



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

AFTERNOON SESSION: 3.08 p.m. – 6.27 p.m.

Gibraltar, Wednesday, 8th July 2020

Contents

Questions for Oral Answer	3
Health and Care	3
Q377 and Q382-384/2020 Elderly residential homes – Mount Alvernia, plans for relocation or outsourcing, improvement works, plans to repatriate temporary residents to Cochrane Ward; Jewish Home, date for reopening.....	3
Q378/2020 GHA patients treated in Spain – Policy re gross negligence by Spanish institutions or doctors	6
Q380/2020 Dr Giraldi Home – Staff transport issues.....	10
Q385-390/2020 Living with dementia in Gibraltar – Total number, number receiving domiciliary care and number waiting for residential care; study re prevalence; National Dementia Committee; appointment of Dementia Co-ordinator and Dementia Liaison Manager.....	11
Education, Employment, Utilities and the Port.....	15
Q325/2020 Diesel power-generating plants – Confirmation of decommissioning.....	15
Q326/2020 New Harbours and Europa Business Centre solar panels – Energy produced and fed into power network.....	16
Q327/2020 Extension jetty – Government position re use for bunkering.....	20
Q328/2020 School calendars for 2020-21 – Term, holiday and in-service dates.....	20
Q329/2020 University accommodation block and comprehensive schools – Construction method	22
Q328/2020 School calendars for 2020-21 – Supplementary questions.....	23
Q330/2020 Notification of vacancies registration fee – Commitment to remove	25

Q331/2020 Future home online learning – Plans for children without access to facilities... 26	26
Q332-34/2020 Return to full education programme in schools – Timing; social distancing measures; arrangements in event of return to full or partial lockdown	29
Q335/2020 Private nurseries and pre-schools – Monitoring health and safety practices	30
Q336/2020 Early intervention counsellors – Number of children referred since start of COVID crisis	32
Q337/2020 Reach Out and A Place to Talk initiatives – Public report.....	33
Q338/2020 A-level and GCSE students – Information provided re grading and appeals.....	35
Q339/2020 Semester-related flights – Reimbursement to students.....	37
Q340/2020 University scholarship awards – Confirmation of grants for new students	38
Digital and Financial Services	39
Q394/2020 Hong Kong office – Closure	39
Q395/2020 Addison Global – Debts to Government	42
Q396/2020 Private Sector Pensions Act – Anticipated commencement date	43
Q397/2020 DPC – Virtual meetings	44
Q398-99/2020 Government Department online services – Intention to continue; assistance for the elderly.....	44
Q400-402/2020 Beat COVID app and Contract Tracing Bureau – Governance and access to information; risk assessments re transparency and user confidence.....	47
Deputy Chief Minister	50
Q403/2020 Land frontier – Number of locally registered vehicles leaving Gibraltar	50
Q404/2020 Fortress House – Negotiations to purchase.....	50
Q405/2020 KGV Hospital site – Update re building of residential care and assisted living accommodation	51
Adjournment	54
<i>The House adjourned at 6.27 p.m.</i>	54

The Gibraltar Parliament

The Parliament met at 3.08 p.m.

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

[ACTING CLERK TO THE PARLIAMENT: S Galliano Esq *in attendance*]

Questions for Oral Answer

HEALTH AND CARE

Q377 and Q382-384/2020

Elderly residential homes –

**Mount Alvernia, plans for relocation or outsourcing, improvement works, plans to repatriate temporary residents to Cochrane Ward;
Jewish Home, date for reopening**

Acting Clerk: Meeting of Parliament, Wednesday, 8th July 2020.
Order of Proceedings: (viii) Answers to Oral Questions continued.
Question 377/2020, the Hon. R M Clinton.

5

Hon. R M Clinton: Mr Speaker, are there any plans for the relocation of Mount Alvernia or the outsourcing of its operation?

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

10

Minister for Health and Care (Hon. P J Balban): Mr Speaker, I will answer this question together with Questions 382 to 384.

Acting Clerk: Question 382/2020, the Hon. Ms M D Hassan Nahon.

15

Hon. Ms M D Hassan Nahon: When will improvement work continue at Mount Alvernia to bring the residential home to the same standards as the John Mac Home and Hillside?

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

20

Hon. Ms M D Hassan Nahon: Did the Hon. Minister not say he wanted these three questions bunched up?

Acting Clerk: Question 383/2020, Ms M D Hassan Nahon.

25

Hon. Ms M D Hassan Nahon: When will the Jewish Home reopen?

Acting Clerk: Question 384/2020, Ms M D Hassan Nahon.

30 **Hon. Ms M D Hassan Nahon:** How soon does Government expect to repatriate to the Cochrane Ward at St Bernard's Hospital the elderly residents who were temporarily, as a consequence of the COVID crisis, housed at Mount Alvernia?

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

35 **Minister for Health and Care (Hon. P J Balban):** Mr Speaker, there are no plans to relocate Mount Alvernia or outsource its operations, but improvement works at Mount Alvernia will resume after the ERS COVID-19 de-escalation programme is complete. The transfer of residents from Mount Alvernia to St Bernard's Hospital took place on 5th July.

40 In relation to the re-opening of the Jewish Home, it is not possible to provide a date at this time as works have been delayed by the total economic shutdown arising from the pandemic. We want to see this facility reopen as soon as possible and we continue to work with the managing board of the Jewish Community towards this important and overdue objective.

45 **Mr Speaker:** The hon. Lady.

45 **Hon. Ms M D Hassan Nahon:** Mr Speaker, regarding the Hon. Minister's answers about Mount Alvernia and the refurbs there, does Government have a plan to carry out these works efficiently and successfully while the residents still live there? And if so, could it share its strategy or its plan for this refurbishment with this side of the House?

50 **Hon. P J Balban:** Yes, Mr Speaker.

55 **Hon. Ms M D Hassan Nahon:** Mr Speaker, within the plans for refurbishment and the agenda for further refurbs, does Government acknowledge that much of that, as well as being the hardware work ...? Will a lot of the refurbs go towards helping patients with dementia and Alzheimer's? It is the oldest care home in Gibraltar, it is not dementia friendly like the others, so I am not just asking about improvements in terms of refurbs, but will it have a dementia- and Alzheimer's-friendly design in order to bring it up to the standards of the other ones?

60 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I think we have already announced that that is the case, that the refurbishment, as we have already said publicly, will be to upgrade Mount Alvernia to the style and design that was the subject of the hon. Lady's extensive consultation at the time when she was the Minister with responsibility and which saw the former St Bernard's – the 'John Mac Wing' as it is known – prepared for this purpose, and is also the design that was followed at the dementia facility, including colour coding etc. That is what is being undertaken at
65 Mount Alvernia, as we have already announced is the case.

Mr Speaker: The Hon. Roy Clinton.

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

Can the Minister advise the House how long the Jewish Home has been closed?

Hon. Chief Minister: Mr Speaker, we cannot give an exact date. We would need notice of that question, but it is years.

75 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Chief Minister. I appreciate that Ministers may not have the information to hand, but certainly it would appear, at least in collective memory, several years at least.

80 Could the Minister advise – obviously this is pre-COVID – why, in his view, it is taking so long to refurbish the Jewish Home?

Hon. Chief Minister: Well, Mr Speaker – as I have said already, I believe, in this House on an earlier occasion – because of changes of plans relating to what was going to be entailed in the refurbishment.

85 The old Jewish Home was not fit for purpose when we took over. There were issues with the wiring – it requires refurbishment literally back to the brick in order to be able to bring it back. We consulted widely with the President of the Jewish Community, with the members of the Jewish community who have responsibility for the Jewish Home, and we looked at many different options for refurbishment, and that is what has entailed the delay. Of the very many
90 different options that we have looked at, we have now – because of our own view about how long this is taking and their view about how long it is taking, and wanting to finish – settled on a plan, and having settled on a plan we are able to proceed.

Hon. E J Phillips: Just insofar as the answer to Question 384, I did not manage to hear the
95 response to the Cochrane Ward question in the Minister's – (*Interjection by Hon. Ms M D Hassan Nahon*) Yes, on 5th July. Just insofar as that question is concerned, the Minister will obviously recall that the GSD raised a PR having been approached by a number of families in relation to that move and shortly thereafter we recall that there had been a move of these residents back to the Cochrane Ward. What we gathered from our engagement with the families of the
100 relatives who were moved throughout the COVID pandemic was that ultimately the objective should be, of course, for a specific residence for these individuals rather than being based within the Hospital, and I was wondering whether the Minister had any information as to what the long-term plan is for those residents. Although they feel that the Hospital is a home for them insofar as access to their families and relatives – and they feel very strongly about that from the
105 information I am receiving – I wonder what the long-term objective of the Government is, insofar as those specific residents based in the Hospital.

Hon. Chief Minister: Mr Speaker, I think the hon. Gentleman has got the wrong end of the stick here. As I understand it, as we have demonstrated during the COVID period, we are able to
110 accommodate everyone in an area which is not the Hospital. The issue is that for ... I use the word 'convenience' in the widest possible sense – it is in the interest of some families to have relatives in that area. It is not necessarily in the interests of the relatives to be in that area, but we recognise that one of the advantages for those who are residents of ERS is to have their relatives able to visit them, and in some instances it is not so easy to visit relatives in other
115 locations for those who have their own mobility issues, but there would be no difficulty with them all being housed, as we demonstrated in the COVID emergency period that we could house them all in the area of Mount Alvernia and the other homes that we have available.

Hon. Ms M D Hassan Nahon: If I may – I do not believe I got an answer to the question about
120 whether residents would be staying in the home whilst the refurbishments were done.

Also, can I have some details on the level of refurbishment? Are we talking about everything – gutting, bathroom floors ...? And again, where will the residents be during this project?

Hon. P J Balban: Mr Speaker, a lot of work has been done already in terms of Mount Alvernia and this is not to inconvenience the residents while that work is being carried out.

In fact, I have a whole list of things that have been carried out. The works, which the Chief Minister has already spoken about, for refurbishment of the first and second floors include the painting of walls, doors and windows, and also making the said doors dementia friendly by use
130 of colour coding and signage etc. The intention is that if it is necessary to move residents from

one area to the other, obviously that will happen; we will not be painting the walls around the patients while they are sitting in their respective bedrooms.

135 **Hon. Ms M D Hassan Nahon:** Mr Speaker, does the Hon. Minister have any idea where these patients would be moved during such a significant project?

140 **Hon. P J Balban:** Mr Speaker, there is spare capacity within Mount Alvernia. During COVID we have had to make use of the communal areas, like the restaurant and also the social day area, to actually house patients and provide them with sleeping accommodation within those floors. If it is necessary to use these areas in such a manner, because these works will not be removed for the time being, we will find ways to be able to accommodate patients in other areas whilst these essential works can be done and we can bring the level of Mount Alvernia to the desired standard.

145 **Mr Speaker:** Next question.

Q378/2020

GHA patients treated in Spain – Policy re gross negligence by Spanish institutions or doctors

Acting Clerk: Question 378/2020, the Hon. D A Feetham.

150 **Hon. D A Feetham:** Mr Speaker, is it the Government's policy that patients referred by the GHA for treatment in Spain and who receive grossly negligent treatment at the hands of Spanish medical institutions or doctors should be left with no alternative but to sue in Spain?

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

155 **Minister for Health and Care (Hon. P J Balban):** No, sir.

Hon. D A Feetham: Well, Mr Speaker, on 23rd October I wrote to the Hon. Minister about a constituent who had come to see me, who was referred to a hospital in Spain for an operation on his right kidney. He went to this hospital in Spain and he was operated on, both his left and his right kidney, which is the clearest case of gross negligence.

160 I wrote to him on 8th January, on 13th February and on 12th March, and then on 26th May I received a letter from a firm of solicitors which was addressed to me here in Parliament and said that my 'client' – not my client, because I had written on parliamentary letterhead to the hon. Gentleman and the hon. Gentleman knew that I was dealing with this because it was a constituent ... telling me, essentially, 'Well, tell your client to sue, in Spain, the hospital in Spain.'

165 Does he think that is an appropriate way to be dealing with a member of the public in Gibraltar?

Chief Minister (Hon. F R Picardo): Mr Speaker, the hon. Gentleman says that he was dealing with a constituent but then he sets out his position as if he were dealing with a client. Without having sight of the letter that he says he has received, he knows I will not take it from him that it says what he suggests it says, and he might be kind enough to provide a copy.

The position of the Government is that if a patient is in the care of the Gibraltar Health Authority and there is an issue of negligence in respect of that patient, it is the Gibraltar Health Authority that is in the frame in respect of any action that individual may take, whether or not

175 the Gibraltar Health Authority then takes action also to join an entity from outside or inside
Gibraltar that may have been involved in the care of the individual.

That is the position of the Government and the Government remains responsible for the
care, through the GHA, of any individual who under the Group Practice Medical Scheme or
under the contributions that they make under Social Insurance generally is entitled to care by
180 the GHA, who suffers as a result of negligence or believes that they have suffered as a result of
negligence ... is able to commence proceedings against the Gibraltar Health Authority with the
Gibraltar Health Authority then seeking a contribution or to join any third party that may be
relevant.

But without seeing the letter the hon. Gentleman refers to ... As he knows, I do not take for
185 granted anything that he tells us or any of his interpretations as to what it is that a document
may or may not show.

Hon. D A Feetham: I have to say that the idea that I would essentially come to this
Parliament, refer to a letter from a firm of lawyers to me, in Parliament here, and that I would
190 misrepresent the position is fanciful to say the least, but I am going to send it to the Hon. the
Chief Minister in a moment via WhatsApp because I have it via WhatsApp.

In fact, this letter says the following, from a firm of solicitors:

Following our preliminary investigation, our view is that the GHA made a referral to an appropriate hospital

– I will mention the name: Quirón Hospital in Palmones –

in a proper manner and at the appropriate time. Hence, in our opinion there are no grounds upon which a claim of
negligence can be made against the GHA. In the circumstance we would kindly suggest that your client

– I never wrote to the Hon. Minister, he knows, in my capacity as a lawyer; I wrote to him on
195 parliamentary letterhead –

direct their potential claim to Quirón Hospital in Spain.

Mr Speaker, I am at least gratified that the Hon. the Chief Minister has set out what the
Government's position is, that the Government remains responsible because the Government
refers, and that is the reasonable position to take.

Therefore, may I ask the Hon. the Minister: in the light of what the Hon. the Chief Minister
200 has said to Parliament today, could we get a substantive response to the letter I sent to him on
23rd October – on which I chased him on 8th January, 13th February and 12th of March –
properly investigating the circumstances of this case? And if this gentleman has, as he says, been
operated on, on both kidneys – the one that he needed to be operated on and the other
kidney – that is a matter that is taken up with Quirón, and if there is a liability it is dealt with in
205 relation to this poor chap who has obviously suffered distress as a consequence of being
operated on, on the wrong kidney?

Hon. Chief Minister: Mr Speaker, I am grateful for the hon. Gentleman having read, I do not
know whether selectively or otherwise, from the letter. He has not sent it to me yet – I wonder
210 why – but I would like to receive it before I am able to deal with it.

What is very clear is that the hon. Gentleman asked us about what the Government's view as
to liability was. That is the Government's view as to liability, as I set out before.

What he also knows is that the GHA is insured and that the Government is not able, without
vitiating the terms of the insurance, which I am sure is not something that he would invite us to
215 do – and indeed his learned leader, although I am sure it affects every fibre of his body every
time I refer to him that way. His learned leader, having been a Minister for Health before, will

know that we have to be very careful when we address issues of liability in the GHA because of matters relating to insurance. If somebody has been dealt with in a way that is negligent or potentially negligent, that is a matter that has to be dealt with in the circumstances I have set out. It has to be investigated and it has to be addressed, and that is done through insurers.

220 So, Mr Speaker, if the hon. Gentleman will let me have the letter, once I have perused it perhaps he and I can have a further discussion about this case, because if the circumstances are as he suggests then I might have agreed with him. If they are not – and they are not always as he suggests; even when we look at the same document, he and I tend to have differences of
225 opinion as to what it is that it says – then he might have to reconsider his approach in respect of this particular case.

But I am very interested to know what has happened in this case on the basis of what he has set out, and I can assure his constituent, who is also my constituent, that I will be looking into this matter if it is anywhere near the sort of case that he has indicated.

230

Hon. D A Feetham: Well, I am very grateful to the Hon. the Chief Minister, barbs aside. He cannot help himself but to direct barbs in our direction, even when he is giving a helpful answer, and in substance his answer is helpful.

It did catch me by surprise, this letter that came from these lawyers, and I am aware that of course they may have received instructions from the insurance company, but the reality of the
235 situation is that I wrote to the Hon. Minister on 23rd October and I chased him. On three separate occasions I have chased his office for a substantive reply. If it had been his predecessor, who was probably one of the most efficient Ministers we have had in that role in a number of years, certainly without disrespecting anybody (*Interjection*) since the hon. Gentleman has been
240 on those benches ... His practice, which was a very practical way of looking at this, and in fact I thought it was going to be dealt with on that basis, was that he would essentially ask Dr Rawal to investigate the facts of the matter – in fact, I was assured that that was the position in one of the emails from the hon. Gentleman's office; that is why this letter also came as a surprise – and, if necessary, he would have engaged lawyers, and if the issue of liability was clear then he would
245 just simply deal with it without the need for either me or anybody else elevating these issues to this House or publicly or causing unnecessary distress to members of the public.

