House or seek to speak to the Minister not in this House, in order to see what we can do together and constructively to do more about mental health issues, whether they are affecting young people or the elderly.  
1130

Look, it is easy to just talk about young people; but what about the mental health affecting the elderly – Alzheimer's; dementia? These are equally concerning things which cannot just be treated with chemicals. And chemicals should be a last resort. Mr Speaker, I have my views, but my views are the views of an observer, a politician and an advocate. They are not the views of a  
1135 professional. I put it to him that so are his and that we rightly take an interest in these things as Members of this Parliament who are here to shape the future of our community; but we must be led by the clinicians on these issues.

So I do not think, Mr Speaker, that there is anything further that we can bat to and fro from each other on this issue in the House, but it is an issue of concern for all of us.

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**Mr Speaker:** Next question – I am sorry, it is the next question.

**Q26/2020**  
**Mental health audit –**  
**Not yet published**

**Clerk:** Question 26, the Hon. K Azopardi on behalf of the Hon. E J Phillips.

1145 **Hon. K Azopardi:** Mr Speaker, can the Government state why the mental health audit has not been published?

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

1150 **Minister for Health and Care (Hon. P J Balban):** Mr Speaker, this document is still under review.

**Hon. K Azopardi:** Mr Speaker, how long has it been under review? And when does the Government expect it to be published?

1155 **Hon. P J Balban:** Mr Speaker, this document has been under review for a couple of months. In fact, it would have been June 2019.

**Hon. K Azopardi:** So that is seven months, not a couple.  
And when do they expect to publish it?

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**Hon. P J Balban:** Mr Speaker, this document, I will say, was actually produced by Public Health England, it was produced both for the then Minister for Health and also Minister for Public Health, because it is something which is dealt with primarily in Public Health.

1165 We need to take stock of what the document says. That does not mean to say that certain recommendations of the document have not been put into effect; in fact quite a few of the recommendations of said document have already been put into effect. Just because the document has not been made public yet does not mean that it is just sitting on a shelf and nothing has happened. Many things have happened as a result of that.

1170 I still would like to take full... to get to grips with the document in its entirety and I will be meeting with Minister Cortes, who is the Minister responsible for Public Health, and then we will take a joint decision on this matter.

**Hon. K Azopardi:** Mr Speaker, that last answer suggests that what was received is not a draft document but a final document, you are reviewing it and implementing certain recommendations and so on. Why does it take seven months to publish the mental health audit? Even if the Government were implementing certain things, not implementing others, implementing certain in a different plan, why does it take seven months to publish it, when the Chief Minister has just indicated he agrees that mental health is so important?

1180 **Hon. P J Balban:** Ms Speaker, the reason why it is taking so long to make public is because we are seeking advice from the health care professionals on this. As I said, just because the report has not been made public does not mean that things are not moving. In fact on the contrary, things are moving and we are taking heed – the Government has taken heed and my predecessor took heed of the results of this programme. Many things already have happened and that will become evident in due course.

**Hon. K Azopardi:** Mr Speaker, I am not sure that the hon. Member did answer when he expects to publish it, firstly.

1190 Secondly, can he at least tell us the scope of this audit? What is it that it addresses? We have not seen it, so it is difficult to have a conversation.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, the Hon. Minister has indicated that the report will be published as soon as he is able to go through the course of action he has determined he should go through before it is published.

1195 What is the audit about? It is an audit into mental health in Gibraltar. What is the hon. Gentleman doing? Well, Mr Speaker, what the hon. Gentleman is doing with his line of questioning is demonstrating that he agrees entirely with the position that we have taken in Government to publish reports.

1200 Or is it that he has forgotten – perhaps he wants to forget – that when he was the leader of the PDP and I was the leader of the GSLP/Liberals, there was a whole *swathe* of reports that the former Government, of the party that he now leads, would not publish? It was their policy, the GSD's policy, not to publish reports when they were in office.

1205 Now, Mr Speaker, our policy is to publish, but sometimes there are things that we have to do before we publish. So the answer he has got is we are going to publish and the audit is about mental health in Gibraltar. As soon as it is published, he will be able to see in detail exactly what was investigated, exactly by who and exactly what their conclusions were, because it is not as if

the Hon. Minister is saying, 'Well, look, I have got to look at what parts of this I redact.' He is saying, 'I have just got to make sure that with the new Minister for Public Health, I have dealt with any necessary issues that may be required before publication.'

1210 So Mr Speaker, I think what he will be left with is wanting to salute the approach of the current and past Minister of Health of first of all commissioning this report, and second, being committed to publishing it as soon as possible.

**Hon. K Azopardi:** Mr Speaker, rather than smokescreens and ballast, let's concentrate on the issues, because what I do remember, as Minister for Health when I sat on that side, is how quickly we published the reports shortly after 1997 that we got into the Health Service.

1215 Mr Speaker, the Government has had this report for seven months. Can the Minister not at least indicate to me – or the Chief Minister indicate to me – having read these reports, which presumably they already have, what these reports broadly contain? What is the scope of these reports?  
1220

**Hon. Chief Minister:** Mr Speaker, the scope of the report is audit into mental health in Gibraltar. The recommendations contained are what members who have carried out that report suggest we should do in order to improve mental health in Gibraltar. And the date of the report publication will be as soon as the current Minister for Health and the current Minister for Public Health are able to confirm its publication is possible without causing any difficulties or problems, because we need to ensure that there is nothing in there that will cause a problem, a breach of data protection, etc.  
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The hon. Gentleman might also like to reflect that there has been a small matter of a general election in between the period of the ending of the work of that report and today, and therefore Mr Speaker, if there has been an element of greater delay than this Government might have wished to see in the publication, well, we of course wish that there had not been the case. But given that we are committed to publication, Mr Speaker, he will be pleased to see that our attitude is not the attitude of at least what I might describe as the 'latter days' of the GSD in government, given that he reminds us that he was responsible for publication of a report in 1997 when he was Minister of Health – I assume then saying how badly things had been going until 1996, Mr Speaker. *(Laughter)*  
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**Hon. E J Phillips:** Mr Speaker, I am grateful for the Chief Minister's intervention in relation to that question. I was listening to him in a taxi on the way here and one question I had in relation to the reason why this question was generated in the first place is that a number of charities approached me in respect of the mental health audit. They had been approached and consulted quite widely, it is said, by the Government in respect of the audit.  
1240

Now, my question relates to the purpose of the audit, which I know that the Leader of the Opposition talked about scope. However the purpose of this audit, as far as I understand – and I would like the Government to confirm this – is to develop a strategy moving forward for Gibraltar. You can't understand, in my respectful view, the extent of the problem unless you can deal with the audit.  
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I understand from the Minister's response to the question previously was that by piecemeal incorporation of certain ideas that were being thrown around the room in relation to the audit, they are now incorporating them. Isn't the *right* approach with this to publish the report at some point in the future that identifies the existence of the problem and how we intend to deal with it, so that the mental health charities in our community can understand what *they* need to do to support the Government, Mr Speaker?  
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1255 **Hon. Chief Minister:** Mr Speaker, I have never been happier to welcome the hon. Gentleman to this House *(Laughter)* and to thank him for agreeing wholeheartedly with the policy of the Government.

**Mr Speaker:** Next question.

**Q27/2020**  
**Cannabinoid derivatives for medicinal purposes –**  
**Use by GHA**

1260 **Clerk:** Question 27, the Hon. E J Phillips.

**Hon. E J Phillips:** Mr Speaker, Can the Government confirm what steps it is taking for the use by the GHA of cannabinoid derivatives for medicinal purposes?

1265 **Clerk:** Answer, the Hon. the Minister for Health and Care.

**Minister for Health and Care (Hon. P J Balban):** Mr Speaker, the GHA has established a panel of medicinal cannabis practitioners. The next step will be to provide training to these practitioners to then be able to authorise medicinal cannabis for patient use.

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**Hon. E J Phillips:** Just so that we can be clear insofar as the cannabis practitioners are concerned, where do they derive their qualifications from?

1275 **Hon. P J Balban:** Mr Speaker, these are a group of practitioners who have shown an interest in the subject and the actual education will come from a company called DrugScience UK, which is an independent government advisory body for the use of medicinal cannabis in the UK. So they will be providing the relevant training for them to be able to work in this field.

**Mr Speaker:** Next question.

**Q28/2020**  
**Dementia diagnosis –**  
**Management**

1280 **Clerk:** Question 28, the Hon. E J Phillips.

**Hon. E J Phillips:** Mr Speaker, can the Government state how it intends to manage the 3-5 weekly dementia diagnosis rate?

1285 **Clerk:** Answer, the Hon. the Minister for Health and Care.

**Minister for Health and Care (Hon. P J Balban):** Mr Speaker, over the six-month period between July to December 2019, 45 new diagnoses of dementia were made. This equates to 1.7 new diagnoses a week, and not 3 to 5 as the hon. Member's question refers to.

1290 However, the Government is fully committed to supporting these patients by consolidating the services provided by the Dementia Day Centre, and providing support for relatives and carers.

The Care Agency today provides domiciliary care to approximately 90 persons living with dementia or Alzheimer's.

1295 These services provide support in activities of daily living to promote independence and delay admission into hospital or residential care.

**Hon. E J Phillips:** Mr Speaker, just one supplementary in relation to that point.

1300 The information I have not just plucked from thin air; in fact we know by public statements  
by Dr Beguelin that he takes the view that there are between three and five weekly dementia ...  
Clearly, Dr Beguelin is involved at the grassroots level and ground level in relation to dementia.  
Obviously, he has been honoured by Her Majesty the Queen recently in relation to his work  
within our community, so there seems to be maybe at odds Dr Beguelin's view in relation to the  
weekly diagnosis and the Government's actual statistic. Can the Government be a bit helpful,  
why there is this disparity in figures?

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**Hon. Chief Minister:** Mr Speaker, Dr Beguelin will have the congratulations of everyone in  
this House for the way in which Her Majesty has recognised his magnificent work for this  
community. It was not for the diagnosis of dementia. It was for the cumulative work that he has  
done for this community, in particular in the field of medicine but not just in the field of  
1310 medicine; also in the field of charity. The data that we are dealing with is the data of the  
Gibraltar Health Authority.

When Dr Beguelin has said the thing that he has said, he has given an estimate of what he  
thinks the rate of diagnosis is. This is the actual rate of diagnosis.

