



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 11.09 a.m. – 12.30 p.m.

Gibraltar, Thursday, 6th November 2025

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The Gibraltar Parliament

The Parliament met at 11.09 a.m.

[MADAM SPEAKER: Hon. Judge K Ramagge GMH *in the Chair*]

[CLERK TO THE PARLIAMENT: P A Borge McCarthy Esq *in attendance*]

Order of the Day

SUSPENSION OF STANDING ORDERS

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Clerk: Meeting of Parliament, Thursday the 6th of November 2025.
Suspension of Standing Orders, the Hon. Chief Minister.

Chief Minister (Hon. F R Picardo): Madam Speaker, good morning.
10 I beg to move under Standing Order 7(3) to suspend Standing Order 7(1) in order to proceed
with a Government Statement.

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

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ANNOUNCEMENTS

Clerk: The Hon. the Chief Minister.

Chief Minister (F R Picardo): Madam Speaker, the Chairman of the McGrail Enquiry has
20 informed the Government that he intends to deliver his report today to the Government at around
4pm. I very much look forward, Madam Speaker, to receipt of the said Enquiry Report and to
tabling it in this House in coming weeks as required by Section 26 of the Enquiries Act 2024.

Madam Speaker: Thank you. Are there any questions for the purposes of clarification?

Hon. D J Bossino: Yes, Madam Speaker. The Opposition, and indeed I think Gibraltar in its
entirety, is also very much looking forward to the publication of the report and in that context,
particularly because of the immense and significant public interest that has resulted as a result of
30 the Enquiry, which deals with many aspects which affect the governing and the processes of this
place. (*Interjection*)

Madam Speaker, the Hon. Chief Minister is rather nervous once again this morning and he is
saying from a sedentary position that he is urging me to ask questions for clarification. It is normal
practice in Parliaments to, before one poses questions to elicit clarification, to provide a preamble,
35 which is precisely what I am doing in respect of a matter and an issue which is of great and
significant public interest. And you are the Speaker and not the Chief Minister.

Madam Speaker, the point of clarification that I ask the Hon. Chief Minister to provide to this House and indeed to Gibraltar is this. Precisely because of the public interest which has been created as a result of the issues which the Enquiry has delved into and dealt with, I would ask whether he is able to be more precise in terms of when it is expected that the report will be published. I am assuming that the Hon. Chief Minister will have seen the report as a core participant and will have a view and will wish to use that time to see whether he will engage the provisions in the Enquiries Act as to whether he will be withholding any material which is the subject of the conclusions arrived at by the Chairman of the Enquiry.

But I would ask him specifically whether he is able to provide this House with information as to when he will intend to lay the report in this House.

And secondly, also related to the issue of public interest is this. The GBC, and indeed it is set out because I have managed to check it in the short period of time that I have had in order when we received notice that this was going to be happening today in the House, the Enquiry website says in its 11th press notice issued today in its final paragraph, and I quote:

The Government has also agreed to give due consideration, nothing higher than that, due consideration to the Chairman's recommendation that it would be helpful to provide an advance copy to the press subject to suitable embargo terms.

Has the Government now given due consideration to that? And if so, is the Chief Minister able to say whether he has decided, on behalf of his Government, to provide an advance copy to the press, albeit under certain embargo terms?

Hon. Chief Minister: Madam Speaker, I am very grateful to the Hon. Mr Bossino, who I cannot call the Deputy Leader of the Opposition because he is not designated as that by his leader, for finally getting to the points that he wanted clarification on. I do note how he trembles when he gets the chance to get up to pretend to be leader of anything, let alone leader of something in this House. *(Interjection)* And I am delighted to be able to say to him, Madam Speaker, that...

Madam Speaker, may I remind the Hon. Mr Bossino that it was he who said a moment ago that I am the Chief Minister and you are the Speaker and I might suggest that he might realise that he is neither.

At least in his example, to me, I was one. Madam Speaker and give me the opportunity to reply to the two points that he made.