The only reason why I raise it, I have to say, is because the hon. Gentleman unfortunately has not responded to the correspondence that I have sent. Therefore, I am going to phrase it in terms of a question: does the Hon. the Chief Minister not agree with me that that is not the
250 correct way of not only treating a parliamentary colleague but also a constituent?

Hon. Chief Minister: Mr Speaker, of course I do not agree with him, for a simple reason. He says that even when I am trying to be helpful I lace my answers with barbs. It is that in trying to be helpful I decide not to take him on head on, because what he is trying to do is cast aspersions
255 on one particular Minister for Health by trying to cast praise on another. Of course, if the other were still the Minister for Health he would have cast aspersions on him, despite their declared friendship as gym buddies, and tried to pretend that the earlier one was better.

Mr Speaker, the hon. Gentleman is doing what he always does, he is playing politics, and in this instance in particular he is playing politics with someone's life. If there has been a case of
260 negligence, let's deal with it. What is to say that the matter has not been dealt with as the hon. Gentleman suggests – in other words, that there has been a delay? Of course, if we just simply look at the dates that he has set out, we might agree there has been, but we do not know in the other instances if the Minister whom he praises, whom I happen to have the highest regard for as well – as much as I do for Prof. Cortes, who was also Minister for Health, and Mr Balban, who
265 is now Minister for Health – having asked somebody to look into it, might have taken some time to look into it because these are not easy matters, they are complex matters, and so he might still have been referring to the same period of time to have he who he says is so praiseworthy

provide in the system that he says is so magnificent exactly the same answer in exactly the same period.

270 If he is genuinely concerned about these things, if he were really trying to pursue a solution for a constituent and not trying to do that which Danny Feetham does all the time in respect of everything that may cross his plate – I think even eating his cornflakes in the morning he has a political element in it, something for which I fully respect him – he would have picked up the phone and called me. He would have said, ‘I am having a genuine difficulty in respect of
275 somebody who has had a genuine problem and I am not getting a response from Paul as I used to get from Neil: can you help?’ Of course, that would have been pursuing this matter genuinely in the interests of our common constituent. Instead, here comes the chance to launch a dart and try and score a political point, which is exactly what we would expect him to do.

If we are serious about trying to deal with the problem that this lady or gentleman may have had, then please let us investigate it, let us not pretend that one Minister for Health is better
280 than another, that that has an effect or a consequence in respect of a response, and let us address the substance of the issue.

The position of the Government in respect of this constituent is to deal with the problem that the hon. Gentleman says he has identified, and if there is a problem of negligence, or if there is
285 another type of problem, we must address it, because that is what we are here to ensure that we provide for the taxpayer: the best possible system, the best possible service and, in particular, the best possible Health Service.

I would suggest to him that he leave that Danny Feetham behind for a minute, the one who spent so long trying to become the leader of the party he vowed to ensure would disappear, and
290 he bring back the Danny Feetham we saw for that short period when it appeared that his ambition had been sated enough – who, covered in tears ... the response he gave to the hatchet job that the hon. Lady did to him here in this House, which saw him leave the leadership of the party, he did attribute to her and to somebody else, his [*inaudible*], something that I had always thought should have been attributed to me because I had spent years trying to bring it about –
295 and that that Daniel Feetham help me and help this Minister for Health to resolve the issue that his constituent, our constituent, this Parliament’s constituent says he has had.

That, I think, is better than the sort of attitude he is trying to bring to this House in prosecuting this matter in the way that he is doing. I must say to him that he is obviously much better a defence lawyer than he is a prosecutor, but not as good as he is a professional protester
300 these days.

Hon. D A Feetham: Well, Mr Speaker, I am very grateful to the Hon. the Chief Minister for the answer that is provided.

I have to say that the hon. Lady and I buried the hatchet (**Hon. Ms M D Hassan Nahon:** Yes.) a
305 long, long time ago (*Banging on desks*) and we are as one in our desire to get rid of this Government, (*Banging on desks*) (**Two Members:** Hear, hear.) which I have to say is living on borrowed time.

I will provide the hon. Gentleman this information and I hope that I have more luck with the hon. Gentleman than I had with that housing matter – which he still owes me a response to
310 what I wrote to him in September of last year.

A Member: Ask a question.

A Member: A question?

315

Hon. Chief Minister: Mr Speaker, I will not disclose the terms on which he asked me to deal with that housing matter and indeed a couple of other matters, but it is absolutely true and it is absolutely obvious that the hon. Lady and the hon. Gentleman have buried the hatchet – I can still see it in the back of his head.

320 The reality is that everyone is living on borrowed time: every government is living on
borrowed time, every politician is living on borrowed time. He is in the red. He ascended the
ladder, reached the top and found himself almost immediately removed. I do wish him all the
best for his ambition because it is important for Gibraltar that there be people driven in politics
325 like he is, driven so much that the issues that matter to individuals who come to see them are
but fuel for the ambition that sees him propel himself first to his right and then straightforward,
even prepared to show us the magnanimity and humility required to reach out and do a deal
with she who did for him, in order to do for me.

Well, Mr Speaker, that is politics, that is life – I am not afraid of it. I am looking forward to the
arguments. I think it is important in the interests of our community that we have robust
330 arguments that test what the Government does, that test what the Opposition is proposing, and
that we lift the veil and see through to what it is that is really happening. That is what I am doing
to him, it is what he has vowed to do to me, but he has to remember he has to do it in the non-
tribal, positive way that his current leader has set out the Opposition will act, which is something
that I welcome, something that we have been able to exploit together for the benefit of this
335 community during this COVID crisis and something which I commend to him as a better politics
than the politics of cut and thrust which he is so enamoured of.

Mr Speaker: Next question – and, please, in the future let's not digress. I think both sides of
the House are guilty of digressing. Please, let's stick to the question and the answer.

Q380/2020
Dr Giraldi Home –
Staff transport issues

340 **Acting Clerk:** Question 380/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Is Government aware of the transport-related difficulties that
staff at Dr Giraldi Home are facing since the COVID-19 crisis, and is it willing to review transport
arrangements so that members of staff can find it easier to get to and from work?
345

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

Minister for Health and Care (Hon. P J Balban): Mr Speaker, the management team at
Dr Giraldi has not been informed of any such transport-related issues, but in any event normal
350 public bus services have now resumed.

Hon. Ms M D Hassan Nahon: Mr Speaker, I do not know whether this supplementary will
touch the Minister for Transport more than the Minister for Health, but I was approached by a
few employees of the Dr Giraldi Home, and yes, it was before the bus service resumed but I was
355 told in the last few days that, despite resuming of the bus services, some routes are still lacking
and have an adverse impact on them getting home.

Honestly, I am simply here asking the question, representing these people who, for all intents
and purposes, are considered essential workers. So, if I could ask the Minister for Transport to
perhaps review the current bus routes and maybe have a chat with me so that I can present
360 further the issues that some of these employees are facing, given their importance within the
workforce at this time.

Hon. P J Balban: Mr Speaker, the hon. Lady may wish to write to the Hon. Minister for
Transport and seek the information she is requesting.
365

Mr Speaker: Next question.

Q385-390/2020

Living with dementia in Gibraltar –

**Total number, number receiving domiciliary care and number waiting for residential care;
study re prevalence; National Dementia Committee;
appointment of Dementia Co-ordinator and Dementia Liaison Manager**

Acting Clerk: Question 385/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: What is the number of people living with dementia in Gibraltar?

370

Acting 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 Questions 386 to 390.

375

Acting Clerk: Question 386/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: What is the number of people living with dementia in Gibraltar receiving domiciliary care?

380

Acting Clerk: Question 387/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: What is the number of people living with dementia in Gibraltar waiting for a bed in residential care?

385

Acting Clerk: Question 388/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Is the Government carrying out a study on the prevalence of people living with dementia in Gibraltar in the next five to 10 years?

390

Acting Clerk: Question 389/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: When will the Government establish and select the National Dementia Committee?

395

Acting Clerk: Question 390/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: When will the Government appoint a Dementia Co-ordinator and Dementia Liaison Manager?

400

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

Minister for Health and Care (Hon. P J Balban): Mr Speaker, as of December 2019 there were 410 individuals diagnosed as living with dementia.

405

At present there are 152 individuals living with dementia receiving domiciliary care.

There are currently 30 individuals living with dementia on the ERS waiting list.

The GHA is in the process of conducting a study into the incidence of dementia by analysing the annual prevalence of this condition.

The National Dementia Committee is already established.

410

In relation to Question 100, this is currently being reviewed and an announcement will be made in due course.

415 **Hon. Ms M D Hassan Nahon:** Excuse me, if I may, can I ask the Minister: the announcement for what, exactly, because I have got many questions and I did not get what announcement he was talking about.

Hon. P J Balban: Mr Speaker, that was with reference to Question 390, which said, 'When will the Government appoint a Dementia Co-ordinator and Dementia Liaison Manager?'

420 **Hon. Ms M D Hassan Nahon:** Mr Speaker, if I can start some of the supplementaries, from what I understand, the Minister, when he talks about the number of people living with dementia, says 410, I believe, as from 2019. From what I understand, the last official figures are 2018. Is this an official update of 2019? And if so, has it been published? Maybe I have not seen it, but as far as my research goes 2018 was the last official figure.

425

Hon. P J Balban: Mr Speaker, I certainly hope that these are the official figures because these are the ones I asked my staff to provide me with.

430 **Hon. Ms M D Hassan Nahon:** Mr Speaker, with regard to a supplementary on Question 386, can I ask does the Minister know how many of those living in the community with dementia are not receiving the care? He says there are 152 receiving care, so are we talking about basically the difference, 250-odd, 260? Are there 260 people in the community not receiving care? The issue is knowing the stats. It is important to plan for the future for care and funding into the next five years. Knowing how many people there are in the early stages, does Government have a grip on how many people there are with dementia in the community suffering from dementia, living with dementia in the early stages?

435

440 **Hon. P J Balban:** Mr Speaker, if I read the statistics correctly, of the 410 individuals diagnosed as living with dementia some of those will be living at home and some will be living within ERS. The figures state that 152 are receiving domiciliary care, and that would mean that they receive this care at home.

445

Hon. Ms M D Hassan Nahon: Does Government have a department or a group of employees within the Health Service, within his Ministry, to monitor the number of people living within the community and developing symptoms? Is it on top of those in the outside of the actual ERS system who are coming along with dementia from early symptoms?

450

Hon. P J Balban: Mr Speaker, as patients are seen by their respective GPs, if dementia is diagnosed or is suspected they are immediately referred to the care of Dr Antonio Marin, who does a full investigation and ascertains what type of dementia the patient is suffering from and then plans the treatment for that patient.

455

Hon. Ms M D Hassan Nahon: Mr Speaker, the Minister said in his answer to Question 390 that they will be appointing a Dementia Co-ordinator and Dementia Liaison Manager in due course but that the National Dementia Committee has already been established. In the strategy that has already been established, in page 6.2 it recognises the importance of a Dementia Co-ordinator and Liaison Manager, so this is a key objective for the strategy. How long are we supposed to be waiting for these appointments? It seems clear from the strategy itself that the dementia plan cannot continue without these managers and co-ordinators. How long is 'in due course'?

460

Hon. P J Balban: Mr Speaker, it is Government's opinion that it is extremely important to have a Dementia Co-ordinator. The reason why this has not happened yet is because the post was going to be presented at the estimate submissions this year. Because there has been a delay

465 to the financial year, this will be presented at the end of the year. So, this will happen and we
will bring it to Parliament for the approval of hon. Members.

Hon. Ms M D Hassan Nahon: Mr Speaker, does this also apply in general to the committee?
The Minister says that it has already been set up, but it does not seem like there is a structure
470 for it, it does not seem like people have been selected, it does not seem like it has been
established and I certainly know that it has never met. So, is this as well something that will take
place in due course so that we can establish the entire plan and move forward, or are these
elements of the committee going to be waiting for a date that has not been established yet?

Hon. P J Balban: Absolutely, Mr Speaker. In fact, it was back in January when the actual
475 Dementia Committee was made public, but it was not that the names of those to be appointed
were made public, because as different people move in and out of their respective roles the
names of individuals change; what was made public in January was that the Dementia
Committee will be constituted of, for example, the Principal Secretary, the Minister for Health
480 and Care, the National Dementia Co-ordinator – who we looked at in the previous
supplementary – the ERS Manager, the care industry’s CEO, the GHA Medical Director, the
Housing Manager etc. So, there are lists, which were set out in January, of all those officials that
will be part of that committee and also further heads of departments who will be required to
attend. It is the Government’s view that dementia is so widespread and so important
485 throughout the whole community that people like, for example, the Police Commissioner, the
Tourism CEO, the Director of Environment and numerous others, would also form part of this
Dementia Committee.

As to when it is expected that this will start, we are expecting that this will happen sometime
within the last quarter of this year.

490

Hon. K Azopardi: Can I just ask, if the hon. Lady has finished ...?

On Question 388 – her question on the Government carrying out a study on the prevalence
of people living with dementia in Gibraltar in the next five to 10 years – the answer, I think, of
the Hon. Minister was that the GHA is carrying out the study already. Can I ask him how is this
495 study being carried out? Is this an independent study? Is it an in-house study? How is the study
being carried out on the prevalence of people? Presumably it is not dealing with the people who
already have dementia; it is a sort of forecasting – which is, I think, the hon. Lady’s question –
how many people will have dementia, or trying to trace in a helpful way the likelihood of the
trend of dementia diagnoses in Gibraltar for the forthcoming future. So, how is this in practice
500 happening if it is already ongoing? What is the scope of the study? Is there an attempt to
interview or assess individuals once they reach a certain age or once they display certain
symptoms? Perhaps the hon. Member can illuminate us on that.

Hon. P J Balban: Mr Speaker, since 2018 the Clinical Director for the Elderly prepares an end
505 of year report which analyses the annual prevalence of dementia both within the community
and within the residential settings. So, it is an internal end document which lays out the
prevalence of dementia.

In fact, the last report, which was carried out in 2019, showed that within the total
community dementia counts for 1.7% of the overall population, and within the over-65-years-
510 old bracket around 8.5% of all those over the age of 65 are suffering from dementia. These are
the studies that come about from this end of year report, which has been happening since 2018
carried out by the Clinical Director for the Elderly.

Hon. K Azopardi: I am grateful for that, but I am not sure that answers the question because
515 that is simply saying there is a report already happening, which is of an internal nature so it is

not commissioned to an external specialist, and that internal report is looking at actual statistics now, making it proportional to the population and therefore coming up with these figures of 1.7% of the overall population and 8.5% of over-65s, which is, I think, what the hon. Member said. But the question asks what study are you doing on the prevalence going forward for the next five to 10 years, so it is a much more forward-looking question and the answer that you originally gave was that you were carrying out the study.

Is the GHA actually carrying out a study looking at future trends and how to deal with them, or is it simply carrying out this internal study which is an after-the-event correlation of the statistics to the population?

Chief Minister (Hon. F R Picardo): No, Mr Speaker, this study is what will give an indication of what might come. The hon. Gentleman says ‘But what are you doing about the prevalence in the future?’ That is inherently contradictory because prevalence is about existence. The definition of ‘prevalence’ is about the fact of condition of being. What the hon. Gentleman is, I think, trying to say, and on which we agree, is that we need to be making an assessment of how we expect dementia to be manifesting itself in our society in the future. In order to do that, what we are doing is the study the hon. Gentleman has been referred to, which gives us an indication of the rates today so that we can extrapolate forward. There is no other way that we are advised is available for us to be able to do this, other than just foretelling, so it is by looking at the statistics as they are today and the trends that are developing that we will be able to extrapolate going forward to achieve what I think the hon. Gentleman agrees with us we should be trying to do, which is why we are doing it, which is to make an assessment of what resources we are going to need or how we might better approach the resourcing, treatment – although that word unfortunately is not one with the prevalence in respect of this disease that we would all like to see – and the care that we provide for those with this disease.

So, Mr Speaker, I think the hon. Gentleman will see that what we are doing is designed to give us that understanding of the future prevalence of this disease in our community so that we are better prepared to deal with it as best we can, which I am sure is what we all agree we need to be able to do.

Hon. K Azopardi: Mr Speaker, yes, I think we are on common ground as to what the objective should be, but there was no element of contradiction in the way that I put my question because I was simply reflecting – this is not my question – that in answer to this question, which is about the prevalence in the future, the hon. Member’s original answer was the GHA is carrying out the studies. I was trying to probe as to how this is in fact going to happen given that the original answer was that they were carrying out a study in relation to the prevalence of people living with dementia in the next five to 10 years.

What is obvious from the answer that has been given is that in fact what is happening is that these are snapshots – after the event snapshots, if I can put it that way – of what is happening today to establish historical trends, which may help with the future as to how to deal with dementia, which I certainly think is the right thing to do as well. But in terms of perhaps looking at support or other mechanisms which may assist in relation to how these trends are developing, does the Government agree that it might be helpful, given that the Hon. Minister has indicated that this is an internal document and that this is quite a specialist area, that external specialists might be commissioned to assist the GHA personnel on this issue?