1315 Look, if it is one it is worrying. We have an issue, to ... I am not going to say 'grapple', I will  
just say 'deal with', Mr Speaker. But those are the things that hon. Members need to realise:  
that it is quite something to deal with what is *said* and quite another to deal with what is  
*actually statistically happening*. Now, scientifically we have to work on the numbers that we  
have, not on what we *think* might be happening.

1320 I also say to them, Mr Speaker, they love to criticise how much we spend and how much we  
have increased spending, but one of the ways that we have principally increased spending is  
spending on these issues. We opened these facilities to look after those with dementia and  
Alzheimer's. We opened the day centres to look after them and we increased, *massively*, the  
domiciliary care. That has added many millions of pounds of expenditure to our bottom line. It is  
exactly the right sort of thing to be spending on.

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**Hon. E J Phillips:** Mr Speaker, just to correct the record, I think it was said in the context, of  
course, in an interview on GBC, where the correlation between pollution in our community and  
the increased incidence of dementia within our community.

1330 That is what I am driving at. What do we have in place to cater for that? Clearly the health  
budget of the future will need to take into account not only mental health but also dementia,  
and the huge pressures on our community from these ailments that are being suffered by  
members of our community. That is the reason why I asked the question so that I can have a bit  
more information as to how the Government intends to deal with it.

1335 I appreciate the point made by Chief Minister that money is being ploughed into it. But I just  
want to know how it is going to be dealt with in the future, looking at the very large budget,  
quite necessary budget that we have for the health service, and how we can manage those  
moving into the future.

**Hon. Chief Minister:** Mr Speaker, there is another question on the Order Paper that deals  
1340 with the issue of budget and dementia. So I am surprised that the hon. Gentleman has brought it  
up in this context.

1345 Everything in relation to dementia and Alzheimer's is changing – why we get it, how to deal  
with it, how to keep it at bay, how to treat it if treating it is possible; how to treat those with it  
and how to approach them. All of those things, Mr Speaker, form the basis of the approach that  
the Government is taking and the Dementia Strategy which the Government has worked on with  
GADS and others. All of these things together are how the Government is dealing with it, but all  
of these things involve expense. Then when they get up and criticise how much we spend, they



do not say, 'Look, actually, I am only complaining about this £1 million, but all the other £5 million, those are fine because we agree that we have to deal with issues like dementia.'

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**Hon. E J Phillips:** Mr Speaker, we have never complained about that point. What we say is there should be priority in Government spending, Mr Speaker: mental health, obesity, dementia care – it is an ever-increasing amount of money that is being spent on our health service and in many circumstances quite rightly. What we ask, Mr Speaker, and we will go on to another question in relation to expenditure more generally, is how we control that budget and can we afford it, Mr Speaker?

1355

**Hon. Chief Minister:** Ah, Mr Speaker, so the issue is *not* that we should have a strategy of how to deal with things and that we should ensure that we provide the best possible care; it is that we should control how much we spend. I did not realise that austerity was once again at the heart of the questioning.

1360

**Q29-30/2020**  
**Mental health provision –**  
**Percentage of annual health budget**

**Clerk:** Question 29, the Hon. E J Phillips.

**Hon. E J Phillips:** Mr Speaker, can the Government state what percentage of the annual health budget is dedicated to mental health provision?

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

**Minister for Health and Care (Hon. P J Balban):** Mr Speaker, I will answer this question together with Question 30.

1370

**Clerk:** Question 30, the Hon. E J Phillips.

**Hon. E J Phillips:** Mr Speaker, can the Government state what percentage of the annual health budget is dedicated to dementia provision?

1375

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

**Minister for Health and Care (Hon. P J Balban):** Mr Speaker, it is impossible to provide a meaningful reply to either of these questions because mental health conditions, including dementia, will impact on all areas of the GHA including the Primary Care Centre, St Bernard's Hospital and Ocean Views. There will also be an impact on Elderly Care Services as well as Domiciliary Care.

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As such, funding for mental health care and dementia are intrinsic parts of all health and elderly care provision and therefore cannot be separated in any meaningful way.

1385

**Hon. K Azopardi:** Mr Speaker, has the mental health audit that the Minister guards so carefully made any recommendations in respect of a separate mental health budget for Gibraltar?

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**Hon. Chief Minister:** Mr Speaker, the hon. Gentleman will be able to read exactly all the recommendations contained in that audit when it is published.

1395 **Hon. K Azopardi:** Mr Speaker, the Chief Minister must have the advantage over us of having read it, and so does the Minister – I am asking him, despite guarding the secrecy of this report for the moment and going to publish it in due course – does it contain any recommendations in respect of a mental health budget?

1400 **Hon. Chief Minister:** Mr Speaker, something that is going to be published is not secret. It is just not yet published.

**Hon. K Azopardi:** Mr Speaker, are we going to prolong these exchanges any more with the Chief Minister failing to answer a question that the people of Gibraltar will want answered as to whether this report contains recommendations in respect of a mental health budget?

1405 **Hon. Chief Minister:** No, Mr Speaker, the Government of Gibraltar is going to ensure that the people of Gibraltar have a full and complete disclosure of an audit into mental health services in Gibraltar, which only this Government has sought, which goes into all issues of mental health and which should not be seeing us look in isolation at any one particular part, simply because it might tick the box or tickle the fancy of Members of the Opposition.

1410 **Hon. K Azopardi:** Mr Speaker, has the Minister received recommendations or has it been discussed in the Department as to whether the mental health services should be provided for in a separate way within the budget? (*Interjection*) Whether it should be split in some kind of subhead or accounted for in a different way?

1415 **Hon. Chief Minister:** Mr Speaker, hon. Members will know – I know that it is some time since the hon. Member has looked at a Budget Book in this House, but he will know – that there is a very clear line by line, almost, in the pages that relate to the GHA of how much is spent on Ocean Views, how much is spent, etc. so the hon. Gentleman is able to see that.

1420 The question is if you ask about a particular mental health ailment – and this is the point, Mr Speaker: their question is not about what is the cost of the mental health services, etc.; they are asking about one ailment and asking what the budget is across the GHA in that respect – *that* is what cannot be extrapolated.

1425 **Hon. E J Phillips:** Mr Speaker, the question was geared towards mental health provision in our community but also it drilled down on dementia provision. Now, the Minister for Health is unable to answer that question, because as he says it is part of all of our services insofar as health is concerned, but the Budget Book itself talks about the dementia day care centre, the dementia residential facility, about £4 million. All I am asking for is a global percentage for the provision of mental health in our community, which I am sure he is able to do, if he gets his calculator out, adds up those items that are contained in the Budget to give a percentage so this community understands to what extent the Government is dedicating resources to mental health in our community.

1430 Every country in the world can do that. Why can't we, Mr Speaker?

1435 **Hon. Chief Minister:** Mr Speaker, bravado does not avail the hon. Gentleman of greater logic. (*Laughter*) He does not even understand the question that he has asked, I am sorry to say.

1440 Of course in the Budget Book there is provision for the mental health service, for Ocean Views, etc. But if that is the question that he is asking, Mr Speaker, then he gives himself away because it is public information and all he is asking us to do is to calculate as a percentage of the figure at the bottom of that part of the book the £4 million that he has referred to or whatever else it is.

He is asking what percentage of the annual budget is dedicated to mental health provision. Mr Speaker, we have not interpreted that as being something really as contrary to the rules on

1445 questions in this House as, 'Can you please do the division for me of which bits relate to those parts of the Health Authority that are exclusively about mental health from the whole of the budget?' If that were what he was asking, Mr Speaker, then the question would have been out of order.

1450 **Hon. E J Phillips:** Mr Speaker, we have asked a very simple question as to whether the Government can give a percentage to the provision of mental health in the community. Clearly, the Government is unable to satisfy those members of our community who would like to know how much the Government is spending on mental health more generally.

So clearly, the answer to the question is they are unable to do so. That is right, isn't it?

1455

**Hon. Chief Minister:** No, Mr Speaker. I am going to now do it a little more slowly for him. The Budget Book sets out specifically in relation to the GHA what GHA spending is on. In respect of those parts of GHA spending which are specifically on mental health, he cannot surely have been asking us to work out what a percentage that is of the total of spending on the GHA, because not only are we able to do so in this community, as he says every community or nation is able to do, but if that is the question he was asking, *he* would be able to do it from the publicly available information that is already published. And if that is the case, Mr Speaker, then his question is, by reason of his explanation, *out of order*.

1460 But Mr Speaker, because we believed him to be asking a more sophisticated question, which perhaps we should not have ascribed to his questioning – despite the fact that this community has spent a small fortune in training him as an advocate and cross-examiner, Mr Speaker – it is not possible to do that further analysis.

I hope I have said it slowly enough.

1470 **Mr Speaker:** Next question.

**Hon. R M Clinton:** Sorry, Mr Speaker, may I?

1475 Just to elucidate the House, I really cannot find in the Budget Book the cost of Ocean Views. (A Member: Shame!) And I would be grateful if the Chief Minister will take that on board when he replies to my hon. colleague. He asked a perfectly reasonable question.

Certainly the cost of the dementia residential facility is in the book, as is the long-term care dementia facility, but certainly – and we have made this point in the past – the costs of mental health, direct costs which are easily attributable, for example Ocean Views, are not in the book. So would the Chief Minister accept that my hon. colleague's question is entirely reasonable?

1480

**Hon. Chief Minister:** Of course not, Mr Speaker, because just because the hon. Gentleman says he cannot find it in the book today does not mean that it is not there.

1485 Indeed, Mr Speaker, hon. Members have fallen into the trap of voting against the Budget, since the Hon. Mr Clinton arrived on the scene. And by the way Mr Speaker, I should welcome him back. I am so pleased he decided to re-join the debate and the parleying, and has decided not to walk out today, as he did last time that he did not like the answers he was getting, Mr Speaker.

So I do not accept any of what he has said. I do not believe that either he or I are the arbiters of whether a question is reasonable or proper. I think that is you, Mr Speaker.

1490

**Mr Speaker:** Next question.

**Hon. Chief Minister:** Mr Speaker, can I propose, given that we have been at it for two hours and only have managed to get through 30 of the questions that we have, that we should take a short break and return at 5.25 p.m.?