So, Madam Speaker, first of all, I hope that the Government's short statement today has paid to the nonsense akin to the type of nonsense one used to hear during the Covid period, that the Covid injection was somehow related to Microsoft tracking data that was being injected into our brains, that the Government has an intention to somehow not publish the report. The Government is not just intending to publish the report, the Government is intending to, of course, comply with its own Enquiries Act, which members opposite were so against, to lay the report in this House, Madam Speaker. And that is what I have indicated in the course of my short statement.

So we are going to be laying the report in this House, we are going to be publishing it. I hope not to have to read any more nonsense with the idea that we are not going to publish it.

Let us hope that that is been paid to that. Although I would say, Madam Speaker, that if only it had been true during the Covid period that we were injecting people with something from Microsoft, it might have been artificial intelligence and it might have helped some people to have an injection of artificial intelligence when they do not appear to have any of their own.

Second point, Madam Speaker, is to remind the House that this enquiry has cost in the region of £8 million of taxpayers' money. £8 million of taxpayers' money. Of course it is going to be published in its entirety, Madam Speaker. If there is a reason to redact a few words, it would be for reasons related to security. I do not anticipate, Madam Speaker, that there is any reason to redact any words at all whatsoever. But if there is, because the Government is advised by the police or it is advised by the Governor or it is advised by the Attorney General, Madam Speaker,

that there are issues related to national security, I would like to see who is the Gibraltarian who suggests that we should publish it without that redaction. But I have no reason to believe that there is anything in the report that will now touch upon national security because the notice that we gave dealt with those issues.

And the notice that we gave, which was only giveable under the Enquiries Act, which they so criticised and they told the international press, called into question the rule of law in Gibraltar, was something that the Chairman of the Enquiry said would not affect his ability to prepare the report or conduct the enquiry. So, again, Madam Speaker, more nonsense on stilts which has come to nothing. And finally, Madam Speaker, on the second point, it is my view that we should be able to provide to the national broadcaster and to other press in Gibraltar, probably the Gibraltar Chronicle, on terms of strict embargo, like a judgement, because this is a judgement, advanced copies so that they can go through it before the designated moment of publication, Madam Speaker.

That is my inclination. We have to take legal advice on it and on how the terms of embargo will be set out because, as I think is now public knowledge, the Government has agreed with the Chairman of the report to ensure that core participants and certain others have a copy of the enquiry report available to them before it is published. On what lawyers will know are the sort of usual embargo terms on which a judgement is handed down, but a judgement that is even 100 pages may be handed down a day or two before.

This is many hundreds of pages and therefore there is an obligation, which makes sense in the context of people preparing themselves for what is going to be said about them in the report, that they should have a longer lead-in period. Now, the lead-in period for a core participant or a third party who is not a core participant but is also a participant that is mentioned and the enquiry chairman has suggested should be included or has agreed should be included in the pre-publication distribution is not a broadcaster and is not a media outlet. So, different timings might apply to one and the other.

Those are the issues that we are dealing with. And let us put paid to the nonsense that this Government is not going to publish the report or is going to try and take bits out of the report to protect itself. It was always utter nonsense and on the day it is published they will have to realise, all of those who said it, what nonsense they spoke.

Thank you very much.

Hon. D J Bossino: Madam Speaker, I was asking to give way only because I do not think the hon. Gentleman has answered one point that I have raised but I am happy for one of my learned hon. Friends to pose the question because the Hon. the Chief Minister has not responded to one of my specific questions as to specifics.

Madam Speaker: The Hon. Mr Clinton.

Hon. Chief Minister: Madam Speaker, speaking although it is not my turn to speak now please. I would speak Madam Speaker despite the rules of the House not providing that I can speak... *(interjection)*

Madam Speaker: The Hon. Mr Clinton had a question.

Hon. R M Clinton: Thank you Madam Speaker.

I have a question on timelines and also in terms of process. If the Chief Minister could clarify the relationship in the concept of publication and tabling in this House as to, I presume, and the Chief Minister can clarify, whether it is tabled in this House before it is issued for general publication or simultaneously? In which case can the Chief Minister give an indication of date? Are we talking about multiple dates in terms if it could be published on day 1 and then the House might Table it on day 10, I do not know... I am interested to hear if the Chief Minister can clarify

as to what the process will be for the dissemination of this report and his anticipated timeline. Thank you, Madam Speaker.