Hon. Chief Minister: Mr Speaker, I really, genuinely, do not think this is an issue of party politics. I think this is an issue that cuts across this community and every political divide and there is no difference in the approach of the political parties in this respect.

So, the answer to the question, if it were put on the basis of a yes or no answer being required, is yes insofar as that is considered to be necessary by those in the GHA who are the specialists, but from the understanding that we have there is unfortunately no expertise

570 unavailable to the GHA personnel in working with individuals within the organisation of the GHA
and working within what I might call the socio-charitable-medical fraternity in Gibraltar, which
means that we do not have access to particular expertise in doing those extrapolations and
looking at those trends which he says are almost *ex post facto* but unfortunately it would
appear, from what we are being advised, there is no other mechanism in play that is available
elsewhere and which we are not accessing either because we are seeking to save cash, we are
575 seeking to save face or we are seeking to act in any other way.

Everybody here is wanting to see access to whatever it is that may be available that may help
us to better allocate resources, treat – I use that word again advisedly, unfortunately – or
provide care in respect of those who are presently suffering with dementia, those who may start
the process of suffering with dementia and those who in the future may suffer with dementia,
580 and to ensure that we have the resources available to deal with those numbers such as they may
develop.

So, the hon. Gentleman can rest assured that the Government has already taken the
approach of not wanting to simply look at what it is that we may do here but look more widely
at what it is that we might be able to do generally in respect of this disease, and if anything
585 comes to his attention which he wonders whether we have explored then he should feel free to
get in touch with me or with the Minister so that we can ensure that that particular rock has
been lifted and we have looked under it – and if not, we certainly will.

Hon. Ms M D Hassan Nahon: Mr Speaker, if I may just ask one more supplementary on this
590 question: considering that the committee has not sat yet or been established and that the
strategy has not been implemented in full, wouldn't the Minister or the Chief Minister agree
that the strategy has to be wholly implemented in order to ascertain certain types of
information that, not having implemented a committee yet, especially as recommended in the
first point of the key objectives within the strategy, would actually hamper the integrity of such a
595 study and make it non-viable as it stands?

Hon. Chief Minister: Yes, and we are in the process of doing so. The hon. Lady knows that we
have been through four months where, unfortunately, normal service has not been able to be
600 resumed until recently and even then not entirely, but she is encouraging us to do that which we
are committed to doing and which we have not yet been able to do.

Do we wish that we were back in February or early March and doing these things rather than
doing some of the things that we have had to do? Absolutely. I am sure that she agrees with me
in that respect and that this community will be best served when we are able to take those steps
and finalise this important strategy on which we are embarked.
605

Mr Speaker: Next question. I think that is more than enough.

EDUCATION, EMPLOYMENT, UTILITIES AND THE PORT

Q325/2020

**Diesel power-generating plants –
Confirmation of decommissioning**

Acting Clerk: Question 325/2020, the Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, can the Government confirm that it has now decommissioned
610 all of the old diesel power-generating plants?

Acting Clerk: Answer, the Hon. the Minister for Education, Employment, Utilities and the Port.

615 **Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi):** Mr Speaker, the only old diesel power-generating plant still in commission is Waterport power station. It is being used only on a standby basis.

620 **Hon. E J Phillips:** Mr Speaker, the standby basis – is that a permanent status?

Hon. G H Licudi: Permanently until it is decommissioned.

Hon. E J Phillips: Yes, but the reason why I – It is not a joking matter, quite frankly, but anyway, let's get on with the supplementary.

625 Page 81 of the GSLP manifesto says that the decommissioning of plants will take place at the end of 2019. I am just wondering why there is a six-month delay in that decommissioning.

630 **Hon. G H Licudi:** I am not sure where the hon. Member has been in the last four months but certain things have happened in the last four months which have not allowed us to progress things as we would have.

Before we fully decommission this plant, 'standby basis' means simply it is there on standby; it is not actually being used. There is no power being generated by this particular plant at the moment; it is just now on standby if it is needed.

635 We are in the process of finally and fully commissioning the new North Mole power station, and that has been subject to some delays in terms of the full testing programme. The tests which were being carried out earlier this year and which need to continue were almost put on hold in the last four months just to make sure that we continued to have the resilience that we needed in terms of power generation and it was not disrupted by any testing process. And there was also the issue of the technicians being available in Gibraltar. So, the final and full
640 commissioning of the North Mole power station has still not been completed. I expect Waterport power station to be decommissioned ... I hope the hon. Member will not hold me to it, although I assume that he will, but by the end of this year that should be fully commissioned. But we need to be satisfied that, by the time we do that, we do not need to have something on
645 standby in case we ever need it, and therefore we need to be satisfied that the North Mole power station is completely up to speed, it is running normally and all the necessary testing has been carried out.

I would add, and I am sure the hon. Member will be interested, that the Waterport power station, which as the hon. Member knows is gas fired and ... well, there are dual, but it is running on gas, all the engines are capable of running on gas and it is being run on gas, and that is now
650 responsible for around 80% of power consumption in Gibraltar. So, 80% of all power being consumed in Gibraltar at the moment is being generated by gas-powered generators rather than diesel-powered generators and I hope that the hon. Member will welcome that.

Mr Speaker: Next question.

Q326/2020

New Harbours and Europa Business Centre solar panels – Energy produced and fed into power network

655 **Acting Clerk:** Question 326/2020, the Hon. E J Phillips.

Hon. E J Phillips: Mr Speaker, can the Government state how many kilowatt hours of electricity have been produced and fed into the power network from the solar panels at New Harbours and Europa Business Centre?

660

Acting Clerk: Answer, the Hon. the Minister for Education, Employment, Utilities and the Port.

Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi): Mr Speaker, the Europa Business Centre solar installation is not yet operational. The New Harbours installation has, up until the end of May, generated a total of 1,419,656 kWh.

665

Hon. E J Phillips: Does the Minister know what that means for the grid and the total energy used by our community of the power generated by New Harbours?

670

Hon. G H Licudi: Mr Speaker, I am not sure what it means for the grid itself. I assume that it is all being fed into the grid, but it means that its capacity is 800 kW. That is the generating capacity of the New Harbours installation, which has been finalised.

Hon. E J Phillips: Mr Speaker, the reason I ask that question of course is that the plan under the GSLP's National Economic Plan that it put to the electorate in the last General Election envisaged a very significant investment in relation to solar parks, namely 20,000 square metres, to deliver 3.5 MW of power amounting to, as is said in the manifesto, 10% of Gibraltar's total electricity power to our community. The amount of 800 kW is obviously woefully below the target, given the fact that this investment has not started yet.

675

How does the Government envisage rolling out this proposal put forward in its manifesto in terms of meeting that standard of 10% of electricity power in our community?

680

Hon. G H Licudi: Mr Speaker, the hon. Member has asked about two specific projects, New Harbours and Europa Business Centre, but that is of course not the full story. There have been a number of press releases issued setting out areas where the Government has identified and embarked on projects. I can give the hon. Member the list: the University accommodation, Special Olympic, Lathbury, Europa Point, Bassadone Motors' facilities, New Harbours Estate, Europa Business Centre, Mid Harbours Estate, Airport, Mount Alvernia, Ocean Views and Hillside Centres, St Joseph's School – 'University' seems to be repeated, but one is the accommodation and the other is the University itself – and the cruise liner terminal. All of these projects are either ready or being carried out at the moment or in 2020. All of these projects when they come to fruition will have the capacity to generate around 4.6 MW of electricity and that represents 16% of Gibraltar's generating needs, which is 6% higher than the target which the hon. Member has referred to. *(Banging on desks)*

685

695

Hon. E J Phillips: Mr Speaker, that is interesting to hear and it would have been helpful to have that listed in the glossy pictures of the manifesto, which we are going to dissect every single month that we come here for the people of Gibraltar so that they can understand which promises will be breached during the course of the next four years.

700

What we would say is, on that basis –

Chief Minister (Hon. F R Picardo): Point of order, Mr Speaker. The hon. Gentleman can, if he wants ... but this is Question Time, not party political broadcast time. If he wants to play that game we are very happy to play it, but can he just accept that what he has identified is not a promise breached but a promise actually delivered?

705

Mr Speaker: Just one second. Resume your seat, please.

710 I think the important thing is that we are here to ask questions civilly and to get answers civilly. Any wish to be provocative about the way that you start off the question is really not acceptable, so I ask you, please, in the future just to hold fire; take it nice and easy and answer questions in a simple fashion and you will get an answer in a simple fashion. Please.

715 **Hon. K Azopardi:** Mr Speaker, just simply on the point of order, because you heard the Hon. Chief Minister but you did not hear me on the point of order, may I say that what the hon. Member said on the point of order, especially at the tail end where he asked the hon. Member to confirm whether it was a breach or a compliance, is not a point of order at all, firstly.

720 Secondly, if there is anyone who is provocative in this House he sits on the other side of this this floor. The hon. Member, in putting the question, yes, may have made a comment that may have been slightly provocative, but we have heard so many provocative statements from Members opposite that we do not reply to.

Hon. Chief Minister: Well, Mr Speaker, in response to that what I would say is this –

725 **Mr Speaker:** Order! (*Interjections*)

Hon. Chief Minister: No, I am sorry, Mr Speaker, I made a point of order, the hon. Gentleman has responded to the point of order and I am entitled to put my view in response. As has always been the case in this House, the person who puts the point of order – you then hear the other side – then responds to the answer to it.

730 Let's be very clear – (*Interjection by Hon. R M Clinton*) Well, at least Mr Clinton makes a sound – I have not heard what he said from a sedentary position. I am simply reflecting my understanding, after 17 years of being a Member of this House, of how the matter has been dealt with –

735 **Mr Speaker:** Please resume your seat.

Hon. Chief Minister: – in the time that I have been here.

740 So, Mr Speaker, the position of the Government is very simple. This is the cut and thrust of politics. We say things to each other, of course we do, but it is absolutely the case in any parliament that is governed by the Westminster-style system that when you ask a question you do not, in Question Time, bring a provocative reference to the manifesto. That is just the reality of how you do Question Time. The hon. Gentleman may like it or may not like it, but I commend to him that he should familiarise himself with the rules of other parliaments which are governed by our system.

750 **Mr Speaker:** If I may just interject here, over the past few months I have been watching the parliaments of devolved administrations at Question Time, the Scottish Parliament and the Welsh Assembly and indeed the House of Commons, and most of them will keep their comments to themselves and just go ahead and ask simple questions for which they will get a simple answer.

755 If you preface any question or your response with something which is unreasonable or not correct and not proper, then it is not the kind of thing that I would like to preside over. I think we are here to do the business of the House, which is for the Opposition to scrutinise the policies and the decisions made by the Government, but it can be done without a need for any kind of undercutting or suggestions which upset the balance.

We have established a nice working balance here between the Chief Minister and the Leader of the Opposition and I want that to continue in the House. What I do not want is ironical or cynical starts to questions – both sides. I am not only referring to the Hon. Mr Phillips; I am also

760 referring to the Chief Minister. We must pipe down and moderate our behaviour, because it is not conducive to anything positive.

Thank you.

765 **Hon. K Azopardi:** Mr Speaker, just to clarify so that I understand – (*Interjection*) no, to clarify the Speaker's ruling – the Speaker is presumably directing those statements not just at questions but also in relation to answers which overextend themselves way beyond the scope of simple questions that sometimes are put by hon. Members on this side.

770 **Mr Speaker:** No, and I have actually said so just a few moments ago. It is directed to both sides of the House.

775 **Hon. E J Phillips:** On that basis, Mr Speaker, I am grateful for the clarification. What I would say, though, just for the record, is that I believe the points that I am making were entirely clear, were entirely civil, were not provocative and were entirely proper. With the greatest of respect to you, Mr Speaker, I in no way consider them to be improper or provocative. In fact, what I am doing is encouraging the Government –

780 **Mr Speaker:** Excuse me, just a second. I am going to, at some stage, provide you with the *Hansard*. Obviously it does not include the tone, but the *Hansard* will show that it was provocative and I am asking you, in a positive way, just to hold fire, just continue –

785 **Hon. Chief Minister:** Mr Speaker, can I just remind all hon. Members – and I do this as the Leader of the House, and I am sure that the Leader of the Opposition will agree with me, as will the hon. Lady and the Leader of the Liberal Party – that none of us speak above the Speaker when you are speaking?

Hon. E J Phillips: Mr Speaker, I will finish my questioning.

790 Insofar as the solar park initiative is concerned, given what the Minister has said insofar as the 16% deliverable on this project, is the Government therefore continuing with its promise to meet that additional 10% from the solar park project that is envisaged in the context of the manifesto commitment?

795 **Hon. G H Licudi:** Mr Speaker, I have not got the precise paragraph in front of me but I do not recall that it is 10%. It is a total of 20% of renewable energy, which would include the solar panels.

Hon. E J Phillips: Mr Speaker, just to confirm, on the National Economic Plan of the Government, under the section of the Hon. the Father of the House it stated:

We propose to design and build a Solar Park covering an area of approximately 20,000 m² which will provide approx. 3.5 Mega Watts of power, amounting to approximately 10% of Gibraltar's total electrical power requirements.

800 This project, that is stated in the manifesto as of October last year, is it the position that it will be in addition to the 16% that the Government is generating from existing projects? I am just trying to clarify the basis on which the Government is proceeding with this solar park project within the manifesto.

805 **Hon. G H Licudi:** Mr Speaker, it is not clear to me why the hon. Member should think that that is only one area, just covering the whole of the solar panels, which would amount to 10%. That would in itself require a very large area on its own just to produce the 10%.

I have given him a list of projects which are intended to produce 16%, as I mentioned a few moments earlier, and the Hon. Minister for Utilities who was responsible for this before and certainly at the time that the manifesto was published, will be able to confirm that our intention was to produce 20% inclusive of these solar panels.

Hon. E J Phillips: Just to be clear then, this project is inclusive, so it is a package of measures. I am grateful.

Mr Speaker: Next question.

Q327/2020
Extension jetty –
Government position re use for bunkering

Acting Clerk: Question 327/2020, the Hon. E J Phillips.

Hon. E J Phillips: Can the Government state its position in relation to the use of the extension jetty for bunkering?

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi): Mr Speaker, the extension jetty was originally used by the MoD to discharge fuel into Kings Lines depot and also as a refuelling station following its construction in 1955. After the jetty was taken over by the Gibraltar Government in the early 1990s it has operated as a bunker berth, primarily for super yachts and coasters. The intention of this Government is to continue to allow such vessels to take bunkers at this location.

Q328/2020
School calendars for 2020-21 –
Term, holiday and in-service dates

Acting Clerk: Question 328/2020, the Hon. E J Reyes.

Hon. E J Reyes: Mr Speaker, sir, can Government provide details of its schools' calendars for the academic year 2020-21, showing start and end dates for each term together with details of holidays during any term period and in-service dates?

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi): Mr Speaker, a copy of the schools' calendar for the academic year 2020-21 is now handed to the hon. Member. Whilst the hon. Member receives that, I should clarify that the question asks also about in-service dates and, as the hon. Member will be familiar, these are dates which are arranged by the Department of Education with the schools during the course of the year, and different schools have it on different dates. Therefore, the calendar itself will not set the dates themselves, but this is an ongoing process between the Department of Education and the schools.

Answer to Q328/2020

Schools and College Calendar
2020-2021

(except Hebrew School)

AUTUMN TERM	SPRING TERM	SUMMER TERM
Starts Tuesday 1 st September 2020	Starts Thursday 7 th January 2021	Starts Tuesday 6 th April 2021
Ends Tuesday 22 nd December 2020	Ends Friday 26 th March 2021	Ends Thursday 8 th July 2021
Holidays National Day: Thursday 10 th September 2020 Mid-Term: from Monday 26 th October 2020 to Friday 30 th October 2020	Holidays Mid-Term : 15 th – 19 th February 2021**	Holidays Workers' Memorial Day: Wednesday 28 th April 2021* May Day: Monday 3 rd May 2021 Spring Bank Holiday: Monday 31 st May 2021 Queen's Birthday: Monday 14 th June 2021*
No of days = 75	No of days = 52	No of days = 64

Total Number of days (staff) = 191
Total Number of days (pupils) = 188

(24 hours of INSET for staff development to be carried out, the logistics of which to be determined by the Department of Education)

Summer hours will operate from:
1st September 2020 to 9th September 2020 and
21st June 2021 to 8th July 2021

For Lower Primary Schools: Summer hours are from 09.00 to 12.00
For Upper Primary: Summer hours are from 09.00 to 12.30
For Secondary Schools: Summer hours are from 09:00 to 12:45

*to be confirmed

**Commonwealth Day to be placed on the Monday that commences the spring midterm always e.g. Monday 15th February 2021

Hebrew Primary School Calendar
2020-2021

AUTUMN TERM	SPRING TERM	SUMMER TERM
Starts Tuesday 1 st September 2020	Starts Monday 4 th January 2021	Starts Tuesday 6 th April 2021
Ends Tuesday 22 nd December 2020	Ends Friday 26 th March 2021	Ends Wednesday 14 th July 2021
Holidays National Day: Thursday 10 th September 2020 Yom Kippur: Monday 28 th September 2020 Sukkoth: Thursday 1 st October – Monday 12 th October 2020	Holidays Mid-Term : 15 th – 19 th February 2021** Purim: Friday 26 th February 2021	Holidays Workers' Memorial Day: Wednesday 28 th April 2021* May Day: Monday 3 rd May 2021 Shavuot: Monday 17 th and Tuesday 18 th May 2021 Spring Bank Holiday: Monday 31 st May 2021 Queen's Birthday: Monday 14 th June 2021*
No of days = 71	No of days = 54	No of days = 66

Total Number of days (staff) = 191
Total Number of days (pupils) = 188

(24 hours of INSET for staff development to be carried out, the logistics of which to be determined by the Department of Education)

Summer hours will operate from:
1st September 2020 to 9th September 2020
and 21st June 2021 to 14th July 2021

For pupils in Lower Primary: Summer hours are from 09.00 to 12.00
For pupils in Upper Primary: Summer hours are from 09.00 to 12.30

*to be confirmed

**Commonwealth Day to be placed on the Monday that commences the spring midterm always e.g. Monday 15th February 2021

845 **Hon. E J Reyes:** Thank you, Mr Speaker. I will look at them now.