1495

**Mr Speaker:** The House will recess until 5.25 p.m.

*The House recessed at 5.10 p.m. and resumed at 5.25 p.m.*

**Q31-36/2020**  
**St Bernard's Hospital –**  
**Staffing for A&E and paediatric emergencies**

**Clerk:** Question 31, the Hon. Ms M D Hassan Nahon.

1500 **Hon. Ms M D Hassan Nahon:** What is the short staffing deficit of nursing hours at A&E in St Bernard's Hospital for the month of December?

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

1505 **Minister for Health and Care (Hon. P J Balban):** Mr Speaker, I will answer this question together with Questions 32 to 36.

**Clerk:** Question 32, the Hon. Ms M D Hassan Nahon.

1510 **Hon. Ms M D Hassan Nahon:** What is the minimum speciality grade level requirements to work in A&E in Gibraltar?

**Clerk:** Question 33, the Hon. Ms M D Hassan Nahon.

1515 **Hon. Ms M D Hassan Nahon:** How many A&E doctors are employed by the GHA and how many of those are on the specialist register?

**Clerk:** Question 34, the Hon. Ms M D Hassan Nahon.

1520 **Hon. Ms M D Hassan Nahon:** How many A&E doctors work at the St Bernard's Hospital night shift?

**Clerk:** Question 35, the Hon. Ms M D Hassan Nahon.

1525 **Hon. Ms M D Hassan Nahon:** What is the St Bernard's A&E consultants' ratio of clinic/non-clinical hours per week?

**Clerk:** Question 36, the Hon. Ms M D Hassan Nahon.

1530 **Hon. Ms M D Hassan Nahon:** Who covers paediatric emergencies out-of-hours on site?

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

1535 **Minister for Health and Care (Hon. P J Balban):** Mr Speaker, the total number of nursing deficit hours for the month of December at Accident and Emergency was 476 hours.

All doctors working within the Accident and Emergency Department will possess a basic medical qualification, previous experience of having worked within a similar department and be registered with the General Medical Council.

1540 The GHA currently employs a total of seven Non-Consultant Hospital Doctors (NCHDs) in the Accident and Emergency Department, one Associate Specialist and one Consultant.

The Consultant is listed on the specialist register of the General Medical Council.

The Accident and Emergency Department at St Bernard's Hospital is staffed by two Doctors until midnight. Between the hours of midnight and 9am, the department is staffed by one A&E Doctor.

1545 The formal job plan for the A&E Consultant stipulates a ratio of 70% clinical and 30% non-clinical work. However, this is just a guide as the demands of the department vary widely on a daily basis and clinical need always takes priority.

1550 The GHA's team of Paediatric Consultants provides an out-of-hours on-call rota. Any paediatric emergencies presenting at the Accident and Emergency Department will be attended to by the resident A&E team in the first instance. Any hospital-based paediatric emergency occurring outside of the A&E Department will be attended to by the resident Intensivist/Anaesthetist Registrar team.

In either case, interim on-site cover is provided until the arrival of the on-call duty Paediatric Consultant.

1555

**Hon. Ms M D Hassan Nahon:** Mr Speaker, I just want to point out that the line of my questioning is mainly to highlight the fact that I understand that there seems to be a situation where many doctors who are not seniors or known as registrars or consultants are having to take the load for directing and making decisions, causing a lot of pressure on the doctors. From what I understand and what the Minister has just explained, having one doctor only on the night-shift after midnight leaves little room for when doctors call in sick or when there is understaffing, especially when we hear that they have been in one month 476 hours of short staffing.

1565 So my question is: does it not concern the Government that there is a massive load on doctors who are not specialists in their field and something that could pose a high liability on their shoulders, if things go wrong? It could lead to the GMC investigating safe practices in Gibraltar, for example. Are these short staffing numbers adequate, considering the figures that we have just heard?

1570 **Hon. P J Balban:** Mr Speaker, the fact that there is one doctor overnight is the ... Remember that Accident and Emergency can be extremely busy or there will be lulls when there is no one to be seen. If for example there was a need to call in extra doctors in case there is something unexpected, then they can be called in separately, but to have top consultants in A&E constantly, even at times when there is no need, when the doctors can adequately look after most of the cases that come through, will be a lack of usefulness of the resources available.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, I do not know about when the Minister talks about 'top doctors'. I think it is regular practice to have an overall registrar consultant on top of the work of the A&E doctors.

1580 From what I understand there was a staffing or a system failure on the night of 2nd January, where there was no A&E specialty. Is there any anything that the Minister could tell me about what failure may have led to this? Because of course this could have had a massive impact on patients.

1585 **Hon. P J Balban:** Mr Speaker, the hon. Lady is talking about a specific date in question which I have no information for, so if you want to ask regarding that specific case, I am happy to seek information.

1590 One thing which the hon. Lady, I think, may be mixing together is when she asked, in Question 31, about the short staffing deficit, it was in terms of nursing hours, but then she has mixed it up with the doctors. Since then, there has been a recruitment drive to fill in nursing

vacancies in the Accident and Emergency, because a lot of the work that is carried out in Accident and Emergency is of a nursing nature. In fact the triage nurses will have a very good record of seeing patients within the first 10 to 15 minutes, or so I am told, and are very quickly able to recommend the course of action: if it is urgent, they will obviously be brought in quicker and if it is something which is not so urgent or something which can wait, then other patients are given the priority.

1595

So that is the difference between the questions that have been asked, in terms of 31 which is talking about nursing hours, and doctors, which was the second part of the group of questions.

1600

**Hon. Ms M D Hassan Nahon:** Mr Speaker, if I were to tell the Minister that many of the doctors feel burnt out because they feel that the pressure should be on the senior doctor, which there are not enough of per shift, and that this is what is contributing to the low morale, this low staffing level – something which is actually dangerous for the community and detrimental to the staff – would this be something that the Minister would concur with and something that perhaps Government is looking to increase in terms of their A&E senior doctors complement?

1605

**Hon. P J Balban:** Mr Speaker, what I would be quite upset about is because since I took office, after the elections, I have made it a point to start to get to know all the practitioners and the consultants. It is a very big process but I am meeting them, sometimes one to one, sometimes in groups. So if such a department had issues that they wanted to raise, my door, my office is open to them.

1610

I have spoken to many consultants and surgeons, and we have had candid discussions as to what their aims are, what they want to achieve, and we have discussed what the Government's policies are in that respect. So if there is such an issue, then I would love to know. As I said, I will be calling on this group of doctors and consultants in due course, and if it is deemed necessary, they just need to request and I will make it a point to see them soon, and we can discuss the issues, and if they have low morale, see how we can address that.

1615

But it is a bit surprising that they would seek to tell you in that respect or this official reached you, when I do not think I would like to be considered someone who is unapproachable in that respect, since I took office as Minister for Health and Care.

1620

**Hon. Ms M D Hassan Nahon:** Mr Speaker, I would just like to clarify that the information that reaches me of course is of a sensitive and anonymous nature and I am not saying that any doctor has spoken to me; I am gathering reports from good sources, not 'rumourology', but I am not at liberty to confirm or deny whether I have had a meeting with a group of any doctors. I am just fulfilling my role as an Opposition spokesperson, as they would when they were in opposition, which is exactly what the people of Gibraltar pay me for. (*Interjections*)

1625

One more question, Mr Speaker. The Hon. Minister says that when there are paediatric emergencies, those trained with basic medical skills and knowledge attend and they wait for a consultant in paediatric specialty to come. Would the Minister not concur that in most A&E centres in the NHS in the UK, for example, there is always a paediatric specialist on site in A&E? This is my understanding and this is what we do not have here.

1630

**Hon. P J Balban:** Mr Speaker, as to that part of the question, I genuinely can say I do not know – I will ask.

1635

But coming back to the first thing, I mean unless... if people are feeling demoralised, demotivated, unhappy – I am not saying that you saw a group of doctors, it does not really matter who you saw, but whoever raises concerns – and if you have had these concerns for a while, there is nothing stopping you from contacting me and bringing it to my attention, so I could maybe act quicker. I am hoping that that happened just a short time ago, because otherwise we have wasted a lot of time in that respect.

1640

But I cannot help, unless they see that because they seek an appointment with me or whether because it is my time to see them and I have called them in, or whether the hon. Lady, or indeed someone across the floor decides to let me know.

1645 Coming back to the question of the paediatrician, I will need to find out whether it is common practice in in other places. Most of the ailments that are received in A&E, thankfully, are minor things. A lot of things are ... sometimes it is children with febrile illnesses, who use A&E more as if it was a clinic. But if there is a need to be visiting in an emergency, an acute case, and it cannot be addressed sufficiently or quickly enough, they will call a paediatrician in.

1650 There is always a paediatrician on call, not necessarily there. They are not living there. They are not waiting for something, but they are on call and they can be summoned. I believe they have a 30 minutes waiting time. So within 30 minutes ... Remember, most of what the general doctors and practitioners will do, doctors and A&E staff will stabilise ... First of all, there is a triage. The nurse will make sure, will see what the issues are, and if it is something then the  
1655 doctors will do their best, and obviously successfully, to stabilise the patients if there is a need to. And then within 30 minutes tops, you will have the on-call paediatrician on site.

So I think for a small place like Gibraltar where visitors are small, that is quite reasonable. Again, I cannot compare to what happens in the UK and when I do see this group of practitioners, I will do my best to see what their views are.

1660

**Hon. Ms M D Hassan Nahon:** Mr Speaker, I thank the hon. Gentleman for his genuinely goodwill answer and I appreciate that, as I am sure anybody working in the field would.

The main concerns that I have flagged up have been of the reality that regular doctors not on the specialist register are acting as senior decision-makers, putting their own GMC at risk, where  
1665 they cannot say anything beyond their level of competency. This is what I believe is causing the burnout, so I would ask the Minister, in the spirit of goodwill which he has shown, whether he would commit here to holding talks in the coming weeks, as soon as possible, with those in the A&E department, in order to really understand – I understand that he has just taken on this portfolio – and work towards ensuring that levels of staffing are acceptable, in place and  
1670 appropriate for the type of traffic and demographic that goes in and out of A&E.

**Hon. P J Balban:** Mr Speaker, in my limited experience of my training in the UK, I do not think it is uncommon – and again, I will need to talk to the consultants when I do see them – to have this grade of doctor as frontline defence within an accident and emergency department. As I  
1675 said, there is always help at hand, and even when it comes to cases of someone who needs to give birth or who has complications, there are always people ...