145 **Hon. Chief Minister:** Madam Speaker, that is a question about a matter that is public because section 26 of the Enquiries Act deals with it.

Madam Speaker: No. I am going to stop the hon. Member now and I am going to remind the House on the back of a statement we should not enter into a debate.

150 If there are any other specific questions from any other hon. Members I will allow them, but we are not going to debate the issue now. Does any other hon. Member on either side have any other questions to ask? (interjection) No, right, we will move on now. We are dealing with the motion, I think. Mr Clerk, is that where we are?

Yes. We will continue with the motion.

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GOVERNMENT MOTION

160 **Chief Minister (Hon. F R Picardo):** Thank you very much, Madam Speaker. I never cease to be amazed by how little law some lawyers know. Madam Speaker, when we entered the session yesterday, I had dealt with all of the payments made to the former Media Director. I had also gone through the criticisms in relation to the procurement of four contracts, which are highlighted in the report and which I was able to show, actually, despite the things said in the report, were dealt with by the Government entirely in keeping with the law.

Can I just ask the Clerk to ask the usher to come in?

165 Madam Speaker, I will today deal with the issue of the former police officers who were transferred and those who received certain payments on retirement, and I shall also deal with the parts of the report that we have accepted and are acting upon. I will then round off the day with the amendments that I propose to make to the motion. I will deal with that later. I am sorry, but just to be conscious that I will be circulating my notice in writing towards the end of my contribution today.

170 Madam Speaker, therefore, I want to start today by looking at the issue of the transferred police officers, which are also referred to in the context of the report. Madam Speaker, this issue, which is known colloquially as the issue of the whistleblowers, has a history. Throughout the general election, we had Members opposite referring to this question of the whistleblowers. Indeed, it was raised with me by the Leader of the Opposition during the course of the Leaders' Debate. All of this, Madam Speaker, arose from a complaint from the former Commissioner of Police, Mr Ian McGrail, in the context of the enquiry that we have just been told today we will be receiving the report of this evening. The history, therefore, Madam Speaker, is well known to the House.

180 The relevance of it in this debate, Madam Speaker, is that the report also deals with these issues. Let me remind the House what it is that the report says about these issues. It deals first with *ex-gratia* payments that were made to certain officers, I think four of them, who were retiring because transferring them made no sense given their ages.

185 All of this was done lawfully, properly documented and properly authorised. But it was suggested, actually, that this was somehow, fictionally, because sometimes if you cannot attack Fabian Picardo, you cannot attack the GSLP, you cannot attack the Liberal Party, and you cannot attack the Government with facts. Many people fall back on attacking us with fiction. And with fiction, we were attacked on the basis that this was somehow part of a COVID-inducement scheme that had to be investigated. That, in fact, was the subject of Mr McGrail's complaint to the Royal Gibraltar Police, and that complaint has now been discredited. Because,

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indeed, although that investigation was not conducted by the Government, it was conducted of the Government before the General Election.

It was conducted by the Royal Gibraltar Police, which was then led by Mr Ullger, who, in the course of his evidence, talked about Mr McGrail being his best friend. And he brought outside officers to investigate the man he said had been his best friend's complaint. That man was Mr John McVea of the Police Service of Northern Ireland.

And that investigation was independently reviewed by the National Crime Agency of the United Kingdom. It was legally scrutinised by a King's Counsel from London for the NCA and for the RGP and for Mr McVea and all three reached the same conclusion.

There was absolutely no criminal conduct, no prosecutable offence, no case to answer, let alone any case to bring. And yet, Madam Speaker, despite that finding, despite that finding, it did not deter the author of the report from once again addressing these very matters that had been investigated. But, you know, this is like a dog that eats its own tail.