The reason why I asked as well for in-service dates is because I think there was some talk – I do not know where it originated, from the teachers’ side or from the Ministry’s side – of perhaps schools from different sectors, lower primary or upper primary, all coming together to have a specific, more global type of in-service, and therefore schools within that sector might all be closed at the same time. But I do understand what the Minister is saying, it really is up to each school to negotiate, if one wants to use that word, with the Director of Education, especially if you are going to have some external education experts coming in to deliver.

850 So, I am grateful. If I have any supplementary I will ask the Speaker’s permission to enquire further.

855

Hon. G H Licudi: Mr Speaker, my understanding is that general in-service dates are arranged between the schools and the Department by sector, so you would have an in-service date for the secondary sector whereby both schools would do it, and the lower primary sector. It does not necessarily have to be that way, but that is how I understand it normally works and that is what I expect would happen this particular year.

860

Q329/2020

University accommodation block and comprehensive schools – Construction method

Acting Clerk: Question 329/2020, the Hon. R M Clinton.

Hon. R M Clinton: Mr Speaker, did the Government consider the use of modular construction methods for the comprehensive schools and the University accommodation block?

865

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi): Mr Speaker, no.

870

Hon. R M Clinton: Mr Speaker, may ask the Minister why not?

Hon. G H Licudi: Those involved in this particular project decided to proceed down conventional routes.

875

Hon. R M Clinton: When you say ‘conventional routes’ you mean normal bricks, mortar, concrete, and that was deemed to be better than modular – is that right?

Hon. G H Licudi: Mr Speaker, it is not a question of whether it was deemed to be better or worse than modular. There was a process and the result of this process was that the contractor and construction method proposed which appeared to be most viable and best for the Government, for the community and for the taxpayer was chosen.

880

Q328/2020
School calendars for 2020-21 –
Supplementary questions

Hon. E J Reyes: Mr Speaker, coming back to question 328, a couple of very minor points, to be cleared.

885 The Minister in the note says '24 hours of INSET for staff development to be carried out, the logistics of which to be determined by the Department of Education', as we talked about before. Those 24 hours – if we look at the number of days for staff and the number of days for pupils, there is a difference of three, so what he means by 24 hours is three days rather than
890 in-service, yet he refers to number of hours. Or is he referring to the hours as, for example, after school finishes at say half past three in the afternoon? Is he referring to that?

Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi): Mr Speaker, we are certainly not referring to 24 continuous hours of in-service for the teachers.

895 As the hon. Member has identified, there is a difference of three days between pupil days and staff days. There is also a reference to 24 hours. That raises the possibility but not necessarily the certainty that those 24 hours will be done over those three days, eight hours per day, but there can be other permutations as to how those 24 hours are actually made, apart from the three days. That is a matter that is the subject of ongoing consideration and discussion.

900

Hon. E J Reyes: I am very grateful for that provision. So, what the Minister is saying is although not cast in stone yet it is possible that the equivalent of those three in-service days could be carried out by using 24 hours or some other permutation during the course of the year. Is that what he is saying?

905

Hon. G H Licudi: Mr Speaker, those three in-service dates will be in-service days, so there are three in-service days. My understanding is that traditionally in any in-service days there are around five hours of in-service delivered, more or less. If those three days are used as normal in-service days, as they have been used in the past, that would amount to 15 hours, which would
910 still require nine hours to be done. There is a possibility of extending the number of hours on each of those three days or finding some other permutation to do those other hours. That is still the matter to be to be finalised.

Hon. E J Reyes: I am grateful. One other thing, Mr Speaker: the note on the spring term holidays says, 'Commonwealth Day to be placed on the Monday that commences the spring
915 midterm always e.g. Monday 15th February 2021'. Does that mean that the bank holiday for the whole of Gibraltar would be transferred from March now to the Monday where it commences the spring term? Would it have that implication for the whole community in Gibraltar, not just schools?

920 **Hon. G H Licudi:** Mr Speaker, Commonwealth Day will be a bank holiday, and it will be a bank holiday not just for the schools but for everybody working in the community.

The hon. Member will see that what there is, for the first time in the spring term, is a new mid-term which happens in February, which is a week. The policy decision that was taken by the Government, because there was some flexibility on Commonwealth Day, rather than having
925 Commonwealth Day perhaps at a later date in March or sometimes in April, I believe, it was decided that Commonwealth Day would always be celebrated in Gibraltar at the start of the spring mid-term for schools, so that would be one day that would be a bank holiday and would be the start of the mid-term week for schools. What the note simply reflects is that that is a practice which we expect will happen every year as from 2021.

930 **Hon. K Azopardi:** Mr Speaker, can I just ask – because I had not spotted it – as my hon. colleague has asked questions on it ...? It is not a major issue but I thought Commonwealth Day was not up to us but that it is actually a day that is celebrated in the Commonwealth, albeit not in the United Kingdom, as a holiday. I thought that Commonwealth Day was a fixed date in March which is set by someone; I am not sure who, but it might be Her Majesty or it may be
935 someone in some kind of council of state somewhere. It may not be a public holiday but I did not think that we could just move it around as a domestic issue.

Hon. G H Licudi: Mr Speaker, the view that we have taken is that the Government decides when it chooses to celebrate a particular day as Commonwealth Day in Gibraltar, and for the
940 reasons that I have given the hon. Member, which are practical reasons and which I hope the hon. Members understand make sense, we have decided that Commonwealth Day will be celebrated at the start of the mid-term week in the spring term.

Hon. K Azopardi: Can I just ask on that, then: given that there is going to be a possible spring
945 term but the end of term looks like it would be falling on the usual day at the end of the first week of July, what consequence, if any, does it have to take out a week of full days in school?

Hon. G H Licudi: None at all, Mr Speaker, because the crucial issue, certainly as far as pupils are concerned, is the number of days that the pupils spend in schools, which is 188, and that is
950 the number that there ought to be in the school calendar. What we have done is remove two days which were traditionally school holidays but not bank holidays, the Immaculate Conception and Ascension Thursday. Those days will be normal school days and instead of having those two days off they are now taken as part of the mid-term week. Added to Commonwealth Day, that makes three days, and then the other two days are the reduction of five in-service to three in-
955 service but with the number of hours still having to be made up in the manner that I suggested to the hon. Member.

So, what we have found is a practical solution which does not at all affect the number of days that pupils are taught in schools but does provide a practical way of achieving a mid-term week in the spring term.
960

Hon. K Azopardi: Can I ask, given the answer, was there consultation beyond the Department of Education in the conversion of days like Ascension Day and the Immaculate Conception from school holidays?
965

Hon. G H Licudi: The consultation has been, clearly, with the Teachers' Union.

Hon. K Azopardi: Only with the Teachers' Union? Has there been consultation with the Church, for example?

Minister for the Environment, Sustainability and Climate Change (Hon. Prof. J E Cortes): Mr Speaker, there were discussions on this with representatives of the Catholic Church. It is some time ago, I cannot recall the detail, but I do not recall any serious objections to it. There were arguments in relation to the fact that children who were going to school ... If there had been a concern about attending Mass on those particular days, then the schools could perhaps arrange for that and it might even be more likely that they attend with the school than if they stay at home with the difficulty of parent at work and so on. I remember the discussion did take place some time ago but I cannot recall the exact details. This could be looked into, if specifically asked. I hope that is of some assistance.
970

Hon. E J Reyes: One minor thing, if I may, Mr Speaker – I know the Minister wishes he had a magic wand and knew the answer. There still remains a slight possibility that public

975 examinations in the United Kingdom at the end of the academic year, where traditionally they
start in May and tend to finish in June ... that those dates could be shifted and so on. Is it the
understanding with the Teachers' Union at the moment that the school calendar may need to
have minor adjustments depending on the dates when public examinations will be held as set by
the UK examination boards?

980 **Hon. G H Licudi:** Mr Speaker, I do not think that that particular issue has been discussed. We
have seen reports in the last couple of weeks about the possibility of the examination window in
the UK starting later and then obviously finishing later. That may have an effect on the school
calendar in the same way that the events of this year have had an effect on what has happened
in schools. I am sure that we will be able to find a practical way forward, but in terms of exam
calendar we will be entirely in the hands of the examination dates that are set in particular by
985 the examination boards and the regulator Ofqual in the UK. It is, as with other things that we
have spoken about in the past, something that we are actively and continually monitoring
because there are comments, suggestions and reports almost every day about how this is going
to pan out, and until a definitive decision is made and a formal announcement is made we will
not be able to plan accordingly.

990

Mr Speaker: Next question.

Q330/2020

Notification of vacancies registration fee – Commitment to remove

Acting Clerk: Question 330/ 2020, the Hon. D J Bossino.

995 **Hon. D J Bossino:** Can the Minister for Business confirm whether the Government intends to
continue with its commitment to remove the registration fee for the notification of vacancies?

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

1000 **Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi):** Mr Speaker, as
set out in the Business and Employee Assistance Terms (BEAT) scheme, the waiver of fees has
continued throughout the second quarter of 2020. This will be reviewed moving forward.

With regard specifically to the fee for the registration of vacancies, this was removed as from
1st Jan 2020 for employers with 10 employees or less.

1005 **Hon. D J Bossino:** Mr Speaker, I was actually more focused in relation to the last point he
made, the removal which was implemented in January. I may be wrong, but I have had a quick
look at the relevant legislation and would just point out to the Minister that the requirement to
pay the £17 fee on the vacancies still arises in the employment regulations. If he is not aware, I
would ask him to have a look at it and amend the relevant regulations.

1010 And just one supplementary, Mr Speaker: is there any intention, once the measures are no
longer in place, on a permanent basis, to look at the other fees which are currently
implemented? For example, I am looking at the relevant page of the Government website and it
talks about a fee of £52 for the application for a work permit and a fee of £69 for the notification
of temporary employment of a detached worker, which are pretty steep. If the Government is
intent on assisting the economy and improving employment prospects, that perhaps is
1015 something that the Government will be looking at as a matter of policy going forward.

1020 **Hon. G H Licudi:** Mr Speaker, the issue of the BEAT scheme and its continuation is something which – as the hon. Member will know because it has been announced – was discussed in the CELAC Committee and arose from that. That is the process that will continue going forward in respect of the review that has been announced. There have been quite a number of incentives, waiver of fees and provisions made for businesses, and clearly there has been, not just in Gibraltar but more widely, a significant economic impact of the events of the last few months. That is something that the Government is very aware of, very alive to and will be considering.

1025 If the hon. Member is asking whether indefinitely going forward and in a normal situation we will waive all fees, then subject to CELAC and a policy decision that might be taken, my understanding is that that is not the Government's position. If we were today in a normal situation without having lived through the last three months, without having had to implement BEAT, without having had to have a CELAC, we would not have been considering a mass waiver of fees as we have done given the extraordinary circumstances that Gibraltar has lived through in the last three months.

1030 **Hon. D J Bossano:** Sorry, has the Minister answered the point in relation to the legislation? Will he confirm and look into it?

1035 **Hon. G H Licudi:** Yes, Mr Speaker, I have made a note and I will look at the legislation. The note I have is that that fee is no longer being charged as from 1st January whether that is reflected in the legislation or not. I will take what the hon. Member has said and will check the position and we will make sure that the legislation reflects the practice.

Q331/2020

Future home online learning – Plans for children without access to facilities

1040 **Acting Clerk:** Question 331/2020, the Hon. Ms M D Hassan Nahon.

1045 **Hon. Ms M D Hassan Nahon:** Is Government planning to provide a structure for children who do not have access to online hardware and facilities, so that they can be incorporated in any future home online learning programmes should we need to resort to this practice in the event of a return to lockdown?

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

1050 **Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi):** Mr Speaker, the Department of Education, working with schools, has already issued a number of devices to families who require devices, on a loan basis. These families have been identified by head teachers of the respective schools as part of our home learning provision. We continue to work with head teachers in supporting these families in a number of ways. During the pandemic the Department received a donation of 25 iPads from Turicum Private Bank, which are being used for this purpose. Should a future lockdown take place, the Department of Education will work with the head teachers of the respective schools to implement a similar support structure to any families which are identified as needing such support.

1055 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I thank the Minister for his extensive answer and I appreciate that many devices have been donated and have enriched these children's home lives as it is at the moment, but my question is more focused in that before, when we had the first wave of the pandemic, shall we say, from what I understand, one of the chief reasons why

1065 children were not doing home learning was in order not to discriminate against those who did not have hardware facilities – and that there were a lot of them – so that they would not be left behind. My question to the Minister is: it is great to hear that some more are being donated and all that, but will that be enough and is that the plan going forward in order to establish a home learning programme, which they have not been able to do, if we have a second wave?

1070 **Hon. G H Licudi:** Mr Speaker, we most certainly have had a home learning programme and I have, I think, given details of this in public and in this House. The Seesaw project in primary schools has been extremely successful, I am told, and also the provision of home learning for children in secondary education.

1075 It is precisely because we have had a home learning programme and there has been this engagement with children that there has been identified a need for some children to have some of these devices. I mentioned a donation of 25. In fact, of those 25, 22 have been given out, so we have not even exhausted the quota of that donation. Quite apart from that donation, we had already identified the possibility of using iPads and we had another 40 iPads in stock, available and commissioned in order to be able to issue them, and if we needed more in the future then those would certainly be made available. But we had a substantial number of these devices
1080 available, of which 22 have been given out.

Given the interaction between the schools and the students which has arisen specifically as a result of the home learning provision and particularly as a result of the programme which schools had in place, of being able to identify those children who were engaging with home learning and those who were not, and being able to follow up those who were not and finding
1085 out the reasons why that was the case ... As a result of that exercise and that continuing probing and reaching out to students, a number of students were identified as needing these devices and those were made available.

1090 **Hon. Ms M D Hassan Nahon:** Mr Speaker, once again I thank the Minister for his substantial answer. Maybe I need to be the one who is more focused.

I appreciate that there was some home learning, and I saw it with my own eyes because I have children across the age range of the school system but in particular the Seesaw system. It was not curriculum based, it was more to stimulate the children, and there were no curriculum-focused learning sessions.

1095 I think maybe I have to ask the Minister once again. My questions to him pertain to whether all this hardware will come to something in terms of establishing a curriculum-based learning system if we have a second wave, and not a filler – and I say ‘filler’ with all due respect because I understand that things were haphazard and teachers did what they could at the time, but it was a filler, essentially, in the sense that it was not a curriculum-based programme. So, I am asking
1100 whether Government intends to establish a curriculum-based programme if we have a second wave and if they will have enough hardware resources to provide children who may not have it at home in order to continue with a curriculum-based programme.

1105 **Hon. G H Licudi:** Mr Speaker, there is no question that sufficient resources would be available. This was not a filler, whether in the loose sense or not; it was a decision that was taken by the Department of Education to focus home learning in this particular way.

I believe that I have answered questions in this House in relation to the curriculum and the fact that the curriculum was paused. The issue of not following the curriculum was not in order to not discriminate against children who may not have these devices, because we had devices
1110 available, but for a variety of reasons, including the fact that the curriculum was paused in the UK and the fact that it is impossible, as I have explained previously in this House, to replicate the classroom environment through a home learning scheme. There will be some children who adapt better to home learning than others, there are some children who are better independent learners than others. Clearly, because you do not have that interaction with the teacher as you

1115 would in the classroom, the Department, following consultation with teachers and the schools, felt that the focus should be the home learning provision that we have provided and specifically designed for this purpose.

1120 Having put all of this together in a very short space of time – literally in a matter of days, or a week or 10 days, when the whole issue of the lockdown started and there was a real need for this provision to be made – it is clear that we have now learned from the issues that arise from that, the kind of interaction that there has been with the children and improvements that can be made, and if there is a need to reinstate this kind of provision in the future we will be in a much better position than certainly we were in March.

1125 **Hon. E J Phillips:** Mr Speaker, I was interested to hear the exchange between the hon. Lady on the hon. Gentleman insofar as online resources are concerned, because it is a question of ... Indeed, he answered at the last session when probed by Mr Reyes in relation to this point, but I think the hon. Lady makes a good point as to the nature of the delivery of the curriculum.