But I do not think it is uncommon to have doctors at this level. They are trained, they have had experience and we do not take people or doctors on that have not shown adequate experience in this field of medicine, so we do not have a GP, for example, sitting at Accident and  
1680 Emergency; it is a person who has had at least five years of medical education plus the years of training to get them to that level. As I said, even if there was a need to, if there is an emergency, in theory everyone can be called in if necessary.

If you look at your reports, the NHS is considered to be a health service well known for providing good care. Yes, we have had times when people wait within A&E for what are  
1685 perceived as unreasonable times, but if you compare that to what is normal in my experience in UK hospitals, I do not think we have ... especially because of the triage system is so good that within 15 minutes they have already assessed you, and if it is not something which is urgent then you are asked to wait.

What we also do not have sight of as patients in Accident and Emergency is what is coming  
1690 back out through the rear door. So ambulances can be coming in and what seems like a waiting room which does not move, apart from the triage, it generally is because there are more serious patients – patients with perhaps MIs or coming through via the ambulance route from the back.

So I think we need to understand the way they work and I commend them for the work that they do. I think it is an extremely important part of the hospital.

1695

**Hon. D A Feetham:** Mr Speaker, just in support of the hon. Lady because I have heard some of the things that she has relayed across the floor of the House: one of the problems in Accident and Emergency, so the information that has come to me, is that the senior consultant of the accident emergency does not actually work night shifts. So over a period of time, what that does is it causes an undue disproportionate burden to be placed on the shoulders of more junior doctors. Of course, that may well be contributing to a sense of loss of morale, perhaps even burnout, in relation to those doctors.

1700

Does he know whether that senior consultant does night shifts? And does he have any information as to many how many nights a week, for example, he works? Or is his information exactly the same as ours – or mine, I should say – that the senior consultant does not actually work at nights in Accident and Emergency?

1705

**Hon. P J Balban:** Mr Speaker, as far as the information that I have received, and it is part of the answer to Question 34 which I have already mentioned, between the hours of midnight and 9 a.m., the department is staffed by one Accident and Emergency Doctor, which is what I presume is deemed sufficient for the need that there is at that time – but obviously with the caveat that should there be a need for extra support, it can be dialled in.

1710

Now, what really gets me is that ... I have been a very short period of time, but a lot of the doctors, surgeons and consultants have already asked to come and see me for whatever reason, we have shared ideas and they have come with their ambitions for the service or whatever. And I said my door is open, so that if there is such discontent, although I have been there only a relatively short period of time, my doors have been open. A lot of people have come of their own accord. As I said, I have not felt that pressure or that discontent.

1715

Obviously I will meet them in due course, because I have a schedule of meetings arranged, unless for them they deem it sufficiently important for them to wish to see me sooner and I will.

1720

I will find out what the ... But as far as I am aware, because the triage system works so well, because most of the patients are uncomplicated cases, as I have mentioned earlier, then it is something which is dealt with adequately by the service provided at the moment.

1725

**Hon. D A Feetham:** I should also like to also offer a health warning as well, of the nature of the hon. Lady's, that the hon. Gentleman must not assume that it is doctors that have actually come to me. I make no comment about sources in any way, shape or form, for obvious reasons.

But he ought to look at – and would he undertake to look at – what doctors are working night shifts, for him to ascertain whether in fact there is a disproportionate burden on some doctors, in particular junior doctors at Accident and Emergency, that can then potentially have an impact on morale of those junior doctors?

1730

Look, I am not a doctor and I know very little about these sorts of issues – just what is reported to me from those that may come to see me. But it does seem unfair that if we have a situation where it is always junior doctors that are effectively there at Accident and Emergency, and that the senior guy does not work nights. I leave that with the Hon. Minister.

1735

I will also say that in fact exactly the same report came to me about 2nd January, when there were no doctors at Accident and Emergency and it had to be covered from outside the department. So that again perhaps is something that the hon. gentleman ... will he undertake to look into that as well?

1740

**Hon. P J Balban:** Mr Speaker, I cannot speak specifically of this case in question, but in my general briefing, it is something which can happen, whereby there is an issue and someone could fail to come to work, someone could fall sick; but obviously there is a system in place whereby adequate cover would come in.



1745 So again, I would need ... If that question is asked specifically about that specific day on 2nd January, I will endeavour to find out what actually happened on that date and report back.

I will continue to look at that department and see what can be done or what is happening at the moment. But clearly if ... I am not saying that doctors are approaching you, but it may be that patients are perceiving waiting times as being inadequate and then saying, 'I have waited two hours to be seen', or whatever. They will not say that, because of the triage nurses, because the feedback I get is that you will be seen very quickly. They take your blood pressure, your pulse, the vital signs, they are professionals at what they do and they know exactly when someone can wait and someone cannot wait. So that is not the case.

1755 What can take longer, and this is where I assume that people that you represent will come and talk to you, your constituents will talk to you about, and it is probably coming from feedback from patients and what they perceive when they speak to doctors, saying 'Why is it taking so long?' or whatever. But that is an inevitable part of any institution like Accident and Emergency.

**Hon. E J Phillips:** Mr Speaker, just one question in relation to the low morale point that was raised by both the hon. Gentleman and the hon. Lady – and I know that the Minister has spoken to doctors, I think the Chief Minister said from a sedentary position that of course the doctors have gone to see him as well.

1765 Mr Speaker, my question is whether the Government has given any thought to looking at career progression within this particular area – i.e. looking at whether you can move from a system of NCHD doctors, as we have had for many years, to a junior house officer/senior house officer position and registrar position, so that we can improve career opportunities within the service, so that doctors feel that they are moving along a career path within the service.

I think this is particularly affected in A&E – again, with the concerns that have been raised by both the hon. Gentleman and the hon. Lady in relation to doctors specifically. I just wondered whether he has, in his consultations with doctors, explored this possibility.

**Hon. P J Balban:** As I said earlier, I have not had an opportunity to speak to this group of doctors, which are a specific part of the hospital organisation. I think you are mixing, using the same nomenclature that I would use when I was a student in the UK, where you have house officers (HOs), senior house officers (SHOs), registrars, senior registrars and consultants. That has now become the non-consultant doctors, I think they are grouped in that broader spectrum, in nomenclature.

1780 Again this is my experience, without having had this information from the professionals that work in the hospital. I think that a job in Accident and Emergency is one which generally is short lived. I think that obviously all doctors progress; I do not think it is something, unless ... you must really love the adrenaline rush of that acute type of medicine to want to remain there. I am sure that in other big hospitals, there may be chances of promotion, and for some reason they become consultants in A&E – I mean, there are – but I do think that they are there for a short period of time.

1785 I do not really want to ... I am just sharing my experience, but I would not like the hon. Gentleman to take that as something certain. But as I said, as I delve deeper into the GHA, which is my intention, I will endeavour to learn more about Accident and Emergency, and I will thoroughly enjoy these medical meetings, which brings back all my previous life!

1790 **Hon. E J Phillips:** Just one question, Mr Speaker, with your leave.

Insofar as the 476 hours are concerned, does the hon. Gentleman know what that represents as a percentage of the total amount of hours available for work?

1795 **Hon. P J Balban:** No, Mr Speaker – I am running through my notes – I would not be able to give you a percentage. The reply was limited to the amount that is of nursing; but I have

mentioned that there has been a recruitment drive since then – in fact, it was sometime in November – to try to reduce these figures.

1800 **Hon. E J Phillips:** So just to follow up on that, you have clearly identified the problem in terms of shortage and therefore the recruitment drive within this particular area is to avoid having these shortages within nursing at this level. Is that right?

1805 **Hon. P J Balban:** Mr Speaker, the recruitment drive was actually to try to fill in the nursing vacancies within Accident and Emergency, and in fact I sought the information: interviews were conducted back in November 2019 and the normal recruitment process is now being followed.

A lot of that as well ... The sickness absence has been mitigated substantially by two bank nurses, which were staff nurses, who have been actually covering for these posts.

1810 I really would need to meet with this department – I have briefly gone down to see them, but I have not had the time to look at their *modus operandi* and see how they work and what their needs are, as a department.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, if I can just ask one last supplementary.

1815 As much as I really am grateful for the answers that I have had from the Hon. Minister, one thing is not clear: it seems that in Gibraltar the policy is at the moment to have junior doctors, who are known as SHOs in the UK, from what I understand, in A&E without a consultant side by side – meaning that all the responsibility is lying on the A&E doctors, without any GMC protection, if anything goes wrong. Yes, of course they are extremely efficient, but the point is: is that sustainable and for how long, because of the burnout factor and the fact that they are not supposed to be taking on all this senior decision-making on their shoulders? And is this the policy going forward of the Government as it stands?

1825 **Hon. P J Balban:** Mr Speaker, I think that these doctors do as far as their remit allows – as far as their professionalism allows. I cannot see... What they are trained in is to stabilise the patients if it is a very acute case, so that then a patient can be ... the course of action, the course of treatment can be established.

The hon. Lady said, ‘working there without GMC registration’. (*Interjection by Hon. Ms M D Hassan Nahon*) I would have assumed that all doctors are GMC-registered regardless of their level.

1830 **Hon. Ms M D Hassan Nahon:** I did not say registration; I said protection, which is a very different thing – meaning that if they take decisions beyond their remit, when they are not senior doctors and they are taking a direction that they are not licensed to take, effectively, because they are not on the specialism scale and on the seniority scale, they would lose their GMC protection. It is not about registration, I know they are all registered. That is a whole risk.

1835 **Hon. P J Balban:** Mr Speaker, what the hon. Lady is alluding to is that we have people working there who are not qualified to work in that position and although ... I heard the hon. Lady say that they are not qualified to take decisions. *Of course* they are qualified to take decisions – and for *most* decisions, because Accident and Emergency is an acute medical system. So they know exactly how to ... The most important thing in Accident and Emergency work is to stabilise a patient, if a patient comes in who has suffered shock in a road traffic accident or whatever, that is their job: to stabilise until then they can move on to ITU, ICU or wherever they need to take the patient, whether they could be referred outside Gibraltar or wherever. But they are the first line of defence to stabilise the patient.

1845 So that the hon. Lady should suggest in any way that we have people there fighting on the frontline who do not know how to hold the rifle, I think it is not really... They are perfectly qualified to deal with the aspects of their profession that they deal with there, and if they feel

that they are not happy to take certain decisions, there are mechanisms by which they can call doctors, who will be able to come to Accident and Emergency if necessary.