Mr McGrail makes the report to the RGP. The RGP investigates it. We are entirely exonerated. But Mr McGrail says, well, I hope the Principal Auditor looks at it. And the Principal Auditor, who is entirely constitutionally independent but does what Mr McGrail says, investigates it and sets out in his report all of the things that he says are wrong with that. And then Mr McGrail says, given what is in the Principal Auditor's report, I hope the police reinvestigate it. And the police reinvestigate it.

But of course, Madam Speaker, what is important to confirm on the record of this House is that after that reinvestigation, that they have reviewed the parts of the report which are relevant, the RGP has confirmed publicly, I think in September, that there is no new evidence, because everything had already been given to the Royal Gibraltar Police by the Government of Gibraltar, of course, and that the evidential threshold for prosecution remains unmet. That means it is not that there is no case to answer at the end of a prosecution case. It is that there is nothing for the prosecution to deal with because nothing has been done wrong. Why? Because these payments were properly made.

They were made in keeping with established rules. They were made on disclosure to the Principal Auditor. They were made by the Treasury. They were made under the auspices of the Chief Secretary and of the Financial Secretary. And in some instances, Madam Speaker, the transfers were made at the request of the Commissioner of Police, in keeping with established practise. There was nothing secret here, let alone anything unlawful.

And certainly not part of any Machiavellian plot. And if anybody says otherwise, they are misleading this House, Madam Speaker because there has now been an investigation into whether that was the case, and the investigation has twice exonerated the Government of Gibraltar, and the first time with that investigation independently carried out, independently reviewed, and independently legally checked.

But mud sticks, Madam Speaker. And there is no worse politics, there is no worse tactic, even in the law, than throwing mud just for the sake that it might stick but it is a tactic. It is a tactic and mud sticks and that is the game that some have been playing.

But this Government, Madam Speaker, from the day that we were elected, have been entirely respectful of the rule of law, of ensuring that we have acted properly, and ensuring that the law that we passed to protect whistleblowers is properly and entirely well administered, Madam Speaker. And entirely politically impartially. Entirely politically impartially because in the same way as in relation to the *ex-gratia* payments, it is all very well for people to be scandalised because a payment has been made to somebody who in one period has identified as a supporter of the Socialist Labour Party. It is also very well to say, well look at the list, and look how many people who got *ex-gratia* payments have in the past identified as being supporters of the Social Democrats. It does not matter when you are dealing with *ex-gratia* payments.

If you have got an obligation to pay, and it is cheaper to pay than go to court, you pay, whether the person is a GSLP, Liberal Party, GSD, or PDP. Remember them? The ones who helped us to win the 2011 General Election.

It does not matter which party people are from. You act properly. You act in keeping with the principles that are set out.

245 You act in keeping with your obligations to protect the public purse. The identity of the claimant does not matter. If you do the same thing, Madam Speaker, when it comes to whistleblowers, it does not matter that one of them is represented by the Leader of the Opposition.

250 It does not matter that he is related to a sitting member of the Opposition. You protect them because you are not looking at their party political affiliation. You are looking at how they have been bullied. You are looking at how they have been prevented from seeking promotion improperly. And you protect them, despite the fact that they might support the wrong political party, Madam Speaker. That is how you act properly in Government.

255 You do not say, well, let him go to the crocodiles and let the crocodiles eat him. You protect him as much as you protect everybody else. But of course, the hypocrisy then is not on the part of the Government that has acted equally across the board.

260 The hypocrisy is on those who get up to criticise the Government, to say that it is terrible what we are doing with whistleblowers, even though one of the whistleblowers, we have done because they asked us to. It is just like getting up and saying that it is a scandal that we should pay an amount to a Media Director when the reasons why the amount has to be paid is because of the contract they gave him. They do the thing that they then call scandalous in relation to the Media Director.

265 They say the thing in relation to the whistleblowers is scandalous except they forget that one of the whistleblowers is one that they asked us to make a whistleblower. And you know what, Madam Speaker? Not only do I think that we acted properly in relation to the whistleblowers, all of them, the ones who retired and received a payment because they were not going to continue in public service are the ones that we moved to other parts of the public service.