1130 The Minister talks about the impossibility at that point in time of delivering the National Curriculum to our students, but there have been many concerns expressed to me – and, I am sure, to the hon. Lady as well in relation to this point – as to how much further we can go in a lockdown situation in delivering this type of education, the basic curriculum in terms of English and maths, to our students.

1135 I will give you a prime example of what we, in my family, did insofar as my son is concerned. We delivered key stage past papers in order to get him going with English and maths during the lockdown period. I am sure not all parents have the printing facilities and hardware facilities, as the hon. Lady has described, but if the pandemic is going to be with us for some time and circumstances are such that there is, as described, another wave of the disease, surely the Government must have plans in place to cater for the delivery of curriculum over a longer period of time to our students. Although the world stopped turning for a few months, we do need to have – and would he agree with this? – provisions in place for the delivery of curriculum in the way that has been described in this House. I would be eager to learn more about what the Minister's plans are in relation to that.

1145 **Hon. G H Licudi:** Mr Speaker, I have not said the 'impossibility of delivering the curriculum', I have referred to the impossibility of replicating a classroom environment and the difficulty that that creates for particular children, and therefore had we simply sought to deliver the curriculum then we would have had children being left behind. That is what we wanted to avoid.

1150 So, it was a deliberate policy decision, so as to prevent certain children being left behind, that there was an activity-based programme for the primary sector and a different kind of programme for the secondary sector in order to stimulate the children, provide them with the necessary resources, the mental abilities that are required, in order to be able to continue with the curriculum and resume normal education in the future.

1155 As to what might happen in the future, the hon. Member referred earlier to me not having a crystal ball – none of us do and none of us know what is around the corner with this particular issue, but that does not mean that we do not have plans. We do have plans as to what we intend to do in September. There is a question on the order paper as to that, which I propose to answer in a moment or two.

1160 **Mr Speaker:** Next question.

Q332-34/2020

Return to full education programme in schools –

Timing; social distancing measures; arrangements in event of return to full or partial lockdown

Acting Clerk: Question 332/2020, the Hon. Ms M D Hassan Nahon.

1165 **Hon. Ms M D Hassan Nahon:** Will the Education Minister confirm if all school years will recommence their full educational programme, class-based or online, in September; and can he offer a guarantee for a seamless transition, in the case of a return to a full or partial lockdown, to online, teacher-led, curriculum-based learning?

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

1170 **Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi):** Mr Speaker, I will answer this question together with Questions 333 and 334.

Acting Clerk: Question 333/2020, the Hon. Ms M D Hassan Nahon.

1175 **Hon. Ms M D Hassan Nahon:** Is Government considering extending the school day in the future, for example by providing more than one school shift, should there still be a need to adhere to social distancing requirements come September, in order to secure minimal disruption to students' learning time?

1180 **Acting Clerk:** Question 334/2020, the Hon. Ms M D Hassan Nahon.

1185 **Hon. Ms M D Hassan Nahon:** Is Government looking to incorporate any added locations to separate students while continuing with curriculum-based learning in the event of a resurgence of COVID-19 within our community?

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

1190 **Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi):** Mr Speaker, it is the Government's intention to open all schools for all children in September. This will be done in full compliance with advice from the Director of Public Health and in consultation and partnership with the NASUWT.

1195 Naturally, the circumstances relating to COVID-19 that we find ourselves in nearer the time will have to be taken into account. However, given the low numbers of coronavirus infections which we have had in our community, and based on current figures, there can be no justification in keeping children at home. Our intention is therefore to operate schools normally in September but in what will still be an abnormal scenario.

1200 As we have done for the phased and gradual reopening of schools as part of the Unlock the Rock process, the Department of Education will issue guidance on measures which will need to be applied in all schools. This is expected to include staggered entry and exits for different year groups; staggered breaks to the extent possible and, where the curriculum allows, keeping the same classes together throughout the day; special arrangements for lunchtime to avoid large gatherings; limiting access to schools to children and staff except by appointment; using thermal scanners; and using one-way circulation routes, where possible. Face masks and face shields will be made available to all staff who wish to use them. We do not envisage the need to extend the school day.

1205 Gibraltar generally, including with regard to education, is now better prepared to deal with any resurgence of COVID-19 in our community than we were in March. We were able to react quickly and put measures in place to protect our community. We went from normality to

1210 lockdown in a very short space of time. We have then experienced a gradual easing of
restrictions through six different phases, the last of which is expected to end on 1st August.
Given our experience since March, we are naturally now in a better position to deal with any
resurgence of COVID-19. It is impossible at this stage to know what any such resurgence will look
like, if it ever happens. A resurgence does not necessarily mean a return to lockdown; it could
mean reverting to a previous phase, as we have seen in other countries.

1215 The manner in which we continue to provide education for our children naturally depends on
the type of any restrictions that might be imposed in the event of a resurgence or second wave. I
am confident that our experience so far and the lessons we have learnt from this will allow us to
continue to provide meaningful and curriculum-based learning for our children.

1220 **Hon. Ms M D Hassan Nahon:** Mr Speaker, thank you to the Hon. Minister for that answer.

I would like to ask him if class teachers, head teachers and heads of subjects have had the
opportunity to be a part of this planning ahead for the new academic year and whether the
plans take into account contingencies that may have to be applied for possible further
closures ... in terms of have the teachers been engaged in this process?

1225 **Hon. G H Licudi:** Mr Speaker, the Department of Education generally has a policy of
discussing plans certainly with head teachers, so this will have happened. It is not something
that I myself have been involved in, but I have been involved in the formulation of the policies
and plans which I have outlined in my answer.

1230 **Hon. Ms M D Hassan Nahon:** Thank you for that answer.

Mr Speaker, can I ask if teaching staff are receiving all the necessary training to ensure that
their delivery of online lessons and use of technology may be optimised if this actually happens?

1235 **Hon. G H Licudi:** Mr Speaker, I am not sure what the hon. Member means by training. If the
hon. Member means whether there have been formal sessions during the period of lockdown,
the lockdown clearly has provided a number of restrictions as to what could be done but
certainly the information I have is that the Department of Education has engaged fully with the
schools, and clearly with the staff, in order to maximise the use of the home learning systems
1240 and schemes which have been put in place both at primary level and at secondary level.

Mr Speaker: Next question.

Q335/2020

Private nurseries and pre-schools – Monitoring health and safety practices

Acting Clerk: Question 335/2020, the Hon. Ms M D Hassan Nahon.

1245 **Hon. Ms M D Hassan Nahon:** Is the Government currently monitoring health and safety
practices in terms of prevention of infection with COVID-19 and the quality of provision in
private nurseries and pre-schools?

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

1250 **Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi):** Mr Speaker,
on Monday, 2nd March 2020 the Director of Public Health addressed all private nurseries. At this
meeting Dr Bhatti offered advice, on social distancing and how to manage a clean environment,

1255 to representatives of every private nursery in Gibraltar. The Gibraltar Government trusts that private nurseries have and will follow the advice and guidance given to them as well as to other private businesses.

I would add to that answer, Mr Speaker, that at some point in March we went into lockdown and the vast majority of the nurseries actually closed – I believe that all bar one actually closed – and they resumed either on or around the time that we opened our schools or just before that, which will have been towards late May.

Hon. Ms M D Hassan Nahon: Mr Speaker, in terms of private nurseries, the Government issues licences and permits, from what I understand, for them to be able to provide childcare services. Once those permits are issued and the nurseries are open, are there follow-up inspections in place to ensure that the standards continue to be met?

Hon. G H Licudi: Mr Speaker, this is an issue that the hon. Member has raised in writing with me and she has been given a response as to what the Department of Education does.

Essentially I can say that the Department of Education monitors the registration of private nurseries and the registration process involves the assessment of the quality of provision of that nursery. The nursery needs to be registered through Companies House and be in possession of a business licence. They need to have a certificate of fitness from the DPC, Environmental Agency and the Gibraltar Fire Service. They are required to provide a business plan, list of employees, their qualifications and enhanced DBS checks for anyone working on the premises. The premises are inspected by the Department of Education to ensure that there is ample space for children, that the type of educational equipment is appropriate for the age range and that the necessary health and safety steps have been taken. An example of things to look out for is the toileting facilities and whether they are appropriate for the number of children attending, and whether the area that is used for children is kept safe from other areas of the nursery like the kitchen, the cleaning cupboards or the administrative office. When the Department of Education is satisfied that the nursery meets these requirements a certificate is issued to inform the nursery and the user that the business and the premises are officially registered with the Department of Education. Subsequent to that, there are ongoing and ad hoc discussions and engagement between the Department of Education and nurseries.

I am aware of one that, for example, happened today, where the Department of Education becomes involved in issues that arise or in advice. Specifically during the last three months we had enquiries from the nurseries as to their intentions to open the nurseries and seeking guidance from the Department of Education, and the Department of Education was able to provide the guidance as appropriate in keeping with public health guidelines for schools.

Hon. Ms M D Hassan Nahon: If I may just ask one last supplementary here, the Minister says that there are ad hoc engagements and discussions, and that is fantastic, but in terms of inspections can I ask how frequent these inspections are and who actually carries them out?

Hon. G H Licudi: Mr Speaker, I do not believe that there is actually a formal process of inspection, in the same way that we do not have a formal process of inspection of schools in Gibraltar as they have in the UK. That is my understanding of the position. That has generally been the case; it is not a new policy that has been introduced by this Government.

Mr Speaker: Next question.

Q336/2020

**Early intervention counsellors –
Number of children referred since start of COVID crisis**

Acting Clerk: Question 336/2020, the Hon. Ms M D Hassan Nahon.

1305 **Hon. Ms M D Hassan Nahon:** From the start of the COVID crisis to the present day, how many referrals were made to early intervention counsellors: (a) how many children have been referred to Mental Health Services; (b) how many children have been referred to Child Protection Services; (c) how many children have been referred to educational psychologists?

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

1310 **Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi):** Mr Speaker, before I answer that question can I just clarify something that I said a moment ago about inspections of schools and the process of inspections of schools? I naturally meant third-party inspections by outsiders from these schools. There are naturally inspections and contact on a daily basis between the Department of Education and all the schools in Gibraltar.

1315 In answer to Question 336, since 24th March 2020 when the majority of Government schools were closed, there have been six new referrals of children to the School Counselling Service, seven new referrals to Mental Health Services, two new referrals to Child Protection Services, and six new referrals to educational psychologists.

1320 **Hon. Ms M D Hassan Nahon:** Mr Speaker, thank you for that answer.

Can I ask if the referrals are currently live and ongoing cases, and how many have been resolved, if any?

1325 **Hon. G H Licudi:** Mr Speaker, the question that was asked was purely statistical. I do not have the answer for the hon. Member. In any event, sometimes when there are onward referrals to other professionals then it is a matter for those professionals to take up and deal with the case going forward. Unfortunately, I am not able to give the hon. Member the answer that she is seeking about whether any of these cases are still live or not.

1330 **Hon. Ms M D Hassan Nahon:** I appreciate that answer, Mr Speaker.

1335 Can I ask whether the Minister is able to tell us whether the number of cases of the ones I asked were a higher rate, considering the period in time or the restrictions that may have led to it, and whether maybe he can give us any information on the lessons that may have been drawn from this situation? Will there be a report for public scrutiny on what findings have come out of these stats in this, sort of, special period in time?

1340 **Hon. G H Licudi:** Mr Speaker, I do not have other figures to be able to compare with these particular figures, but these are very specific figures and it is not as if we are able to say that during the last lockdown, last year or the year before, we had these referrals and during this lockdown we have had these referrals. Simply from my own observation these numbers do not appear to be too high or alarming. There is a system of referrals to the School Counselling Service which has been ongoing and I believe that on a previous occasion in this House I have given figures in relation to the referrals to the school counsellors in the past, although that I would need to check.

Q337/2020
Reach Out and A Place to Talk initiatives –
Public report

1345 **Acting Clerk:** Question 337/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Will there be a publicly available report of the work achieved by the Reach Out and Place to Talk initiatives; and if so, when will it be available?

1350 **Acting Clerk:** Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi): Mr Speaker, I am happy to report to this House on the work done by the Reach Out and Place to Talk initiatives. Both the Reach Out and the Place to Talk initiatives have had and continue to have
1355 the common aim of providing children and their families with an avenue of support during COVID. Both initiatives were launched at the end of March and are still running.

The aim of the Reach Out initiative was to put teachers directly in contact with their students, to reach out to them, offer direct support or point them to appropriate avenues of support, and to assess and mitigate risk. The Reach Out initiative's core strand was comprised of a telephone
1360 strategy. Approximately 3,000 calls have been made to families across all sectors. These have been in addition to the thousands of interactions and online messages via Seesaw, Google Classroom, Edmodo, emails and text messages through which school staff have communicated with parents and young people in our community.

At the start of the pandemic, working parties of teachers and pastoral leads identified risks and issues around our socially and emotionally vulnerable students. Using a common protocol, teachers have kept in contact with the more at-risk families and those children not accessing support through the channels available. Teachers identified families who needed additional support, who needed a different home learning provision or who required information on
1365 helplines and on the support available. Sometimes families were directed to the support, and on other occasions, where needed, teachers or the advisory team would make contact on their behalf. Most often, teachers have provided a listening ear for parents and have provided advice on children's emotional well-being, on difficulties children were facing with the interruption to their routines, or on any challenges the child or family were encountering with the home learning programme.

The two most frequent avenues of support that the Reach Out team directed families and young people to were the Home Learning team and the Care Agency Child Protection team. However, families and young people have also been directed to other avenues of support. These have included the 111 helpline, the 41818 helpline, the Care Agency Early Intervention team, the
1375 Mental Health team including contact with liaison nurses, the Civil Contingency Repatriation team and Borders and Coastguards, the school counsellors and the educational psychologists.

The Reach Out initiative also recognised that during this period of increased anxiety children who were not originally identified as being at risk might also find themselves in need of support. Teachers have been vigilant to those not engaging in the home learning platforms and have followed up, where deemed appropriate, in order to ascertain whether or not the young person
1385 or family has experienced any difficulties that they could be supported with. Any child or parent who has expressed worries and concerns through the learning platform or through initiatives such as Place to Talk has also been followed up on. The aim has been to try and maintain a level of engagement, connection and communication with families and young people who usually rely on schools and on the familiar individuals within schools for support.

1390 Since step 1 of the Education Road Map was implemented on 26th May, when childcare facilities were offered in all school bases and years 2, 6 and 10 were brought back to school, the Department of Education itself has stepped up its support mechanisms further.

1395 Throughout the pandemic, the Department of Education has worked with its staff and other
agencies to monitor the children in our community and identify those who were more at risk,
either by staff at the start of the pandemic via the telephone strategy, or through disclosures
made to the Police, school or Care Agency. As these children became known, schools reached
out to families and arrangements were made with the Department of Education for them to
come back to school as one of the categories for whom childcare facilities were available. One
hundred and thirty vulnerable children have returned to school as a result of the
communications exchanged via the Reach Out programme.

1400 Additionally, the Reach Out initiative has recognised the need to support teachers. In
particular, the emotional impact that can result from working with vulnerable children has been
recognised, especially during uncertain and anxiety-ridden times. Self-care was advocated within
the Reach Out strategy. After liaison with the COVID-19 Welfare team, a strategy for teachers
was formulated to work in unison with the group's Frontline Resilience Management or FRM
initiative. The strategy aimed to both support teachers' own mental well-being during this very
emotionally challenging time and to also help teachers support children's emotional well-being.
The strategy consisted of three elements: staff resilience management, self-care and active
listening. Two hundred and forty teachers and learning support assistants attended the training
sessions. Staff feedback on the back of these sessions was overwhelming. Individuals reported
the sessions to have been extremely useful and supportive.

1410 The Place to Talk initiative has acted as both a signposting service and a forum through which
the young community as well as their parents and guardians have been able to reach out for
emotional support. The initiative comes under the school counsellors. The helpline was set up
on 16th March 2020 with social media platforms such as Facebook and Instagram coming into
operation on 24th March. The variety and chosen channels of communication allowed for
students to communicate with the counsellors in whichever way they preferred and were more
comfortable with.

1420 The 'How can I help?' form gave an additional pathway to access help. Information about this
strategy was disseminated among staff and students through the Department of Education's
website, via social media, fliers and also through the schools' own educational platforms. Place
to Talk was also offered as a space for teachers to use as part of the wider welfare service. This
could be to communicate any concerns directly related to any work being undertaken in the
educational facility during lockdown or to address their own COVID-related anxieties. Teachers
were invited to reach out for either a well-being check-in with further sessions organised as and
when appropriate, or for some reflective practice sessions.

1430 During the lockdown period, the Place to Talk team has actively reached out to the children
and young people who they were supporting before lockdown who have been finding life
difficult, not necessarily directly because of the pandemic but because their usual lines of
support – school, teachers, LSAs, or GYM team at the GHA – were not available to them due to
the lockdown. Teaching staff have been able to raise concerns about children and young people
with school counsellors and, where appropriate, the team has forged links with these students
and their families. If necessary, the team has then made any relevant referrals to other agencies.

1435 Parents have accessed Place to Talk not just to access support for their children due to
mental distress but also to access support for themselves when struggling with the emotional
impact that supporting their children at home has caused. Anxieties have been appeased around
the expectations of home learning, about the plans to return to school, about the education
facility and the safety of children and young people in school.