1850

**Mr Speaker:** Next question, please.

**Q37/2020**

**Care workers' contractual progression –  
Collaboration between GHA and care agencies**

**Clerk:** Question 37, the Hon. Ms M D Hassan Nahon.

1855

**Hon. Ms M D Hassan Nahon:** Does Meddoc and/or other care agencies collaborate with the GHA to synergise contractual progression for care workers after their initial 12-week contract?

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

1860

**Minister for Health and Care (Hon. P J Balban):** Mr Speaker, I am not aware of any such collaboration.

1865

**Hon. Ms M D Hassan Nahon:** Mr Speaker, the reason I ask this is because I have had several constituents come to me feeling very discouraged that they have given a 12-week programme through Meddoc or a care agency with much confirmation that after the 12 weeks, many promises that they will be taken on with the GHA.

So really genuinely I would like to ask the Minister, what would I say to constituents who have been told that after 12 weeks, they are going to be given a contract with the GHA and then they sort of fall off a cliff and do not know where to go?

1870

**Hon. P J Balban:** Mr Speaker, again I would like to know where this information is coming from. Who has told the hon, Lady this information? I am not aware ... I am pretty sure the GHA is not promising people who have had a 12-week stint in Meddoc, which is a private company, that then they have their doors open to come and join us at the GHA.

1875

I do not know where the information is coming from and if the hon. Lady would like to enlighten me, I will endeavour to find out, but that is not ... I cannot see that that is... It does not make sense to me.

**Mr Speaker:** Next question.

**DIGITAL AND FINANCIAL SERVICES**

**Q38/2020**

**Entry into new tax treaties –  
Progress**

1880

**Clerk:** Question 38, the Hon. D J Bossino.

**Hon. D J Bossino:** Can the Minister for Financial Services advise of progress with regards to the entry into new tax treaties?

**Clerk:** Answer, the Hon. the Minister for Digital and Financial Services.

1885

**Minister for Digital and Financial Services (Hon. A J Isola):** Mr Speaker, I congratulate the hon. Member on his avid reading of our manifesto. *(Laughter)*

1890

Mr Speaker, the Government with the full support of the private sector is keen to enter into new tax treaties with other countries following the agreement with Spain on fiscal matters and the DTA with the United Kingdom.

1895

We are engaging with the Finance Centre Council who have set up a specific subcommittee to support our preparatory work and we have also engaged with professionals experienced in this field to assist us. However, I do not intend to name the countries we are considering publicly so as to avoid any unintended consequences that unnecessary publicity at an early stage could cause. I will be happy to discuss these with the hon. Member behind the Speaker's Chair

**Hon. D J Bossino:** Mr Speaker, I am grateful for the answer. He is absolutely right. I have carried out a bit of an audit of the manifesto promises and commitments.

1900

In relation to the last point, is he aware that ... He talks about a subcommittee, and I think the subcommittee is called the double taxation treaty ...

Sorry, excuse me. No, that is not the ...

1905

It is a subcommittee. Yes, the Double Taxation Treaty Committee and it is chaired by Mr Nick Cruz. Is he aware of an e-mail that has been sent out to the various professional bodies in order to obtain that consultation? And if he is, can he at least, without going into the detail of it, because he has mentioned the sensitivities in relation to this issue, whether the way that it is being put to the members of the profession and the various stakeholders represents the Government's views on that?

If he could at least say that across the floor of the House. If not, I fully understand what the hon. Member has said.

1910

**Hon. A J Isola:** Mr Speaker, we have discussed this for some time with the Finance Centre Council and after the election we engaged formally with them and ask them that we wanted to extend the consultation to their membership to get a full picture as to what it is that the private sector believe we should be doing in looking at DTAs. There is no point in the Government executing DTAs with countries which are of no use to the private sector, if business is what we are trying to attract, and consequently we invited the Finance Centre Council to engage fully with us. They offered to set up a subcommittee to look specifically at this work, which they did immediately.

1915

We discussed it at last week's Finance Centre Council meeting, after which the email that the hon Member refers to was sent out. I am aware of the contents of that email and we do anticipate having a full and detailed engagement with the private sector on the jurisdictions that we should be thinking about and why.

1920

**Hon. D J Bossino:** Grateful, Mr Speaker.

1925

If the hon. Member could assist me: if the hon. Member is telling the House, as he is indeed, that he is aware of the contents of the email, can he at least confirm that it accords with the Government's thinking in relation to its approach in relation to the entry into new double taxation treaties?

1930

**Hon. A J Isola:** Mr Speaker, from memory, because I glanced through it when I was sent it, I believe it does. But I would not expect to be held by an email sent out by a subcommittee of the Finance Centre Council to the private sector as reflecting Government policy. Before saying it did or did not, I would like to go through it again in some more detail.

1935 **Hon. D J Bossino:** Finally, Mr Speaker, does he have an expectation as to when a further double taxation treaty will be entered into, or is it impossible for him at this stage to give an indication?

1940 **Hon. A J Isola:** Mr Speaker, the work will commence with a strategy yet to be agreed which will then entail some serious work in engaging with different countries that may be identified. So it would be absolutely impossible for me to give any degree of a timeline.

What I can say is that I fully expect our own strategy to be formulated within the next two months.

1945 **Hon. D J Bossino:** Sorry, I did say it was a final question but this is *really* a final question, Mr Speaker.

My hon. Friend, Mr Feetham suggests that I ask whether he can give an indication as to when the UK-Gibraltar Double Taxation Treaty is going to be made effective.

1950 **Hon. A J Isola:** Mr Speaker, the Hon. the Chief Minister has advised that he expects this to be effective at the end of Q2 2021 – effective.

#### Q39/2020

#### Image Presentation –

#### Publication of Bill to amend the Bills of Exchange Act

**Clerk:** Question 39, the Hon. D J Bossino.

1955 **Hon. D J Bossino:** Can the Minister for Financial Services state when the Bill to amend the Bills of Exchange Act in connection with Image Presentation will be published?

**Clerk:** Answer, the Hon. the Minister for Digital and Financial Services.

1960 **Minister for Digital and Financial Services (Hon. A J Isola):** Mr Speaker, I anticipate that this Bill will be published in the coming months. My wish had been that it would have been published prior to the Christmas break, but other priorities such as the significant Legislative Reform Programme (LRP) and the Brexit work have caused a slight delay.

1965 Meanwhile, the banks in Gibraltar have been participating in the cheque imaging process with no adverse impact and we are in contact with them to ensure they are not negatively impacted by the delay.

**Hon. D J Bossino:** Mr Speaker, the Hon. the Minister says that banks have already been participating in the cheque imaging process, I think he said. Is that possible without the legislative backup, would be my first question?

1970 Is there anything, given the audit that I have carried out in relation to his manifesto, where he says that the GSLP and now Governments promise that ‘we will publish the Bill within a month of the date of the election’ – there is a very specific commitment in that regard and he has explained why that has not been able to come to fruition in that time period. But was there any anything in that, why the intention originally was to do it within that specific timeframe?

1975

**Hon. A J Isola:** Mr Speaker, the timeframe was because we were ready to go in September and we then decided to give full priority to the LRP and the introduction of the Financial Services Act. Then of course Brexit dates continue to change and our readiness for that was deemed to be more critical than this.

1980 That is why there is been a slight lag and now the draft legislation is being written up to be consistent with the new Financial Services Act, which of course it will be.

My understanding is that the banks can continue with the cheque imaging process and they continue to do so, and there is no unnecessary impact.

**Q40/2020**

**Attracting further banks to Gibraltar –  
Progress**

**Clerk:** Question 40, the Hon. D J Bossino.

1985

**Hon. D J Bossino:** Can the Minister for Financial Services advise whether there has been any progress in attracting further banks to Gibraltar?

**Clerk:** Answer, the Hon. the Minister for Digital and Financial Services.

1990

**Minister for Digital and Financial Services (Hon. A J Isola):** Mr Speaker, I and officials in Gibraltar Finance continue to target new banking entrants and you will be aware that most potential progress is in the area of digital banking or Fintech, rather than the traditional banking model which continues to consolidate and is generally averse to expansion into smaller jurisdictions. Hence, Fintech banks are the sector that we are successfully targeting, and the hon. Member may be aware that we currently have two such firms having been approved in principle by the regulator and going through the final stages of the licensing process.

1995

There is also of course, Mr Speaker, the pending completion of the Jyske bank sale.

2000

**Hon. D J Bossino:** By way of clarification, Mr Speaker, when he says he has two parties which are now close to being licensed, are those in relation to the Fintech bank area, specifically?

**Hon. A J Isola:** Yes, Mr Speaker. As I said in the answer, fintech banks are the sector that we are successfully targeting. The hon. Member may be aware that we currently have two such firms having been approved in principle.

2005

**Mr Speaker:** Next question.

**Q41-42/2020**

**Government website and IT security –  
Independent audit**

**Clerk:** Question 41, the Hon. Ms M D Hassan Nahon.

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**Hon. Ms M D Hassan Nahon:** An IT flaw within the Government law website was discovered in January, and this was reported by Gibraltar's media agencies as well as in a few international publications. Has an independent security audit been carried out since this vulnerability was discovered to determine if other vulnerabilities exist?

2015

**Clerk:** Answer, the Hon. the Minister for Digital and Financial Services.

**Minister for Digital and Financial Services (Hon. A J Isola):** Mr Speaker, I will answer this question together with Question 42.

2020 **Clerk:** Question 42, the Hon. Ms M D Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** When was the last independent IT security audit of the Gibraltar Government undertaken and how regularly are these audits carried out?

2025 **Clerk:** Answer, the Hon. the Minister for Digital and Financial Services.

**Minister for Digital and Financial Services (Hon. A J Isola):** Mr Speaker, the last independent IT Security Audit requested by ITLD was carried out in 2019. An IT Security Audit is usually performed when any significant change or upgrade to the Government network and/or a software application is undertaken.

2030 The security flaw reported in the media in January of this year was a vulnerability in the Gibraltar Laws website, which has since been upgraded to a new version. The old Gibraltar Laws website was running on an outdated Content Management System (CMS), framework which was exposed to a series of vulnerabilities. The new website is running on a new framework, which is kept up to date and continuously patched to ensure that the site is safe from known vulnerabilities.