270 And their move depended on which type of contract they had, what is known in the police as the old contract or the new contract, and whether they kept certain terms or whether they lost certain terms. I am very pleased, Madam Speaker, that we have done it in a way that has stood up to scrutiny when investigated externally from the Government and externally from Gibraltar, and that we have done it for their whistleblowers too because that is the right thing to do. I wonder, Madam Speaker, whether they will ever recognise that, at least. That this terrible Government that does these terrible dictatorial things that are so outside democracy held out its hand to help one of theirs too when he needed it. Because that was the right thing to do and I do not for one moment regret it. I do not for one moment regret it. Let us see whether they recognise it.

280 Or whether theirs is the only whistleblower who was entitled to be known as a whistleblower, is the only genuine case and all the 29 others were part of the Machiavellian plot. But that part of the report, Madam Speaker, rose to the bait of forming part of a debate that should never have needed to be had for one of the reasons that the double exoneration of the Government with the external review to the Government and the external review from Gibraltar has demonstrated. Madam Speaker, that concludes the parts of the report that I need to go through that are, in the Government's view, worthy of rejection and of putting in a different context.

285 There are parts of the report, Madam Speaker, that the Government has accepted. The idea that the Government somehow does not accept anything that it is told, that it fights every aspect of what is being told, even that in some of the areas where we dispute what is being said, we do not nonetheless think, well look, we dispute it but it is constructive, we are going to change how we do this. That politics is for the birds.

290 That is not the politics that is happening here, Madam Speaker. We are accepting a lot of what is said in the 2018-2019 report, which is not politically biased, which is not factually incorrect, which is not legally outside the remit of the jurisdiction of the principal auditor, which is not legally flawed. We are accepting it and we are implementing it.

The idea that we are not is like the idea that we are going to spend £8 million on an enquiry and not publish what the enquiry has to say because it might criticise one of us, many of us, some of us, to one extent or to another. I do not know how these concepts take root in Gibraltar, Madam Speaker, but I have to say to hon. Members opposite that very often they are the ones fertilising it. So, the Government does accept many parts of the report.

It accepts parts of the report and it is implementing parts of the report which will lead to improvements in the public service. We recognise that external scrutiny of the Government, for as long as that scrutiny is accurate, fair, objective and impartial, is a very good thing. It is a very good thing.

I also made clear, Madam Speaker, at the very outset, that of course there are parts of the report where we believe that there are lessons to be learnt. And we will do our utmost to learn those lessons and to improve how we spend taxpayers' money and how we deliver a public service. In some areas, Madam Speaker, we might not agree, but we might take the point and we might say, well look, constructively this leads to a better situation.

So, let me take the House, Madam Speaker, through some of the various examples where the Government agrees with the report's recommendations and reflect on the work that the Government has already done to implement those recommendations. I think I have already set out some of the areas as I have gone, but I am now going to go in detail through those areas where the Government has implemented these changes. And I do so, Madam Speaker, in the context of feeling a great sense of pride in the Ministers that comprise my Government and a great sense of pride of the public officials that work with us up and down the different departments, the agencies, the authorities, the companies and those who work directly to us in delivering what these days, Madam Speaker, despite its flaws, can only genuinely be described as world-class services. Just have to see what the standard of services in health, in education, in housing are around the world.

Indeed, in Europe, Madam Speaker, to see that despite its flaws, all of which we want to make even better, this place is now delivering incredible world-class public services and that we should have a politics that is about an Opposition and a Government dancing on the pinhead of how to make things better. Of course we should. But that is the context in which we are having this debate.

And when a principal auditor sticks to his functions, to his jurisdiction and to his constitutional remit and makes recommendations in keeping with his powers, of course the Government is going to listen and act. But, Madam Speaker, where he does not, playing the ball, not the man, should not be seen to be inappropriate. It should be seen to be absolutely proper.

Absolutely proper and a defence, not just of the Government, a defence of this place because on. Members might now get up and actually say, well this was terrible.

They need to realise that what the Government is defending in many instances is the supremacy of Parliament and the Parliament's right to do things and the Executive's right to do things against those who have no legal, constitutional or other rights to do them and are pretending to usurp those rights from those who have it, that is to say all the 17 of us, not just the 9 of us here.