1440 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I really thank, from the bottom of my heart, the
Hon. Minister for his very long and exhaustive answer. I appreciate it, honestly.

I apologise in advance if my supplementary ... He may have already touched on it and I may
have missed it because it was long, but I just want to make sure. My supplementary really was
that I wanted to know, despite all the wonderful things that he says they have put in place –

1445 which I accept – if there has been any pause in healthcare services like speech therapy and other services that users have been needing and which have been paused throughout COVID. Has Government launched a plan or an incentive for these services to now resume, catch up and deal with the backlog of the pausing of those services during COVID, please?

1450 **Hon. G H Licudi:** Mr Speaker, yes, unfortunately these are some of the services that have been affected by the COVID issue, but these are GHA services rather than educational services.

1455 Certainly I have been in touch with the GHA, specifically with the Medical Director Dr Krish Rawal, specifically on these kinds of services. I was particularly concerned that we needed to resume these kinds of services to particularly vulnerable children, for example children at St Martin's who rely on this service, and we have been working from the Department of Education perspective with the GHA and specifically with the Medical Director in order to be able to agree the resumption of these services. My understanding is that services have resumed, although they are not totally back to what they were before the lockdown happened, and it is something that the Department of Education continues to work with the GHA on.

1460 I note from the hon. Member's question a genuine concern that these services do provide something of value for the children and I genuinely agree with that concern and would hope that, working together with the GHA, we will be able to resume as much normality as possible given the present times, and the resumption of these services to children who really need them.

1465 **Mr Speaker:** Next question.

Q338/2020

A-level and GCSE students – Information provided re grading and appeals

Acting Clerk: Question 338/2020, the Hon. Ms M D Hassan Nahon.

1470 **Hon. Ms M D Hassan Nahon:** The Department of Education has stated that information has been made available to students in order to support them in understanding the process of grading and appeals, and yet this is still a common question being posed by constituents. Can the Minister please confirm that all GCSE and A-level students who are expecting their grades this year have received appropriate information; and how has this information been disseminated?

1475 **Acting Clerk:** Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

1480 **Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi):** Mr Speaker, the Department of Education has ensured that all publicly available information on the awarding of grades and the subsequent appeals process is available on the website www.education.gov.gi. The three institutions working with GCSE and A-level students have also disseminated to their students, via their own online platforms, a letter which was published by Ofqual. The details regarding grading and appeals are provided to us by Ofqual and subsequently published on, again, the www.education.gov.gi platform when any new information is released.

1485 **Hon. Ms M D Hassan Nahon:** Thank you, Mr Speaker.

I believe that the teachers have already submitted the assessed grades to the examining boards. They are likely to know which students are going to receive what grades and which ones will need to re-sit exams in November, so is any support being put in now to ensure that students are able to polish up their skills for November? Or do we have to wait until the exam

1490 grades come out before we can give them any assistance or a leg up, as such, for when they resume and have to perhaps retake exams?

Hon. G H Licudi: Mr Speaker, the process that is being undertaken as a centre assessment is one which is directed by the examining boards and by Ofqual itself. We follow meticulously the
1495 guidance and the provisions that are given, including in particular the requirement of strict confidentiality in respect of the assessment of grades. It is simply not possible to engage with students in relation to their specific grades. The schools will have done the process. Heads of department, with their head teachers, will have completed their process and submitted through the normal channels to the examining boards the assessment grades.

1500 There is a process which the examining boards will themselves have in order to be able to then publish the grades, which will be given in the same way as they are given every year and on the dates that we would have expected this year for students who receive their GCSE and A-level results. Subsequent to that, once they receive their results, any support, any engagement or any advice that is given to them will follow the normal course in the same way as support,
1505 engagement and advice is given to many students every single year. Whether it is to do with their applications to universities, whether it is to do with GCSE students and what they can do at A-level, it is a normal process that will be engaged in this particular year as in other years.

Hon. E J Reyes: Mr Speaker, may I just ask the Minister, in case he does know ...? When the
1510 official results for GCSEs are officially released and so on, unfortunately every year we have a certain number of students who may need to repeat certain subjects in order to make the proper [*inaudible*]. Is it the Minister's intention to allow each of the three institutions offering those [*inaudible*] to devise their own repeat programme? Or will they come together, like a consortium, so that the best use of teacher resources is made available? In other words, a pupil
1515 may have sat GCSEs at Bayside School, but for the purpose of having a 'repeat year', I think we used to call it once upon a time, we may decide to concentrate it, for best use of human and teacher resources, into one of the ... Does he have an inkling of what could possibly happen? Or is it something that he will consider once the official results are known?

Hon. G H Licudi: Mr Speaker, there are two different aspects to the question that the hon.
1520 Member has, one is a repeat of the exam and another is a repeat of the whole year. In this particular case, when it comes to exams we have not had exams but we have grades which are being centre assessed and which will be given out in the normal way, as I have described, as if the students had carried out their exams.

1525 There has already been an announcement that there will be examinations available in the autumn for all GCSE students across all the subjects, and therefore all the students who receive their GCSE grades this summer will be able to sit an exam, in November I believe it will be, across all the subjects that have been offered throughout the curriculum. In the event that they are not satisfied with the grade that they had – not so much an appeal against the grade, but if they are
1530 not satisfied – or if they believe they could do better and they want to sit an exam, they will be able to sit an exam in November and that facility will be available for all our students in respect of all institutions.

There will also, in common with other years ... I seem to recall it was known as year 12G, where there was a repeat year with certain core subjects and additional subjects, and that is
1535 expected to continue this year, as it has in every other single year.

Mr Speaker: Next question.

Q339/2020
Semester-related flights –
Reimbursement to students

Acting Clerk: Question 339/202, the Hon. Ms M D Hassan Nahon.

1540 **Hon. Ms M D Hassan Nahon:** Has Government included the reimbursement of semester-related flights to students as one of the qualifying expenses within its COVID-19 grant reimbursement criteria?

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

1545

Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi): Mr Speaker, as part of the Gibraltar scholarship award, students are given a flight allowance, which is separate to their maintenance grant. This allowance is intended to cover the cost of one return flight a year. The current annual allowance is £1,041. There will be no reimbursement required of any part of this amount. The exercise being conducted by the Department of Education relates only to the maintenance grant for the third term, which the flight allowance is not part of.

1550

Hon. Ms M D Hassan Nahon: Mr Speaker, I fully appreciate the Minister's answer because it is obviously an issue of policy, but I think there is some confusion because I have had representations from more than one concerned parent saying that basically their children had to take extra flights, or flights that were not pre-planned, because of COVID, to come home, and that it has impacted their budget because in the amount that the Government is willing to reimburse, whether it be for apartments or rentals that they were in contract with, flights were expensive and needed to be paid for and taken to come home.

1555

I just want to – I am sorry to be repetitive – but just to ascertain from the Minister that in these circumstances these flights that were *force majeure* on the student would not be reimbursed as part of the grant balance sheet for the student and it has to come out of their own pocket?

1560

Hon. G H Licudi: Mr Speaker, as I understood the question relating to reimbursement, I certainly got the impression, and certainly reading the question, that the hon. Member was asking about reimbursement by the student to Government rather than the Government to the student. If the hon. Member is asking about reimbursement of flights to students, there is no question of reimbursement. There is a flight allowance which is given, which is supposedly for one return flight, which is £1,041 – and, if I may venture to suggest as an aside, it is a very generous allowance.

1565

1570

Traditionally, the grant, the scholarship, includes maintenance for term 1, maintenance for term 2 and maintenance for term 3. There are some additional costs which are covered, like return rail fare to the university that you are travelling to and one return flight a year. That is what I understand we have all been privy to. But the current allowance for one return flight a year is £1,041. What I was trying to convey and I hope I did convey in my answer is that the Government is not seeking the reimbursement from the student of any part of the £1,041, however it may have been spent or not spent, because that is not part of the exercise concerning the maintenance grant.

1575

The question the hon. Member asks is if the students have had additional expenses this last term, because of the special situation we are in, which has involved flights to the extent that the student has been required to meet from the maintenance grant for the third term expenses in the third term which are related to their course of study, then that is something that they will normally pay from the maintenance grant and that part will not be required to be reimbursed from the students to the Government. It is, quite naturally, an expense which comes out of the

1580

1585

maintenance grant which is normally paid. But this is separate from the specific flight allowance, which is paid on a one-off basis to students and for which the Government will not seek any kind of reimbursement.

1590 **Hon. Ms M D Hassan Nahon:** Okay, so, just to get this right, when a student goes away, he or she gets a maintenance grant and, apart from that, a £1,041 allowance. COVID or no COVID, the flights would have been accounted for from that £1,041, and if the parents or the student had any issues it would have had to come out of that £1,041 and it will not be accounted for in any other part of the budget. Okay. Thank you.

1595

Hon. G H Licudi: The hon. Member's understanding of what I have said is correct.

Hon. E J Reyes: Can I, Mr Speaker? I cannot resist it. Being a school teacher, one has to [*inaudible*].

1600

In the hon. Lady's question, which thankfully has now been clarified in the answer, she refers to semester-related flights. 'Semester'-related flights means more the European system, means every six months. That is two terms in an academic year. You will see those, studying in places like Italy, where I am one of those who had the privilege of studying. The academic year starts September/October. The first semester ends in January, the examination period starts in February and then you start your second semester, which ends in June/July. For those attending UK universities it should be referred to as 'trimesters' because there are three terms in an academic year. It just helps to clarify for any future reference we ever have in respect of questions like these.

1605

Mr Speaker, thank you for your patience.

Q340/2020

University scholarship awards – Confirmation of grants for new students

1610 **Acting Clerk:** Question 340/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Mr Speaker, can the Government confirm that all children who have been offered university places starting in September 2020 and who achieve the necessary grades will receive their scholarship grants as would have been expected had the COVID-19 crisis not taken place?

1615

Acting Clerk: Answer, the Hon. Minister for Education, Employment, Utilities and the Port.

Minister for Education, Employment, Utilities and the Port (Hon. G H Licudi): Mr Speaker, the process for the award of mandatory Gibraltar Government scholarships for the 2020-21 academic year will remain the same as in previous years. Students who meet the eligibility criteria and have successfully completed their A-level programmes of study this academic year will be able to apply for a scholarship award from the Department of Education in the same way as they would any other year.

1625

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

Mr Speaker, there are numerous students expecting to commence university in September 2020 and, because of the situation and their grades and all that, they may defer for a year. Can I just get a confirmation from the Minister that if these students defer entry by a year nothing will change in terms of their status in order to acquire this grant equally?

1630

Hon. G H Licudi: Mr Speaker, any student entitled to a mandatory award that seeks to defer the entry to university until next year because of any uncertainty that may happen this particular year will not be affected at all and will still be entitled, next year, to the mandatory award.

DIGITAL AND FINANCIAL SERVICES

**Q394/2020
Hong Kong office –
Closure**

Acting Clerk: Question 394/2020, the Hon. R M Clinton.

1635

Hon. R M Clinton: Mr Speaker, is the Government contemplating the closure of its office in Hong Kong?

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

1640

Minister for Digital and Financial Services (Hon. A J Isola): Mr Speaker, the lease for the Hong Kong office, which was situated at One Exchange Square, Central Hong Kong, was not renewed when it terminated in October 2018. We therefore continue to have representation in Hong Kong but not in that office, as we did not believe it was delivering value for money.

1645

Hon. R M Clinton: Mr Speaker, I am grateful to the Minister for his answer. Just to confirm what I have just heard: the lease was not renewed in 2018. Can the Minister then advise in what way are the functions that were carried out in that office being carried out now, and are there any paid personnel in Hong Kong fulfilling that function?

1650

Hon. A J Isola: Mr Speaker, they are working in the same way as the rest of the world has been working for the past four months, using modern technology. Do we still have anybody employed? Yes, the Hong Kong representative is still active and working with us.

1655

Hon. R M Clinton: Mr Speaker, I am sorry to ask further supplementaries on this. It was obviously news that the office lease had not been renewed. At the time, was there any reduction in personnel on the payroll?

1660

Hon. A J Isola: Mr Speaker, we have had different people supporting the Hong Kong representative throughout his appointment, so there would have been; specifically when and on what dates I would have to get back to him on because I do not have those available to me here today.

1665

Hon. R M Clinton: Mr Speaker, just one final supplementary on this. How many staff, in terms of individual people, are actually currently employed in Hong Kong, whether physically or ... not in an office, I presume, as obviously we do not have an office ... are engaged by the Government fulfilling the functions of the office in Hong Kong? How many people does the Government actually currently have there now?

1670

Hon. A J Isola: Mr Speaker, one.

Hon. K Azopardi: Can I just ask ...? I know my hon. colleague has another question, but I think the original answer was that the Government had not renewed the lease because it did not

1675 think, at that moment making its judgment, that there was value for money in doing so –
presumably value for money in retaining the office – but it must continue to have the view that
there is a purpose in having representation and personnel in Hong Kong; and if so, has the role
of the representative changed and the function and scope of the activities being conducted, and
can the Minister comment on future activities?

1680 **Hon. A J Isola:** Mr Speaker, the role continues today as it was. We are considering and have
some thoughts as to what the future will hold, not just in Hong Kong but in other jurisdictions as
well, in terms of how we can best be represented in a number of countries we are targeting for
our financial services community and other areas. So, the future is under review at the moment
and they are continuing to do the services that they did previously very much the same.

1685 **Hon. E J Phillips:** Mr Speaker, just two supplementary questions. I know that the Hon.
Minister and I share an affinity for that part of the world and I just have two questions.

The first one relates to the non-renewal of the lease. Does the Minister agree with me that in
that part of the world leases change, in terms of values, very significantly over a period of time
and once it is up for renewal the price of it very much changes within a matter of weeks? Is that
1690 part of the decision process, that it became not valuable in terms of the money that we were
spending on it? Was that part of the rationale?

Hon. A J Isola: Mr Speaker, the hon. Member is right. The location of the office in Central One
1695 Exchange was expensive. The office was absolutely tiny. It was shared accommodation. There
were boardrooms that you could use as and when you wanted, which are still available today all
over Hong Kong, like we have in Gibraltar, so meeting rooms are available readily to anyone. The
value we were receiving for the use of that office and the increased cost that was coming we did
not believe merited that expense and therefore we continue to have representation but without
1700 having the physical office, which has little impact on the work done.

Hon. E J Phillips: Mr Speaker, I am grateful for the answer. Just in relation to the point picked
up by the Hon. the Leader of the Opposition in relation to the role, function and scope of the
1705 extension offered by the British Prime Minister, in relation to the three million eligible
individuals in Hong Kong, to British National Overseas passports. Mr Speaker, is it right that as
part of that role, function and support, the Government may well also support the initiative by
the British Prime Minister to look at families or indeed individuals currently in Hong Kong and, as
the Minister will know, fairly affluent members of Hong Kong society who, given the current
1710 climate in Hong Kong and the actions of the Chinese government in relation to the position of
Hong Kong ...? Is it something that we as a community or the Government are actively
considering supporting insofar as that position?

I appreciate in the context of this question, of course, that it verges on the responsibilities of
others outside of this House and therefore the answer to that question maybe needs to be
1715 tempered by that position, but would the Government support the proposition and indeed the
offer made by the British Prime Minister to the people of Hong Kong who are within the
eligibility to relocate to the United Kingdom?

Chief Minister (Hon. F R Picardo): Mr Speaker, yes, and indeed will go further and support
1720 the statements by the Foreign Secretary, Dominic Raab, that China must stand by its obligations
under the arrangements entered into in relation to Hong Kong and that the people of Hong Kong
should have the benefit of the protections that were set out in that agreement being respected,
and that indeed when the position was set out by the United Kingdom government in respect of
the ability of persons in Hong Kong to reside in the United Kingdom and indeed to acquire
1725 further rights as to British nationality beyond their B&O status Gibraltar will be fully supportive

of that and would welcome people from Hong Kong who wish to come to Gibraltar who fulfil the eligibility requirements for residence in Gibraltar – and indeed not just the affluent and wealthy. There are many good, talented, entrepreneurial people in Hong Kong who will be looking for another fantastic base in which to establish their businesses, in which to develop their entrepreneurial skills, in which to share their skills and educate those whom they bring their skills to also, and the Government be fully supportive of that.

1730

We take the view, Mr Speaker, that the position as set out by the United Kingdom government is the right one and that if this British Overseas Territory is potentially one of the places where some of the people of Hong Kong may find and build their homes in the future, we would be very welcoming of that and of the skills that they will bring.

1735

Hon. E J Phillips: Just one further question. I am grateful for the Chief Minister's confirmation and I entirely agree insofar as the scope of individuals concerned that would merit reflection in this jurisdiction, Mr Speaker.

1740

The Prime Minister of the United Kingdom has said quite clearly that he considers the actions taken by the People's Republic of China to be in breach of the Sino-British agreement and indeed the basic law of Hong Kong. Does the Chief Minister echo those sentiments and those statements made by the British Prime Minister insofar as the breach of those instruments that I have described?