**Hon. Ms M D Hassan Nahon:** Mr Speaker, most IT security organisations recommend audits twice a year, not just as the Minister described when there are new software packages or versions. So they recommend as a minimum twice a year. Some governmental organisations do it monthly or quarterly.

2040 So is the Government going to commit to audit within frequency or are they going to continue to simply do them when a new package of software or hardware even hits their systems, and if it did, does it have the resources to make such a commitment if they were interested in hosting biannual audits?

**Hon. A J Isola:** Mr Speaker, nobody suggested that the audits are carried out annually. Audits are carried out as and when required, which could be very much more than twice a year. So it is not that we are saying that they are annual or that it is right that they are annual.

2050 What we are saying is that these audits are carried out when a significant change or upgrade to the Government network and/or software application is undertaken, which could be more frequent than that. In terms of whenever an audit is requested, this is on the advice of ITLD. Consequently, I would expect, if they do not feel they have the resources, that they would tell us when they sought that work to be undertaken.

2055 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I was trying to explain – I do not know if I explained myself well – that it was more about, from my understanding, that as a *minimum*, whether or not there were upgrades or not, they were usually carried out as a minimum of twice a year; and whether Government would impose this. Or am I right in understanding that the hon. Gentleman says that they take their lead from ITLD, which is also perfectly understandable and appropriate?

2060 **Hon. A J Isola:** Yes, Mr Speaker, I understand the hon. Lady, what she meant, but I think she understood from my answer that we do it once a year. That is not the case. What I am saying is that these are done whenever ITLD believe them to be necessary, which are the professionals that I rely on – it is certainly not my decision; it is theirs.

**Mr Speaker:** Next question.

**BUSINESS, TOURISM AND TRANSPORT**

**Q50/2020**

**Hotel Occupancy Survey –  
Details for 2019**

**Clerk:** We move now to Question 50 and the questioner is the Hon. D J Bossino.

2070

**Hon. D J Bossino:** Can the Minister for Tourism provide the same details as set out in Table 1.01 of the Hotel Occupancy Survey for the year 2019?

**Clerk:** Answer, the Hon. the Minister for Business, Tourism and Transport.

2075

**Minister for Business, Tourism and Transport (Hon. V Daryanani):** Mr Speaker, the information requested by the hon. Member will be published in the annual Hotel Occupancy Survey, which will be tabled at Parliament once the survey is complete.

This information is published only on an annual basis in the survey.

2080

**Hon. D J Bossino:** Mr Speaker, I asked similar questions in the last meeting of the House in December. I asked for updates to questions arising from the various tourism reports and I think the hon. Member and indeed the Minister for the Port also obliged and provided me with the updated figures.

2085

The reason why I ask is because as he will know, the Table 1.01 from last year's Hotel Occupancy Survey takes us to 2018. Given that now, 2019 is completed, I thought the hon. Member would be helpful enough to be able to provide me with that information in advance of the publication of the survey.

2090

Is there any particular reason as to why he is reticent to provide this information now? I would have thought he would have had the figures available to him. And if he does not have the figures available to him now, whether he may reconsider, and provide me with the information before the Hotel Occupancy Survey is in fact published.

2095

**Hon. V Daryanani:** Mr Speaker, this survey is normally tabled at Parliament around Budget time. So the hon. Member has to appreciate that we are only 22 days into the new year and this information is provided by the hotels. I do not know whether the hotels have actually provided the complete information for the whole of 2019.

I do not really have any problem in providing the hon. Member with the statistics once I have them.

**Q51/2020**

**Online procurement of business licences –  
Resumption of system**

2100

**Clerk:** Question 51, the Hon. Ms M D Hassan Nahon.

**Hon. Ms M D Hassan Nahon:** The online procurement of business licences has not been functional for around a year. Can Government explain the reason for this and when the online procurement of licences will resume?

2105

**Clerk:** Answer, the Hon. the Minister for Business, Tourism and Transport.



**Minister for Business, Tourism and Transport (Hon. V Daryanani):** Mr Speaker,

2110 There was a break in communication between the World Pay application and the OFT database. Government is currently working on a solution with a higher level of automation which should deliver increased efficiency when it is rolled out.

2115 **Hon. Ms M D Hassan Nahon:** Mr Speaker, just for the record, my question or my query applies also to renewals. The fact of the matter is, as businesses report, that if you multiply an hour, which is what it takes to renew licences by the amount of businesses that there are, the annual cost of not having an online service actually costs hundreds of thousands of pounds, at least. Obviously companies report that the reduction of red tape is the key to run businesses efficiently, so considering that the Government has been promising a one stop shop from three elections ago, can the Government just tell us genuinely when exactly they expect to roll this out, realistically?

2125 **Chief Minister (Hon. F R Picardo):** Mr Speaker, the hon. Lady loves to conflate issues and dramatise the position. I suppose that if every business in Gibraltar that has got to do a renewal were to quantify what it costs to go and do a renewal as they always have in the past versus doing it online as we have been trying to ensure that they are able to do, and we are the first Government to seek to ensure that they are able to do, I suppose if you added all that up together it might be hundreds of thousand pounds. Or it may not. But for each business it might just be a few pounds, Mr Speaker – a few pounds which we are trying to avoid them having to pay by trying to bring about not just in relation to business licensing, the new system that the hon. Gentleman has said we are about to roll out, but indeed across the Government all of the mechanisms that we are trying to roll out.

2130 So Mr Speaker, we are in the process of trying to do this. Hon. Members including her love to accuse us of spending money. Part of the money that they accuse us of spending is in trying to achieve that which we have promised to do and are keen to do and are in the process of doing and as soon as we are able to we shall be announcing that we have achieved that particular rolling manifesto commitment.

2140 And of course, Mr Speaker, we want to do it as soon as it is possible to do. But these things also lead to vulnerabilities. If we set something up and there is a security vulnerability, she will come here and ask us why it is that we could be hacked, and if we do not do it because we are trying to ensure that we do it in the way that we are not hacked, she will come here and ask us why it is that it is taking so long.

I fully appreciate that is the role of a lonely opposition Member of Parliament, Mr Speaker.

2145 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I am not that lonely. Almost 6,000 people voted for me and gave us a good mandate to show that there is a need for something different to what already exists today, so I do not feel very lonely at all.

2150 I think that despite the Chief Minister's very eloquent and sophisticated answer and spin, he still has not answered us how, after almost 10 years we still have not seen these shiny promises of one-stop shops. As time goes by, yes we can always hark back to yesteryear that things were not done but we all know that things have moved on. People work online. The world is moving faster. Technology is key and we need it on tap. The Chief Minister knows that very well because when he announces things that need to come into shape, then he always reminds us how important these priorities are. So in the same way, we also want to understand why this priority has not actually materialised, after almost 10 years. Talking about the past and how we used to do things in those days, I do not think will alleviate any business of today wanting to move on with their business. And we still do not have an answer, Mr Speaker. Can the Chief Minister provide us with an answer?

2160 **Hon. Chief Minister:** Well, Mr Speaker, I am grateful to the hon. Lady for evidencing her style of exaggeration.

The great New Dawn was in December 2011. We are now in January 2020. That is exactly eight years and one month later; not 10. There is a big difference between a decade and eight years. That is the sort of exaggeration which denudes her questions of accuracy, Mr Speaker, which then of course leads me to have to challenge her on it.

2165 For example, she might say that she is not lonely because she has got 6,000 votes. Well, she had 4,000 votes last time but she is still on her own in this place and that is the reality of the result of the last election whether she and I like it or not, Mr Speaker, because the fact is that I thought at one stage she was almost about to wipe them out! But never mind! (*Laughter and interjections*) I know, Mr Speaker, that during the course of the night, *they* thought they might have been wiped out but never mind! Never mind. Anyway, they are doing a good enough job of wiping themselves out. I do not think she needs to worry too much about that.

2170 But Mr Speaker, let's be very clear. What we promised eight years and one month ago was a one-stop-shop Government counter. So eight years ago. Mr Speaker, we were talking about the counter where you could go and do everything and we talked about bringing about electronic Government. Things are moving on. They are always constantly moving.

2175 Can I tell her when we are going to deliver electronic Government 100% as a one-stop-shop in the virtual situation? She knows I cannot; and she knows that the question she is asking is seeking information which is not possible to give with any degree of accuracy.

2180 Is it true that we are the Government that has most invested in seeking to make that virtual reality something that people can rely on, that virtual opportunity to engage with Government? Yes. Are there many challenges in doing so? Yes. Would they be doing any better if they were here? Well, I put it to them, Mr Speaker, that if they invested as much as we have they would have achieved what we have. If they invested more, they would have achieved as much as we have because you cannot go any further by putting more money into it. It is very likely that they would have invested less, unless of course this is another one of the areas where they criticise us for spending but would have spent the same amount.

2185 So, Mr Speaker, all of which makes me simply say to her: watch this space, it is coming faster under us than anybody else.

#### Q91/2020

#### The Mount refurbishment project – Expected cost and completion date

2190 **Clerk:** We now move to Question 91 and the questioner is the Hon. D J Bossino.

**Hon. D J Bossino:** Mr Speaker, there is formally no Question 91. I think that the interim Notice of Questions that we received end at Question 90, which is the hon. Lady's question.

But I have got a copy of it here, so I am happy to proceed. Okay. (*Interjections*) No, no. There is a question which I filed, but it is not formally in the ...

2195 **Two Members:** How do you know?

**Hon. D J Bossino:** Because I have just ... I do not know by way of notification in this document, but I have just been told by the Clerk that it is Question 91. (*Interjections*)

2200 Yes. I deduced that, Mr Speaker, because I see that the Hon. the Deputy Chief Minister is present, and I think my remaining questions are exclusively ... See, the Hon. the Minister for the Port is not present, so on that basis I assumed that Dr Garcia would be answering the question.

**Mr Speaker:** Would you proceed to ask the Question?

2205

**Hon. E J Reyes:** If it helps, Mr Speaker, I think none of us on this side of the House have anything beyond Question 90. So we would not be able to partake in it any further.

2210

Perhaps if the Clerk ... I think that the Hon. Minister for Sport was seeking some information that he may now have available to be sent by you, Mr Speaker. So perhaps we can fill in the next couple of minutes as are needed by ... If you give way to the Minister for Sport, he can finish answering my question, that way it remains on record.

**Chief Minister (Hon. F R Picardo):** He knows what question it is, he is ready to ask it ...

2215

**Mr Speaker:** Mr Clerk, can I ... ?

We are just going to check. Just a second please. We are going to check whether it is not simply just 91 that is missing.