So, Madam Speaker, let me start with Housing. On housing rents and arrears, we have accepted that outdated standing orders and collection methods have contributed to arrears. My goodness, Madam Speaker, the world has changed so much. I mean, I think 10 years ago they would not take standing orders. We introduced the ability to take standing orders. These days you do not even go to a bank to do your banking. You do it all in the comfort of the palm of your hand. We no longer even have to say in the comfort of your living room when you used to have a PC that you used to sit at. You do it in the comfort of the palm of your hand. Of course we need to change the way that debit facilities are provided for and to improve collection facilities. At page 113, paragraph 3.4.73, the Principal Auditor said this:

345 The Principal Housing Officer informed the former Principal Auditor that housing rents shortfall typically occur when a tenant does not update their rent payments in response to official notifications of rent increases. He explained that these notifications are sent via media announcements and official letters with at least one-months' notice before any rent increase takes effect.

350 In response to this issue, the Housing Department has now introduced a direct debit facility which will help eliminate the gap between the new rent amount and a tenant that might be falling short.

Although some tenants have yet to switch from standing orders to direct debit, the Department will continue to offer this option. He was confident that ultimately this initiative will streamline payments and address discrepancies caused by rent increases.

355 I hope my banking friends do not mind me saying, Madam Speaker, that of course there is also a big difference between a standing order and a direct debit.

A standing order costs you money whilst a direct debit does not cost you money and so those who are paying rent if they were before required to use a standing order would have been paying for that service whilst with a direct debit they do not need to pay for that service.

360 Madam Speaker, at page 104, at paragraph 3.4.38:

365 I am glad that the Housing Department has committed to an arrears recovery strategy that aims to minimise the level of house rent arrears and to maximise the collection of rental income. Although the effectiveness of the strategy was evident in the first few years of its implementation, the recent trend of increasing house rent arrears emphasises the need to continue strict application of the strategy to avoid further escalation of house rent arrears. I am hopeful that the Department's officers will have a clear direction from management and the appropriate training support that will empower them to both manage and maintain an effective rent collection system.

370 In this respect, Madam Speaker, I refer the House to figure 62 of the report which hon. Members will find at page 97 of it, which they will see illustrates that rent arrears have declined from a peak of £5.76 million in 2016 to £4.91 million in 2019, the year after the direct debit system was introduced. After some stabilisation around the £5 million mark in 2021, which was the COVID period, the House will note that arrears dropped significantly to £4.59 million, an 8.4% reduction almost half a million pounds in 2022. There was a modest rise in 2023 to £4.73 million and in 2024 to £4.85 million. The overall trend demonstrates that the corrective measures, including the direct debit facility and stricter enforcement strategies as well, so carrot and stick, have contributed to reducing arrears compared with other years.

380 We do have the issue, Madam Speaker, in respect of that £5 million figure of aged debt and the need to write some of that off. That involves, because of the nature of Government accounting, a very senior decision having to be made, which is not with politicians, it is with officials, but they do have to write off amounts. Everyone is always very reticent to do that, but I would say that £5 million is not the real figure of arrears because a lot of that is aged and unrecoverable debt and therefore I do believe that what needs to be done is that we need to bite the bullet and deal with those aged debt issues and deal with the write-offs because we need to know what we are actually owed and what we are actually going to recover.

385 Something that we have been owed for longer than the Limitation Act enables us to recover or where there are social or other reasons, like bereavement for example, that prevent us from being able to recover that amount, we should know what the final actual figure is.

390 On housing allocation, Madam Speaker, the codification of the discretionary powers which in most instances were criticised because they were exercised by me as Chief Minister, although no previous Chief Minister has ever been criticised for it - you know what I think about political bias. Those are other areas where although I believe that the report is severely politically biased and I believe it is legally wrong because of how I explained that we can use all of the portfolios and can act in respect of the powers of any Minister and the Minister is the Housing Authority in the Act which hon. Members designed, I agree that actually there is no reason why this should not be something that we should do and that is although this is not an area where the Principal Auditor has any remit.