1745

Hon. Chief Minister: Mr Speaker, the Chief Minister of Gibraltar does not have at his disposal the information that the Prime Minister of the United Kingdom has in making that assessment. The Chief Minister of Gibraltar nonetheless has an interest in international affairs, as do all members of this House no doubt, and from my reading in the international press, which may or may not be the full picture, I would share the position of the British Prime Minister, which illustrates why it was absolutely right that the agreements done by the Foreign Office in 1984, which included an agreement in relation to Gibraltar which set us on a track which was not dissimilar to the track on which the United Kingdom set Hong Kong for eventual handover, were agreements to be deprecated, feared and ultimately eschewed as they were by eventually this House and the people of Gibraltar.

1750

1755

Hon. K Azopardi: Can I just ask, not on this issue but on the welcome statement that the Chief Minister made in relation to the attitude and approach that the Government would take to the people of Hong Kong were they to wish to express an interest in coming to Gibraltar – for a variety of reasons, talented or indeed for economic migration reasons: beyond the approach, would it then be the Government's intended policy or would it, after reflection, perhaps consider that it is appropriate to, through the Hong Kong office, pursue a policy of encouragement of economic migration to Gibraltar?

1760

Hon. Chief Minister: The hon. Gentleman asks me whether that would be the case on reflection and in the future tense. That has already been the case. We have already embarked on that process. We are not in a position yet to make any statements in that respect, other than to say that we have reached out so that people understand that Gibraltar is here and has a role to play in the future of those of the people of Hong Kong who can no longer consider staying a viable proposition.

1765

1770

Hon. E J Phillips: I apologise and I will make this very short.

I know that the Hon. Minister Mr Isola and I had an exchange as to Gibraltar's international offices and he knows as well as I do that I have supported the Government insofar as its international offices and what it is trying to achieve in terms of economic activity, and obviously the Opposition has drilled down on the cost of that on a number of occasions. But I do recall that the Hon. the Minister was looking towards other territories, such as India, and I wonder whether

1775

1780 anything has come from that initial observation that he made in the last Parliament as to whether we are actively engaging with the Indian subcontinent insofar as any work deriving from there, because there was at the time, I believe, a project that he was embarking on. I think it was 2025, if I recall, insofar as opening an office in India.

1785 **Hon. A J Isola:** Mr Speaker, as I hinted earlier, we are reviewing and considering the form of representation that the financial services community requires in a number of jurisdictions, including India, and I think once we finish this process through Taskforce Future in terms of our plans I will be in a much better position to explain in more detail what we are thinking and how we are going to be doing it. So, I think shortly we will be able to make some further progress in respect of our ideas.

1790 **Mr Speaker:** Next question.

Q395/2020
Addison Global –
Debts to Government

Acting Clerk: Question 395/2020, the Hon. R M Clinton.

1795 **Hon. R M Clinton:** Mr Speaker, can the Government advise why it was that Addison Global was allowed to accumulate debts to the Government of nearly £2 million in respect of PAYE and almost £400,000 of Social Insurance for the periods 2018-19 and 2019-20?

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

1800 **Minister for Digital and Financial Services (Hon. A J Isola):** Mr Speaker, we are currently engaged in discussions on the recovery of these moneys and it would not be appropriate or helpful to share this information at this moment in time across the floor of the House. I would be happy to brief the hon. Member on a private basis and answer this question fully at a later sitting where this would not prejudice our efforts to recover these moneys.

1805 **Hon. R M Clinton:** Mr Speaker, I am grateful to the Minister for his statement and I will be happy to take up his offer.

1810 I would just ask the Minister to take note that I have had representations from traders on Main Street who get calls from the Central Arrears Unit practically monthly making sure that their payments are up to date and it does seem to grate a bit with small traders who are being chased for payment when they are not even in arrears and yet we hear of this particular case. I would just ask the Minister to take note of that and I will happily take up his suggestion of a private briefing.

1815 **Hon. A J Isola:** Mr Speaker, I take note of what the hon. Member has referred me to with small traders being chased, quite rightly, in respect of arrears, as indeed was this firm chased in respect of these arrears. The reason for my not wishing to make any comment further than that is simply because we fully expect to recover every single penny of these arrears in the fullness of time, so I do not want to prejudice that – hence my suggestion of not discussing that across the floor.

1820 Let nobody think for a moment that large firms are left unheeded in respect of any arrears they may have with Government at the time that they occur. (*Interjection*) Yes, and obviously we would strongly advise people to be up to date. Those who have been at the receiving end of

1825 failed BEAT applications because they were not up to date will bear evidence on that. Of Course, the ability to stay up to date even in difficult times is clear and obvious to all of these small and indeed larger businesses too, as the consequences of not so doing are serious and significant.

Mr Speaker: Next question.

Q396/2020
Private Sector Pensions Act –
Anticipated commencement date

Acting Clerk: Question 396/2020, the Hon. D J Bossino.

1830 **Hon. D J Bossino:** Can the Minister for Financial Services state when it is expected that the Private Sector Pensions Act will be commenced?

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

1835 **Minister for Digital and Financial Services (Hon. A J Isola):** Mr Speaker, the Act will be commenced in accordance with the timetable set out in the Act.

Hon. D J Bossino: Mr Speaker, is the Hon. Minister referring to section 4.2 of the Act? Is that what he means by the timetable set out in the Act?

1840

Hon. A J Isola: Mr Speaker, I have not got the actual section but it is a section which deals with what type of employers the Act will come into effect for at that time. I fully take the point in terms of the commencement and implementation. There is a slight differential there, but in order not to confuse I have laid it out in this way as I thought it would be clearer.

1845

In respect of each of the employers that the Act provides for, it will be implemented for them at the date set out in the Act and we will be making a full statement in September in preparation for next summer when the first batch of employers will be impacted by this legislation.

Hon. D J Bossino: Mr Speaker, can the Minister confirm that the Act itself has not yet commenced, is not yet in force?

1850

Hon. A J Isola: Yes, Mr Speaker.

Hon. D J Bossino: Mr Speaker, is there any intention on the part of the Government to delay those implementation dates? I have received representations from various interested sectors that they would be looking at making representations to the Government. He may have received them himself; he does not need to reveal that to the House – but whether the Government is considering, by way of policy, amending these implementation dates as a result of the extra expense by way of burden that will result on businesses?

1860

Hon. A J Isola: Mr Speaker, no, sir. The dates are set out in the Act as we intended them to be. Everyone has for some time known fully what the repercussions are for all of the employers of providing pensions for their staff in the manner that the Act sets out.

1865 I have not had formal representations made to me. It has been mentioned to me by one of our senior executives who has met with GAPFA, the pension fund association, but their interest was more in ensuring that people were ready. Hence I have just referred to a statement we made in September setting out fully the details in terms of the Pensions Commissioner and how

1870 it is going to operate – so the technical details of how it is going to work rather than any inclination of delaying the implementation dates. We believe this is good for the employees in Gibraltar, and indeed for the firms, in providing pensions for everybody within our community.

Q397/2020
DPC –
Virtual meetings

Acting Clerk: Question 397/2020, the Hon. D J Bossino.

1875 **Hon. D J Bossino:** Can the Minister for Lands and for Financial Services state how long he expects that virtual meetings of the DPC will continue for?

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

1880 **Minister for Digital and Financial Services (Hon. A J Isola):** Mr Speaker, the Government is, as yet, not in a position to confirm how long the DPC will continue with virtual meetings. Until further notice, these meetings will continue to be held virtually and streamed live.

Hon. D J Bossino: Mr Speaker, I am grateful for the Minister's reply.

1885 When the fact that this was happening was announced, I think by way of a Government press release issued, it said that that was the first phase of the project but that the second phase will allow the general public and the media to view the entire meeting through its live stream as the meeting happens. Has that occurred; and if not, when does he expect that that second phase will be implemented?

1890 **Hon. A J Isola:** Mr Speaker, there has been one meeting of the DPC held in this manner. The reason we did not livestream that meeting was to ensure that the technology we were using worked efficiently for all the members of the Planning Commission. The reports we have had are that it did and there were no technical issues that prevent us from livestreaming the next meeting, which I understand is going to be on 17th July. Therefore, as of 17th July DPC meetings will be livestreamed and the public will be able to watch the proceedings as we had indicated we wanted to.

1895

Q398-99/2020
Government Department online services –
Intention to continue; assistance for the elderly

Acting Clerk: Question 398/2020, the Hon. D J Bossino.

1900 **Hon. D J Bossino:** Can the Minister for Financial Services state whether it is expected to continue with online services currently in force across the various Government Departments?

Acting 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 399.

1905 **Clerk:** Question 399/2020, the Hon. Ms M D Hassan Nahon.

Hon. Ms M D Hassan Nahon: Is Government taking any steps to assist the elderly when needing to make non-electronic payments at Government counters?

1910 **Acting Clerk:** Answer, the Hon. the Minister for Digital and Financial Services.

Hon. A J Isola: Mr Speaker, Government had to adapt very quickly to maintain the public sector working and delivering urgent online processes during the COVID-19 pandemic. ITLD have provided for every single Government user to have webmail access, over 700 VPN accounts set up, almost 100 laptops issued, Microsoft Teams/Zoom and Blue Jeans installed where necessary to enable virtual meetings across the Government service and to ensure that all our public servants were able to work remotely. Cabinet meetings and DPC meetings are examples of the benefits of using technology during this period. My thanks to the team at ITLD for enabling technology to support our work at this difficult and challenging time.

1915
1920 The Government is taking steps to ensure that any payment made at a Government counter can be done online, and of course we will provide a facility for those who do not work online, including any of our senior citizens.

It is the intention of the Government to continue to roll out online services and we are actively working to deliver these.

1925

Hon. Ms M D Hassan Nahon: Mr Speaker, I thank the hon. Member for his answer.

I ask personally because I have had reports by elderly constituents that they are finding it almost impossible to pay and administrate their bills and there are issues because everything is online. Apparently, from what they tell me, cash payments are not accepted due to COVID measures and this is causing them a lot of anxiety because a lot of them do not have a clue how to access technology and they are limited in this way.

1930
1935 So, will Government be taking this into account and make cash payments a normal measure in the future; and, if so, when? Mr Speaker, I tell the Minister from the bottom of my heart it really is causing a lot of members of our community, the elderly members, a lot of anxiety and they just do not know where to turn. They think they are going to be cut off. They do not know how to pay and they really have no idea.

Hon. A J Isola: Mr Speaker, of course we understand and acknowledge that. Steps, as I said in my answer, have been taken to provide such a facility where anybody who does not work online – including, of course, some of our senior citizens because many of them are very proficient in using online services, but for those who are not, there will be a facility in the centre of town to which they will be able to come and pay for any of their services with Government.

1940
1945 What we are not going to do is ask somebody who is working with Employment to go to Employment to pay, or indeed to pay any part of any Government service where that service is delivered from. So, it will be a central point for the whole of Government, in the centre of town, where we will be inviting, hopefully next week, people to come and make any cash payments they wish to make at that one facility. Hopefully next week.

Hon. D J Bossino: And maybe looking at it from the other side of the equation, will the Minister consider continuing to provide this online service into the future, even beyond ...? Once, hopefully, the pandemic is over and the crisis is over, will the Government be minded to provide this service going forward? There are many people who, for example, may use the ETB for finding vacancies and that type of thing and will find it very useful to be able to do so by way of email as opposed to having to actually attend physically and find these things. I may have used the wrong example, but there are other Government Departments where this service has

1955

been approved, and whether the Government would continue to provide this duality of service into the future.

1960 **Hon. A J Isola:** Mr Speaker, that is precisely what we are working towards. If I can just explain, we will be rolling out the e-services that we have been preparing for some time. Employment will be the first one, very shortly, which will have the full e-services that we have worked on for some time. As a result of COVID, what we have done is accelerate the process of digitisation across all of Government services and what we are doing there is, in the immediate term, providing what we call a 'crude' e-service by email. We have developed and will be
1965 launching very early next week the new forms for two of the Government Departments that we have worked on in the last week. That work continues in parallel to the full e-services project. So, the intention is that we will have a complete set of digital services either in the nice and automated manner for some Departments and the crude version for others, but they will all have a form of digital services being provided to people across our community.

1970 So, the answer is yes and we will continue to roll those out week by week, as from next week, as we go along.

Hon. D J Bossino: Mr Speaker, may I ask the Minister why there is that distinction between Departments? He talks about the cruder version and perhaps the more sophisticated version – I
1975 am know I am paraphrasing what he said – but why that distinction between Departments, just so I can better understand that?

Hon. A J Isola: Mr Speaker, the crude version is the one we have done very quickly and on very short notice. The nicer, automated version is the full e-services that we will be rolling out across the entirety of Government as and when we get through all the Departments. We
1980 announced some time ago that the first one is Employment, which is imminent. Immediately after that will be Tax and then a big chunk of the GHA; and then we will be going through the OFT, CSR and all the other Departments in rolling out the digital services. Now, for those that are not ready, we are using what we call the crude services, so this is an interim measure.

1985 **Hon. Ms M D Hassan Nahon:** Mr Speaker, if I may just ask one more question: I accept and appreciate the Hon. Minister's revelation that next week we will have a central place for people to go and settle their bills and, as we said, it will probably be concentrated with more elderly people who do not do things online. So, in light of the current crisis and the situation, can
1990 Government give us a commitment that perhaps there will be added measures and protocols in these centres, given that more elderly people will visit and they are at more risk to COVID – like perhaps masks and other things deployed, where maybe in other places they would not, because of the concentration of the elderly probably in these centres?

1995 **Hon. A J Isola:** Mr Speaker, this is precisely the issue that we faced, in that we closed counters because we did not want that face to face, especially for our senior citizens' meetings.

On the one hand the hon. Lady is pressing, quite rightly, for senior citizens who cannot be online to be able to pay and settle whatever Government invoices they have outstanding, and at the same time saying to us that we have got to take precautions. Of course we will take
2000 precautions in light of where we are today, but it is difficult if there are going to be people queuing up to settle their cash payments and they happen to be senior citizens. Unfortunately, if you want senior citizens to be able to pay, we are going to have an accumulation of them paying. There is nothing more that we can do. I would urge them to perhaps encourage their children to teach them and help them in paying online, which may be an easier and better way for all
2005 people involved to make those payments in that manner.

Mr Speaker: The Hon. Roy Clinton.

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

2010 I think we all now generally are in favour of e-government and making Government more
efficient, but if I can ask the Minister: in terms of these measures, some of which were
emergency and some of which were probably envisaged to be rolled out over time, is it the view
of the Minister now that some public counters that are being closed will not be reopened in
future and that there will be a new way of Government doing business, as you have already
started rolling out some of these e-government measures which you then may feel makes some
2015 counters redundant, or that you may feel you do not need to open some public counters?

The reason I ask this is that there are some members of the public who have not yet grasped
fully ... I am not talking about senior citizens, I am talking about ordinary people on the streets
who have asked when are the public counters going to reopen. I appreciate part of it will be part
of the COVID Unlock plan, but of course we are now seeing more and more businesses opening,
2020 banks operating business as much as can be usual given the protections that are required for
COVID.

So, I would ask the Minister: is there an intention to open public counters that were open
before, or will there be less public counters in certain areas?

2025 **Hon. A J Isola:** Mr Speaker, the provision of e-government does not necessitate the opening
of public counters. When I talk about crude services what we are doing is seeking to continue to
provide a service which will not be as good as the service we will be able to provide when we
complete the exercise immediately, and therefore we are working full tilt to deliver crude
services in order to ensure that we do not need to open public counters (1) because of COVID
2030 and (2) because it is our intention to have e-services being run across the Government service
because we believe it is more efficient and will provide consumers with a far better service.

And so the answer to the question is we hope not to have to open up the counters, (1)
because of COVID and (2) because of the efficiencies in terms of the service will be able to give,
and we are therefore rolling out both the crude and the not-so-crude e-services as we speak.

2035

Mr Speaker: Next question.

Q400-402/2020

Beat COVID app and Contract Tracing Bureau – Governance and access to information; risk assessments re transparency and user confidence

Acting Clerk: Question 400/2020, the Hon. Ms M D Hassan Nahon.

2040 **Hon. Ms M D Hassan Nahon:** Can the Government confirm who has governance of the Beat
COVID app, and who has access to this information and for how long?

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

2045 **Minister for Digital and Financial Services (Hon. A J Isola):** Mr Speaker, I will answer this
question together with Questions 401 and 402.

Acting Clerk: Question 401/2020, the Hon. Ms M D Hassan Nahon.

2050 **Hon. Ms M D Hassan Nahon:** In the interests of promoting transparency and user confidence,
can the Government publish the data protection impact assessments carried out in respect of
the Beat COVID Gibraltar app and the activities of the Contact Tracing Bureau?

Acting Clerk: Question 402/2020, the Hon. Ms M D Hassan Nahon.

2055 **Hon. Ms M D Hassan Nahon:** While the Government has said that the Beat COVID app does not process personal information, has the Government assessed the risk of future re-identification as a consequence of technological advances, and is there a programme to review the situation on a regular basis in order to mitigate such a risk?

2060 **Acting Clerk:** Answer, the Hon. the Minister for Digital and Financial Services.

Minister for Digital and Financial Services (Hon. A J Isola): Mr Speaker, the Beat COVID Gibraltar App does not require a data protection impact assessment (DPIA) as we are not capturing or processing any personal data.

2065 The Beat COVID Gibraltar app has been developed by the Digital Services team in consultation with Piranha Designs Ltd. We have also worked with Apple, Google, the Irish government and their technical team at Near Form Ltd.