*Mr Speaker consulted the Clerk.*

2220

**Mr Speaker:** I understand that the questions which follow 91 will not be asked this evening. So we can do, if you wish, Question 91.

**Hon. D J Bossino:** Mr Speaker, I am happy to oblige.

Can the Deputy Chief Minister provide details of the expected cost of the project to refurbish The Mount and how long it is expected to take to complete?

2225

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

2230

**Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, the Government is not in a position to forward details on costs and programme in relation to The Mount project as this is still at a very early stage. Once the relevant investigations are completed and designs and permits awarded, we will be in a position to provide such details.

**Hon. D J Bossino:** Mr Speaker, what are the investigations which the Hon. the Deputy Chief Minister has described as relevant?

2235

**Hon. Dr J J Garcia:** Yes, Mr Speaker, the initial phase of the project involves the clearing of vegetation. That would allow the people who are doing this to determine the condition of the different terraces, the paths, the walls, etc. and that would allow a further investigation to take place.

2240

At the moment we cannot investigate any further because things are covered by overgrown vegetation. That is what is happening at the moment: the vegetation is being cleared. That is the first step of the project.

The hon. Member may also be aware, in terms of the finances, which is the question, that there is £200,000 in the revenue of estimates and expenditure, which is simply set aside for this kind of work.

2245

**Hon. D J Bossino:** Mr Speaker, can the Hon. the Deputy Minister assure the House that stringent heritage considerations will apply in relation to this particular project?

2250

And I would just widen the question to include obviously not only buildings but also the environment and the plants and the trees which are of certain environmental heritage value as well.

2255 **Hon. Dr J J Garcia:** Mr Speaker, yes, in fact before the work started, the Heritage Trust, the Environmental Safety Group and GONHS were all taken on site to get a better understanding of what it was that was going to happen. They have also been on site again since the work has commenced and obviously whatever is done there will also go, as it has to under the Town Planning Act to the Development and Planning Commission eventually, where there will be a wider discussion and debate on the proposals.

2260 **Hon. D J Bossino:** Mr Speaker, does the hon. Member have an idea as to when the whole project is going to be completed?

The hon. Member will obviously know that his party during the election, in their manifesto, had very ambitious plans in relation to that area. Can he give us any indication as to when he thinks it is going to be completed? Will it be during the course of this term of office or is the hon. Member looking at a longer period than that?

2265 **Hon. Dr J J Garcia:** Mr Speaker, it is not possible to give an indication at this stage, simply because of what I said in the answer to the original question, which is that once we are able to investigate in detail and determine the work that remains to be done, we will then be able to draw up the phases with timescales for each particular phase.

2270 But at the moment, this is preparatory work to allow investigations to take place on the site.

**Hon. D J Bossino:** And in relation, Mr Speaker, to that initial preparatory work stage, does he have an indication as to when that is likely to be completed?

2275 **Hon. Dr J J Garcia:** I cannot say at this stage. At the moment, they are clearing vegetation – a selective tender was issued for that, and the contractor is on site. The work only started after the New Year break.

### Procedural

**Clerk:** We come back now to Question 85 and the questioner is the Hon. R M Clinton.

2280 **Hon. K Azopardi:** Can I just ask on a point of order, Mr Speaker. Clearly the Government presumably knows the order it is going to take certain questions and indeed the Clerk knows because he is directing the orchestra of the jumping up and down.

2285 It would be helpful to pass that information to the Members Opposite because purely for our own organisation of business. We are all here, and of course we are going to be here, but it would be helpful to have that. We are all trying to make the House work better, and I hope that is shared. But if this information is available – and it may be available only recently to the staff – but it should be passed on to the Members opposite.

2290 **Mr Speaker:** The hon. Member should be made aware that there has been an admin error. That is the reason. There was no other intent or anything.

2295 **Hon. K Azopardi:** Mr Speaker, I was not talking about an admin error in relation to, for example what just happened on Question 91, but certainly – and I have not been here long since my reincarnation! – last time as well, in December, there was an element of backwards and forwards. And that is okay; but it would be helpful for us to know that that is what is going to happen at different points.

**Chief Minister (Hon. F R Picardo):** Mr Speaker, if I can be of assistance – that *is* what is going to happen, in the sense that the reason that we backward and forward is that in order to try and assist hon. Members, as soon as batches of questions are ready for answer, they are sent to the House, usually in groups relating to Ministries. We try and do that so that the House can organise the Order Paper. That does not mean that the Order Paper, which gives a number is the order that is going to be followed.

So for example, the Hon. Minister Licudi is not here today, but his questions were completed, they were sent to the House, they were put on the Order Paper. But he is simply not here and we could simply have taken the attitude of saying he is not here, therefore you can have a written copy of his answer or you can choose to ask at the next Question Time, under the existing Rules. Instead, because we expect that he will be able to be here and answer orally, we skip in order to enable hon. Members to do the oral asking of questions and therefore also supplementaries.

So Mr Speaker, where we are able we follow the Order Paper because it is in everybody's interest. Where we are not able to, we do not. That has always been the way in which I have seen questions handled in this House. If hon. Members tell us that they may not be available one day but they may be available another in time, then we will try to make arrangements to assist them so that they can be here. If they tell us on the day, then it is sometimes very difficult to do that because other Ministers have other responsibilities.

**Hon. K Azopardi:** Mr Speaker, I am not sure if the Hon. Chief Minister has understood me. I am not objecting, by any means, to the jumping around because of availability. All I am saying is that if hon. Members have organised and know in advance that that is going to happen, then they should pass that information on.

If the hon. Members Opposite are only just told that one of the Ministers is unavailable 10 minutes earlier, well then we understand of course. But if they know a couple of days before and that information is being passed on to the staff, it should also be passed on to the Opposition so that we know. We are all Members of the same House and we should know what the actual business is going to be in what order. That is all I am saying.

**Hon. Chief Minister:** Mr Speaker, that would require a level of detail that I think would start to interfere with Government's ability to plan.

The hon. Gentleman said it is normal. Look, it is normal since we were elected and we changed the way that the House dealt with business, because hon. Members will know that before, there was no indication of anything. Hon. Members will know that we were not even told the date of the Budget! And once the period for a Bill to be taken was up, we had to be ready to take a Budget.

We are trying wherever possible to give hon. Members as much information as possible so that they can be here when their Questions are going to be dealt with and they can be off doing their private business and pursuing their moneymaking activities, which they are perfectly entitled to do, when they do not have to be here. But I assume that they do want to be here when the House is in session, unless they cannot be – unless the hon. Gentleman is telling us that he wants to know if there are those who are going to be here to answer questions only to some Ministers and if those Ministers are not going to be here, they are not going to bother turning up.

They know that I endeavour – and I have told him that I am going to try and stick to it – to answer my questions on Thursday at 3 p.m.. They know that traditionally the House deals with questions on the basis of the manner in which people have been elected etc.. That is the way in which questions are answered and they now know also that we are trying to help everyone – them and the House – by allowing the questions to reach the House as soon as they are completed, so that the numbers can be put on the Order Paper as soon as possible.

2350 I do not think I can tell them more than that, but perhaps in the Select Committee we will be able to work together to avoid what both sides might see as the ways that Question Time is not working as we might all wish. For example, today – two hours for 26 questions, I think was hardly edifying for either side.

2355 **Hon. K Azopardi:** Mr Speaker, the hon. Member does not have to tell me about how badly things were done in the past because he may find that he and I agree – if it is true that he believes in parliamentary reform in a serious way, well he will find in me and the Members on this side of the House, people who are committed to engage in that process.

2360 So we can talk about how things did not work in the past under governments of different political ideologies, and that there should be improvements and we will both share that view. All I am making – and we are at risk of the Chief Minister pulling a very minor procedural point that I was making to try to assist all of the Members of this House and creating a mountain out of a molehill. I do not believe that it can be possible that Government business is going to be interfered with by simply telling the Members on this side of the House in what order questions are going to be taken because the Government is organising its business, so it has already organised its business in a particular way. All we are doing is then taking questions in the order that the Government is dictating in accordance with the Government business it has organised.

2365 So I do not think it is too much to ask for to simply ask for information. I am not asking to negotiate the agenda with the hon. Member; I am asking that once he decides, as Leader of the House what the agenda is going to be, he should pass on the information.

2370 **Hon. Chief Minister:** Mr Speaker, it seems to me that there is nothing which is a minor procedural issue with the hon. Gentleman, because he gets up to make a point during Question Time. I do not know whether this is a matter of a point of order and I am very grateful that you are allowing us the latitude to deal with this in this way, but he does it on the basis as if he were the great reformer and he is asking for something which is eminently reasonable, and that is why he knows that I am going to get up to make the political points that I am making, because I am not going to let him get away with making political points as if he were not, Mr Speaker.

2375 This is the political equivalent of throwing the stone and hiding the hand, Mr Speaker! I know that he agrees with how badly things were done in the past and not just by the GSD administration. I know in particular how badly he thinks things were done in the past by the GSD administration because he led a party in two general elections *against* them, saying that he would do things completely differently to the way that they were doing them, and he and I think will be able to agree in the Select Committee when we do negotiate how questions should be taken, a different way of doing things, Mr Speaker, which will give everybody the certainty of knowing when they have to be here, rather than when they simply might have to endure the process of questions in order to be around to ask their questions when they come up.

2380 But, Mr Speaker, he knows that with the best will in the world, unfortunately we suffer differences of timetable and I do not want ever to inform the House that we are going to do something and then not be able to do it, because then we are going to be accused of playing with the House timetable.

2390 But I think together we will be able to agree a better way of doing this in the Select Committee. So as usual, Mr Speaker, I think he and I will find that we are *violently* agreeing that things need to change and we are probably going to be very violently agreeing about what they should change to. But look, I guess that is just the nature of the Punch and Judy politics that he is falling into.

2395

**Mr Speaker:** Next question, please.

JUSTICE, MULTICULTURALISM, EQUALITY AND COMMUNITY AFFAIRS

Q85/2020

Office of Criminal Prosecutions & Litigation –  
Relocation to NatWest House

**Clerk:** Question 85, the Hon. R M Clinton.

2400 **Hon. R M Clinton:** Mr Speaker, further to Question 230/2019 can the Government advise who the landlord is (and beneficial owners if a corporate entity) of the premises to which HMGoG's Office of Criminal Prosecutions & Litigation will be relocated to at NatWest House, Suite 6, 6th Floor, 57/63 Line Wall Road, Gibraltar?