This is also entirely ultra-virus. The Principal Auditor has no power to say a Minister has the power to do this and has no power to do that. It has got nothing to do with the accounts of Gibraltar whatsoever.

It is completely outside his constitutional, statutory or other power. Despite that, in this context, although I reject what he says completely as being something that should be in his report, I do not see anything wrong with codifying how the power is actually exercised. So, I have asked that there should be some work done on the codification and therefore that this should be set out in a way that is clearer and indeed, I have publicly endorsed this on the basis of greater transparency.

On page 36 of the former Principal Auditor's report, there is a reference that says that the Government supports codifying and publishing discretionary powers to prevent future misinterpretation, a position already publicly endorsed by the Chief Minister. It is not unimportant, Madam Speaker, to remind those who are uncharitably minded against those of us who make up the Government that what we are doing here is the opposite of playing the man. This is actually accepting that although the man has committed a foul, we are going to play on and not demand the penalty because the penalty could be to say expunge all of that part of the report because you have absolutely no power under the Constitution to make that recommendation. But look, on this one we are saying no problem. We agree. Let us do it.

So, there were some recommendations from the Principal Housing Officer on how best to do this codification and how best to ensure that there is a trail of evidence leading to the decisions that are made and how the authority for that is provided for.

I think, Madam Speaker, that we are demonstrating how proactive we are prepared to be on things that even when they come from somebody who is not empowered to say them, look on balance, make for better public administration and better public accountability and favour those members of the public who require the discretion to perhaps be exercised in their favour to be able to have a record in the Government's files, because these are not things that should ever be public, that substantiates how the allocation has been done. I should also say, Madam Speaker, if anybody has the idea that there are edicts from No. 6 Convent Place to the Housing Department under this Minister or under previous Ministers, under this Principal Housing Officer and previous Principal Housing Officers, they would be wrong because when my officers got in touch and said, look, we have had this meeting with this constituent, we have been told all of these things, we have had a number of Principal Housing Officers who have said, hang on a minute, you have been sold a pup and as I have said to the House before, there is nothing more soul destroying than when you actually believe someone and you want to help them when you are shown by another part of the administration that we have been sold a pup. And Madam Speaker, of course in those instances we have listened to both sides and in most instances of course, the Principal Housing Officer has been absolutely right, and we have not proceeded with the allocation proposed from No.6 Convent Place or on which we were seeking information from No. 6 Convent Place.

So, Madam Speaker, again, listening to officials, acting properly, ensuring that the discretion is only exercised in exactly the right instances and in keeping with the law is what we have been doing. Overlaying a process to that which is more objective, we are not saying no even though the author of the report had no right to go there.

On enforcement, Madam Speaker, on facilities, this question of parking, sheds and berths, already the Housing Manager has confirmed that those are in place to recover arrears. They were controversial at the time and indeed, Madam Speaker, I remind Members, I do not know who was here and who was not, I know that the younger Members were not here, I do not know where Mr Bossino, because he has been in and out of this House so often in the past 20 years, but certainly Mr Reyes was here although he is not here today, that we brought to the House through Miss Sacramento who was then Minister for Housing, that we would include these provisions of withholding berths, withholding parking bays, which are ancillary facilities to a Government tenancy if the individual was not up to date in his payment of arrears and one of the things that we were able to agree on across the floor of this House was that we should do that all together

450 without us then subsequently seeing constituents that we might try and curry favour with by saying we would make representations, etc.

I hope that still stands with members opposite because they should understand that this is actually the process that the Principal Auditor agrees with us is an appropriate one. He goes a little further at paragraph 3.4.31 on page 102. The Principal Auditor acknowledges this and says:

455 Additionally the Housing Department was currently initiating the process of reprocessing sheds from tenants in arrears.

The Department is hopeful that this will result in the recovery of rent arrears outstanding.