The app is completely anonymous. No personal data is logged or shared with anyone at any time. The app uses Bluetooth technology within the phone and the Apple/Google API to track other phones you come into contact with. Any data captured by a phone is stored locally within each phone. The phone will hold a maximum of 14 days' worth of data. No one has access to the information held in each phone. If you have come into close contact – within 2m for 15 minutes or more – with someone who has tested positive for the virus, you will be notified via the app. This, again, is done automatically and completely anonymously.

2070 The Government does not believe there is any risk of future technology disturbing the anonymity of the app, as we do not believe Google or Apple would permit such a change and this is very much under their direct control.

2075 **Hon. Ms M D Hassan Nahon:** Mr Speaker, I thank the Hon. Minister for his answer but he has not answered the question as to whether a data protection impact assessment was actually carried out – or maybe I misheard.

Hon. A J Isola: Mr Speaker, I said that the Beat COVID Gibraltar app does not require a DPIA as we are not capturing or processing any personal data.

2085 **Hon. Ms M D Hassan Nahon:** Mr Speaker, from my understanding, the data controller has to carry out a DPIA when you bring out new technology or when there is a potential of high risk, and also when there is large-scale use of sensitive data. I understand that they do not have to publish it, but from my understanding it has to be carried out.

2090 My question was mainly to ask about whether perhaps carrying one out and publishing it would achieve confidence in the product and full comfort so that we can maximise the number of people using it and make the product more viable. So, would publishing one not put people's minds at ease and bring in the confidence in the app and the Contact Tracing Bureau services?

2095 **Hon. A J Isola:** Mr Speaker, the hon. Member talks about data controllers and sensitive data and data processing, and the answer I have given says that we are not capturing or processing any personal data. So, there is absolutely no need to carry out a DPIA because there is no personal data being captured or processed and therefore the provisions to which she is referring do not apply to this app.

2100 We have tried to make this as clear as we can at every possible juncture in talking about and encouraging people to use the app in the absolute full knowledge that nobody is going to know who they are or where they are. There is no location on the app tracking where the individual is. It is simply tracking if you come within 2m of a phone for more than 15 minutes. That is all that it records, the number of that phone, and if you pump into your telephone the unique code that

2105 the GHA will give you if you test positive it will then notify anybody who has fallen within that
ambit of 2 m for 15 minutes or more during the past 14 days. That is it – no name, no people,
nobody looking or watching or reading or hearing; nothing, absolutely nothing. Therefore, to
suggest that carrying out a DPIA would make people feel more comfortable ...

My suspicion is that people do not understand what a DPIA is or what its purpose is generally,
2110 and I fully understand that because until you begin to look at data protection, as I have had to, it
is difficult to understand why you would need to. But I can tell the hon. Member that in respect
of this app there is absolutely no need because there is zero personal data being processed or
controlled by this app or anybody remotely involved with the app; and if there was, the first
2115 people who would stop it would be Apple and Google, who have created the system on a
decentralised basis to precisely avoid that problem arising.

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

The Minister will have to indulge me on this question. It may be common knowledge as to
how apps are developed but who actually owns the app itself? There are obviously developers,
2120 and Apple may allow it on to its site or on to its platform, as would Google, but who actually
owns this Beat COVID app?

Hon. A J Isola: Mr Speaker, our app is open source – the Irish government’s app is open
2125 source – which means the technology behind it that enables you to operate it is made open
source because there is a public good in doing so, so that others can use it and share it because
the wider it is used the better it is for the public health of the world.

When you develop an app you then have to submit it to the place where that app is going to
be downloaded from, Apple or Google primarily. They then carry out their own checks to ensure
that it is compliant with their own internal processes and procedures. They do their own security
2130 checks and safety checks. They do all that. It takes a couple of days for each one. One is quicker
than the other – I will not say publicly which one it is. It is then available to be downloaded;
people can download it and people can use it.

I think the interesting thing about this particular methodology is that because of the
pandemic and the world crisis that we faced with this pandemic, Apple and Google uniquely did
2135 this API which enabled one type of phone to recognise the other kind of phone, an Apple phone
with a Google-use phone. They are the ones that then approached all these countries and said,
‘We will support, through an API between Apple and Google, the apps that you each may want
to develop.’ The UK went, as you know, the different route for a centralised app, which it has
now abandoned, and we followed very much more the European model.

2140 The app is open source, so the Beat COVID Gibraltar app is our app, developed by us, but it is
open source and the technology can be used by anyone who may choose to for the same
purpose.

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

2145 Again, this is not my field, so I apologise if I am not familiar with the jargon, but if he could
explain what ‘API’ means, and in terms of ... I guess if the ownership is open source then I
understand, but ultimately the controller of the app is the Gibraltar Government? If he could
just confirm that in terms of any changes to the colour on the download screen, or whatever,
that would be something that would be initiated by Gibraltar Government as being effectively
2150 the ultimate controller of the app, although I appreciate in terms of intellectual property it is
open source.

Hon. A J Isola: Mr Speaker, the app is Gibraltar Government, developed by us and designed
by us, so everything you see has been done by us, including the manner in which the interface
2155 with the user is designed by us.

An API is basically a link, the bridge between two databases, two providers, in this case Apple and Google. There is a bridge between the two which enables interoperability from one to another. That is what an API is: it is a technical bridge.

2160 **Mr Speaker:** Next question.

DEPUTY CHIEF MINISTER

Q403/2020

Land frontier –

Number of locally registered vehicles leaving Gibraltar

Acting Clerk: Question 403/2020, the Hon. E J Phillips.

2165 **Hon. E J Phillips:** Mr Speaker, can the Government confirm the number of locally registered vehicles leaving Gibraltar via the land frontier between the periods 2nd June to the 9th June 2020, and 10th June to the 17th June 2020?

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

2170 **Deputy Chief Minister (Hon. Dr J J Garcia):** Mr Speaker, the number of locally registered vehicles leaving Gibraltar via the land frontier in the periods specified is as follows: 2nd June to 9th June 2020 – 1,421, and 10th June to 17th June 2020 – 11,643.

2175 **Hon. E J Phillips:** Mr Speaker, the 10th to 17th June 2020 period obviously reflects, effectively – I am probably using these words incorrectly – the reopening of our usual pathway to Spain via the land frontier in our cars. Is that right?

Hon. Deputy Chief Minister: Mr Speaker, yes, the figures reflect the level of unlocking in Gibraltar but obviously also, in this case, in Spain.

2180 **Hon. K Azopardi:** Can I just ask – and I appreciate the Minister may not have this answer to hand, but does he also have corresponding figures for entry of vehicles, for the same periods, of non-Gibraltar-plated vehicles, foreign vehicles?

2185 **Hon. Deputy Chief Minister:** Mr Speaker, the answer to the question is yes, but obviously I do not have that information with me. I would be happy to supply the data to the hon. Member.

Q404/2020

Fortress House –

Negotiations to purchase

Acting Clerk: Question 404/2020, the Hon. R M Clinton.

2190 **Hon. R M Clinton:** Mr Speaker, can the Government advise if it is in negotiations to purchase Fortress House?

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

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, no, the Government is not in negotiations to purchase Fortress House.

Q405/2020

KGV Hospital site –

Update re building of residential care and assisted living accommodation

Acting Clerk: Question 405/2020, the Hon. Ms M D Hassan Nahon.

2195

Hon. Ms M D Hassan Nahon: What happened with the site of the old KGV Hospital tender that was awarded in 2017 to build a private residential care home and assisted living accommodation?

2200

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

2205

Deputy Chief Minister (Hon. Dr J J Garcia): Mr Speaker, outline planning permission for a private residential care home on the site of the old KGV Hospital was granted on 15th March 2019 and full planning permission was granted on 20th May 2019. However, the developer has since indicated that they no longer wish to proceed with the project and the Government intends to issue another expressions of interest for the site in due course.

2210

Hon. Ms M D Hassan Nahon: Mr Speaker, thank you to the Deputy Chief Minister for that answer.

Is the Government looking to acquire another related project in healthcare or for the elderly? Is it pencilling that in, or is it opening up to any sort of venture?

2215

Hon. Deputy Chief Minister: Mr Speaker, the expressions of interest will probably follow the previous model, which is that it was open to any use which is compatible with the area.

2220

Hon. Ms M D Hassan Nahon: Mr Speaker, I do not want to sound difficult here, but considering and we have been talking today about the needs of dementia sufferers and the elderly, is Government keeping at the forefront of its planning expectations demarcating areas in terms of fulfilling the priority towards the elderly? And is this a priority when looking in future for developments that come up? Will it be a featuring priority?

2225

Hon. Deputy Chief Minister: Mr Speaker, in relation to this site, which is my area of responsibility, the provision of facilities for dementia is obviously imperative for the Government but not necessarily in relation to this particular site, although the Government is certainly open to proposals.

2230

Hon. K Azopardi: Can I just ask: in terms of the origin of the 2017 decision, was there any sort of thought on the Government's side as to this is a good use for this site because specifically the Government encouraged the use of the site for that; and, if so, has thinking changed in any way because you are going to open it up to any use compatible?

2235

Hon. Deputy Chief Minister: Mr Speaker, when the expressions of interest originally came out – it was before 2017, if I remember correctly – it was open to all users, so this was a proposal made by an interested party, not necessarily a requirement of the expressions of interest.

Hon. K Azopardi: And presumably the Government, once it in due course decides to issue a new expressions of interest in relation to the site again, open to any use compatible for the area, presumably in its thinking it will bear in mind that it now has a project on another site, Rooke, for some kind of elderly care home. Presumably that will be part of the thinking, will it?

2240

Hon. Deputy Chief Minister: Mr Speaker, like I said, I think the Government would be open to any expressions of interest. I do not want to predetermine or prejudge that in any particular way.

2245

Hon. R M Clinton: Mr Speaker, if I may ask the Minister two questions.

One is he indicates the developer no longer wished to proceed with the project despite having achieved full planning permission: did the developer give any particular reasons as to why they did not want to proceed?

2250

My second question, Mr Speaker, is if the Minister could perhaps give some indication to the House as to how an expression of interest is converted into an actual lease, in terms of at what point does money change hands and the Government grants a lease to the developer? It just seems, on the information that we have, that the developer obviously got to full planning permission but then seems to be able to walk away. There must be some kind of financial consequence to the developer – if the Minister could elaborate on that, I would be grateful.

2255

Hon. Deputy Chief Minister: Mr Speaker, in this particular instance the financial consequences to a developer would be all the costs of developing the project, the designs and the consultancy work that has gone on. The Government does not intend to keep the premium – for obvious reasons this not going to happen – but all the costs in relation to the project will obviously be borne by the developer.

2260

Hon. R M Clinton: Mr Speaker, I am sorry, I did not hear the Minister giving an answer as to why the developer chose not to go ahead; and also, if I understood the Minister correctly, he says the Government will not be keeping the premium. I do not understand why it would not.

2265

Hon. Deputy Chief Minister: Mr Speaker, the Government is not in the business of keeping other people's money in this way. This was a premium paid for a particular project. The developer decided to pull out over essentially a dispute over a six square metre portion of the site, and after discussions the Government is inclined to resell the premium and to reopen the site to expressions of interest.

2270

Hon. Ms M D Hassan Nahon: Mr Speaker, did the developer initially pay for the land and now has retracted?

2275

Hon. Deputy Chief Minister: Mr Speaker, that is correct, yes.

Hon. R M Clinton: So, Mr Speaker, if I understand the Minister correctly, the Government effectively sold the land to the developer and I presume granted them a lease, and now has allowed the developer his premium back. Have you bought the land back? Is that correct? Or am I missing something in my understanding of the process and there is a gap in my knowledge as to how you go from expression of interest to paying a premium to getting a lease? I do not see how the Government can allow the developer his premium back.

2280

Hon. Deputy Chief Minister: Mr Speaker, no lease was actually signed.

2285

Hon. Ms M D Hassan Nahon: Mr Speaker, did the Government not keep any percentage of this transaction as a result of perhaps the developer being the entity that was, for lack of a

better word, messing Government around, or in the process of time was taking up a piece of land that then went back? Does the Government not keep any anything of it?

2290

Chief Minister (Hon. F R Picardo): Mr Speaker, the Government over which I preside, the GSLP/Liberal Government, in keeping with the Government that was presided over by my immediate predecessor, is not in the business of keeping people's premiums if there is a good reason why they are going to withdraw from a tender. So, we have not kept the premium here, we did not keep the premium of the Ruben Brothers in respect of the Eastside when we took it back from them after negotiation, hon. Members did not keep a penny of the premium in respect of Ephraim House at the bottom of Alameda Estate when the tenderer there decided that they did not want to proceed. The Government of Gibraltar is not in the business of simply forfeiting premiums where there is a good reason in the context of those who have tendered of wanting not to proceed either because they have decided that the project is not financially viable or otherwise.

2295

2300

If somebody just came along and wanted to land bank, they would not be making any money. The land is worth a lot more than they paid for it seven years before, so there is a loss in the capital having been tied up for that period, there was a loss in whatever plans have been designed for the purposes of seeking to obtain first the outline planning, then any subsequent planning that may be required and indeed persuading the Government with plans that this is the way it should be allocated.

2305

The attitude we have taken consistently is that we do not keep those premiums unless there is a good reason why the premium should be kept – because there has been expense to the Government or because we have believed that the party is acting in bad faith or something like that and we had to reserve the possibility of keeping a premium in that context, but not otherwise.

2310

I suppose it does fly in the face of the suggestion that the Government has no money, they have run out of money etc. Government has not run out of money and therefore does not need to forfeit anybody's premiums.

2315

We think that is the right way to act because the Government is a player in goodwill in respect of these projects going forward and we think that is the normal, appropriate and proper way for a Government to act.

2320

Hon. K Azopardi: Can I just ask ...? I certainly understand the good reason issue which the Chief Minister has indicated in terms of premium and so on. I certainly seem to recall – from some years ago, of course, since I sat on that side – that there were different ways of entering into agreement with parties that were assigned land, whether it is by licence or ... It may not have been a lease but it was loosely called, within the Department at the time, a sort of building lease, which had a kind of trigger clause which required the building to commence on a particular date.

2325

This is presumably not a situation where there was a requirement to start building on a particular date and therefore it is not a good reason therefore for a premium to have been forfeited because land has laid fallow for years on end, which might be the case, because that could be a good reason ... I am asking if the hon. Members agree whether that would be a good reason at least to consider if a developer did sit on land having had all the permissions granted and did not commence development for no good reason. Would that be a good reason to at least negotiate the premium return?

2330

Hon. Deputy Chief Minister: Mr Speaker, the agreement in this particular case was that on obtaining full planning permission the developer had to pay the premium and then lease issues would come into play. The full planning was obtained, the premium was paid, but we never got to the stage of the building lease or concluding the lease issues.

2335

2340 **Hon. R M Clinton:** Mr Speaker, just one final question. Can the Minister reveal what was the amount of the premium that was returned?

2345 **Hon. Deputy Chief Minister:** Mr Speaker, as I explained earlier, the plot is going out to expressions of interest again, so it would not be helpful to alert potential entities interested in that plot as to what the premium paid was, but I am quite happy to advise the Opposition privately as to what the amount of the premium was.

2350 **Hon. R M Clinton:** Mr Speaker, in the past they obviously had no problem with talking about, for example, the premium on the Bluewater project, so I fail to see why he cannot tell the House what the premium was that was paid on this particular project.

2355 **Hon. Chief Minister:** Well, Mr Speaker, the reason here is a very simple one. We have not made an announcement about this plot, we are going to go out to tender again, so we do not want to disclose what the premium was, which is now some years old, so that that might somehow set a benchmark for people to think, 'Well, if I bid there I know I am bidding what was bid three years ago and I will add 2% per year,' or whatever.

2360 We are not saying we will not disclose it to hon. Members; we just think it is not in the common interests of the taxpayer and the constituents that we all represent to put it out there, because we might get more. When people bid for property in Gibraltar, even if they are from outside of Gibraltar, they do look at things that have been said about the plot etc. This may form a report in the local media and therefore we may be cutting our noses to spite our faces and getting less. So, I invite the hon. Member to have the discussion that is proposed by the Hon. the Deputy Chief Minister because that hopefully will mean that we get the right amount for this plot and not less than we might.

2365 **Hon. Ms M D Hassan Nahon:** Mr Speaker, if I may, I would be grateful if the Deputy Chief Minister included me in those communications, as I originally raised this question and I have an interest.

2370 Can I just ask – and I am sorry if he has answered it, but I may have not grasped it – when did the developer pull out of this project, please?

Hon. Deputy Chief Minister: The first indications were given last year and it was after the premium had been paid.

Adjournment

2375 **Chief Minister (Hon. F R Picardo):** Mr Speaker, I move that the House should now adjourn to Tuesday the 14th at 3 p.m.

Mr Speaker: I now propose the question, which is that this House do now adjourn to Tuesday, 14th July at 3 p.m.

2380 I now put the question, which is that this House do now adjourn to Tuesday, 14th July at 3 p.m. Those in favour? (**Members:** Aye.) Those against? Passed.

The House will now adjourn to Tuesday, 14th July at 3 p.m.

The House adjourned at 6.27 p.m.