2405 **Clerk:** Answer, the Hon. the Minister for Justice, Multiculturalism, Equality and Community Affairs.

**Minister for Justice, Multiculturalism, Equality and Community Affairs: (Hon. Miss S J Sacramento):** Mr Speaker, I will answer this question together with Question 86.

2410 **Clerk:** Question 86, the Hon. R M Clinton.

2415 **Hon. R M Clinton:** Mr Speaker, can the Government advise the length of lease, size of floor space and annual rent subsequent to the first year, when was the lease signed and by whom on behalf of the Gibraltar Government, of the premises to which HMGoG's Office of Criminal Prosecutions & Litigation will be relocated to at NatWest House, Suite 6, 6th Floor, 57/63 Line Wall Road, Gibraltar?

2420 **Clerk:** Answer, the Hon. the Minister for Justice, Multiculturalism, Equality and Community Affairs.

**Minister for Justice, Multiculturalism, Equality and Community Affairs (Hon. Miss S J Sacramento):** Mr Speaker, the landlord is Gibcorp Ltd. The beneficial owners are the Peralta family, the Hassan family, the Levy family and the Provasoli family through their respective holding companies.

2425 The lease is for a period of 12 years. The total area of floor space is 3,932 sq ft.  
The annual rent is £123,858 for the first three years. Rent increases are dealt with under clause 1(d).  
The Chief Secretary signed the lease on 19th December 2019.

2430 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Hon. Minister for her answer. Can I ask, are there any break clauses in the 12-year lease?

**Hon. Miss S J Sacramento:** Mr Speaker, I have not been advised and it is not a question that I can answer immediately. I can inform the hon. Member later.

2435 **Hon. R M Clinton:** Mr Speaker, just for clarification, 3,000 square feet is solely in relation obviously to Suite 6, yes?

2440 **Hon. Miss S J Sacramento:** Yes, it is Mr Speaker.

**Hon. K Azopardi:** Can I ask, how did the possibility of the rental of these premises arise? In other words, who approached who?

**Chief Minister (Hon. F R Picardo):** Mr Speaker, this issue was raised with me by the Attorney General.

2445

**Hon. K Azopardi:** Sorry, the issue of the possibility of the rental was raised by the Attorney General – is that correct? Is that what he said?

**Hon. Chief Minister:** Yes, Mr Speaker.

2450

**Hon. K Azopardi:** Can we know when the Attorney General raised this issue the Chief Minister?

**Hon. Chief Minister:** No, Mr Speaker, if he wants any certainty. I remember him raising it with me, but I cannot remember exactly when it was. It is not as if I made a diary note of the fact that he might have raised it with me.

2455

**Hon. K Azopardi:** And following that conversation with the Chief Minister, what happened next?

2460

**Hon. Chief Minister:** Mr Speaker, I told him I was not averse to what he was telling me and that he should go off and seek rates and understand the space and whether it would fit all the people from the Office of Public Prosecutions, which is what he was very concerned about. And with the Director of Public Prosecutions, that is what they went off to do.

2465

**Hon. K Azopardi:** Does the Chief Minister know who the Attorney General and DPP negotiated with?

**Hon. Chief Minister:** No, Mr Speaker, because I was not there.

2470

**Hon. R M Clinton:** Mr Speaker, if I may ask the Minister, does the Government have no other available space for the Attorney General? If not, could his existing Chambers not be refurbished? What is the business case for hiring extra office space from the private sector?

2475

**Hon. Chief Minister:** Mr Speaker, I answered this question already at the time of the last meeting of the House. Six months have not passed. I do not know whether the hon. Gentleman wants me to repeat what I said then or whether he would rather just read *Hansard*.

**Hon. R M Clinton:** Mr Speaker, may I ask the Minister, was there a business case presented to her in order for the AG to hire premises outside the existing Government rental stock? And if so, by whom?

2480

**Hon. Miss S J Sacramento:** Mr Speaker, as the hon. Gentleman knows, I was not the Minister with responsibility for Justice at the time that this lease was negotiated. In fact, I have had absolutely no involvement in the negotiation of the lease. Given that this has been negotiated by the Attorney General and by the Director of Public Prosecutions, I have absolute trust that they have exercised due diligence and negotiated this in good faith.

2485

As further information, Mr Speaker, when this question was last asked, last month, I did an exercise with Land Property Services Ltd and they immediately gave me at least 30 other commercial rents where the rent price per square foot was much more expensive than this one. So I hope that that sets the commercial angle of this lease into context.

2490



**Q87/2020**  
**International Women's Day 2020–**  
**Celebration plans**

**Clerk:** Question 87, the Hon. Ms M D Hassan Nahon.

2495 **Hon. Ms M D Hassan Nahon:** What are the Government's plans to celebrate International Women's Day 2020?

**Clerk:** Answer, the Hon. the Minister for Justice, Multiculturalism, Equality and Community Affairs.

2500 **Minister for Justice, Multiculturalism, Equality and Community Affairs (Hon. Miss S J Sacramento):** Mr Speaker, International Women's Day was first celebrated by this Government in March 2012 and this year will be no exception.

2505 We have identified how we would like to celebrate it in 2020 and we are already making plans with our stakeholders. We will make a detailed announcement about the celebration once our plans have been confirmed. I would be happy to discuss this with the hon. Lady so she can be aware of our plans and participate in them. As she knows, she always receives an invitation to my events.

**Q88/2020**  
**Gender Pay Gap survey 2018 –**  
**Publication of results**

**Clerk:** Question 88, the Hon. Ms M D Hassan Nahon.

2510 **Hon. Ms M D Hassan Nahon:** When will the results of the Gender Pay Gap survey of 2018 be made public?

**Clerk:** Answer, the Hon. the Minister for Justice, Multiculturalism, Equality and Community Affairs.

2515 **Minister for Justice, Multiculturalism, Equality and Community Affairs (Hon. Miss S J Sacramento):** Mr Speaker, the data is being analysed and will be published when finalised.

**Q88/2020**  
**Pride March –**  
**Plans for 2020**

**Clerk:** Question 89, the Hon. Ms M D Hassan Nahon.

2520 **Hon. Ms M D Hassan Nahon:** When will the Pride March take place this year, and is an organisation plan for the event under way?

**Clerk:** Answer, the Hon. the Minister for Justice, Multiculturalism, Equality and Community Affairs.

2525

**Minister for Justice, Multiculturalism, Equality and Community Affairs (Hon. Miss S J Sacramento):** Mr Speaker, June is regarded as Pride month and the Department of Equality is planning how this will once again be marked. Organisation is already well underway.

2530 I have no doubt that it will be as much of a success as with everything that the Department of Equality embarks upon.

**A Member:** Hear, hear.

2535 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I have had a few representations from interested parties asking whether a contract for an organised event would be going out to tender or would it just simply be taken on by the Ministry itself. Would the hon. Member be able to clarify because I have been asked various times about this one?

2540 **Hon. Miss S J Sacramento:** Mr Speaker, when the Department of equality mark any event, we always do it ourselves and I would like to take this opportunity to thank the Department of Equality for their dedication to these events, the meticulous planning and the very successful execution of them.

#### Q90/2020

#### Equal Opportunities Act amendments – Sexual orientation as protected category

**Clerk:** Question 90, the Hon. Ms M D Hassan Nahon.

2545 **Hon. Ms M D Hassan Nahon:** According to the GSLP manifesto of 2019, 'In Gibraltar under the Equal Opportunities Act "sexual orientation" is still not a protected category with regard to the provision of goods and services. It cannot be acceptable for a business to refuse service due to the sexual orientation of the customer, but currently no law prevents this.'

2550 When will this be corrected and the Equal Opportunities Act amended?

**Clerk:** Answer, the Hon. the Minister for Justice, Multiculturalism, Equality and Community Affairs.

2555 **Minister for Justice, Multiculturalism, Equality and Community Affairs (Hon. Miss S J Sacramento):** Mr Speaker, the process to eliminate this discrimination has already commenced immediately upon our re-election and we in the GSLP Liberals were the only ones to pledge to do so.

2560 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I thank the hon. Lady for her answer, but I do not think I heard an answer as to when this will be corrected. Any idea of when this Act will be amended?

2565 **Hon. Miss S J Sacramento:** Mr Speaker, the instruction has already been given. I am aware that the legal drafting team are working on it. They certainly have an instruction from me to complete it as soon as possible.

HOUSING, YOUTH AND SPORT

Q2/2020

Gibraltar Sports and Leisure Authority facilities –  
Cancellations: further information

**Mr Speaker:** I believe that the Hon. Minister Linares has a response or reply to the hon. Member.

2570 **Minister for Housing, Youth and Sport (Hon. S E Linares):** Yes, Mr Speaker, I have the reply that the hon. Member wanted via WhatsApp, which I am just getting, and it is to do with the cancellations that he was asking for, that I said that I did not know what had happened since I answered the question to today.

2575 The answer is that cancellations were initiated due to safety protocols as a result of some power failure. The removal of all users from inside the playing area: when the power came back, they were restarted. So it was not actually a cancellation of an allocation, but a precaution for the safety of users. So they were told to come out and then they were told to come in, and this happened on Saturday.

ADJOURNMENT

2580 **Chief Minister (Hon. F R Picardo):** Right, Mr Speaker, I am now going to move that the House should adjourn until tomorrow at 3p.m. – Thursday at 3 p.m. – on the third Thursday of the month, which is when I intend to take Chief Minister’s Question Time; something I have been able to do very successfully for six and a bit of the eight years we have been in Government, when Brexit has not interfered. I will of course advise any Members of the Opposition who wish to take on the mantle of leading the Opposition in asking questions of the current Leader of the House to be here tomorrow at 3 p.m. That might help us to work out what might happen on 31st January, Mr Speaker.

2585 I move that the House should now adjourn to three o’clock tomorrow.

2590 **Mr Speaker:** I now propose a question, which is that this House do now adjourn to Thursday, 23rd January at 3 p.m.

I now put the question which is that this House do now adjourn to Thursday, 23rd January at 3 p.m. Those in favour? (**Members:** Aye.) Those against? Passed.

This House will now adjourn to Thursday, 23rd January at 3 p.m.

*The House adjourned at 6.51 p.m.*