460 On Gibraltar industrial cleaners, Madam Speaker, another area where the Government is very proud of how we have been able to resolve many issues. I do not know whether hon. Members follow the news outside of Gibraltar or whether they only read local blogs but if they do, they might see that in neighbouring countries there is now a huge issue huge issue with the increased cost of the collection of rubbish as new EU directives come into play which are implementing
465 international obligations.

That is what we fought to obviate and as I said during the course of the budget debate either this year or the year before what we were doing in the New Deal in respect of refuse collection and the management of refuse is preparing not to cut costs alone but to prevent the increase in cost that was coming getting out of hand. Although there may be some increase in cost in the
470 management of waste once it is deposited it is much less than the increase in cost we were going to suffer, and we could see coming down the road. So here there are savings not just in relation to the cost today where there are some savings in some sectors but in particular savings against the cost that were around the corner.

On this Madam Speaker we have acted to reduce the cost and the inherited inefficiencies from the previous administration and as you know I do not think we have been given enough credit for that but we really genuinely believe that the projected annual savings of £685,000 which we may or may not hit this year because it is the first year and we are going through different cycles and people are retiring at different times during the year and it is really something that is worth providing for.

480 The report reflects I think how fleetingly this new agreement where it states at section 5.4 page 42 a new collective agreement between GIC and Unite the Union was discussed months ago and signed prior to the report's release. This agreement abolished the manager's overtime, restructured staffing and introduced cost savings measures and therefore I think it is important the House should remember that we did it not because it was in the report but because it was our
485 ongoing work. It was our work in progress and the report was reporting what we were identifying were the problems.

The report at pages 186 to 187 says:

490 a new Gibraltar industrial cleaners limited collective agreement has been agreed as part of a wider waste management review, which is expected to reduce overtime costs significantly.

Again, not enough analysis or recognition of what we have done in that context, but we were doing it. So, we are taking the recommendation, although the recommendation was one that we had started to act upon even before there was a recommendation.

495 On procurement practises, documentation and exemptions, Madam Speaker, I've taken the House in detail through how correct the various departments' procurement processes have been in the four contracts that have been criticised out of the 270 that were done. So, despite us disputing those findings, we have, again, absolutely no compunction in saying, well, look, let's make sure we no longer have to have these issues. Let us make the relevant amendments.

500 And there, Madam Speaker, not only have we gone back and given detailed and transparent responses to the issues raised in the report, although in some instances after the closure of the report, because we were asked for those explanations hours, days before the report was going to

be completed without being told it was going to be completed on the 31st of May, but the Audit Office has got after the 31st of May in some instances, all of the transparent information that they needed, and I've given a lot of it to this House and a lot of it will also shortly be made public as hon. Members will see.

In this respect, Madam Speaker, Section 5.7 of the report, the Principal Auditor says in one of his paragraphs:

The Government strongly contests the Auditor's conclusions, asserting the report fails to reflect the lawful exemptions, the strategic considerations and the broader public interest issues, but the departments accept the need to ensure clearer documentation, but we reject the implication that decisions taken were unlawful or improper.

Today, Madam Speaker, in the Gazette we are publishing the Public Finance (Control and Audit) Act, Procurement Public Sector Contracts (Amendment) Regulations 2025, and these regulations will amend the Procurement (Public Sector Contracts) Regulations 2016 in order to expand the circumstances in which the use of the negotiated procedure without publication may be used to award public contracts in circumstances which are in the public interest. That is a power that exists already.

Just so that before hon. Members have the apoplexy that they tend to have when they hear that the Government is going to legislate on anything, that is a power that already exists. The recommendation that we have had is that we should codify that and make it more clear if we were going to see certain references in it to set those out in the law. That is what we are doing, Madam Speaker.

We are setting those out in the law. That law is being published today. Indeed, I would say that we have not done badly, that we have only been criticised out of four out of 270 instances where we are able to show that we acted properly and in keeping with the law.

The political criticism is something different, Madam Speaker. The political criticism comes when you act entirely properly - the political criticism comes.

But we have been able to show that we have acted entirely properly even in the four in which we have been criticised. They, sitting opposite, Madam Speaker, will get up to attack us on this issue with the huge hole below their waterline that they granted a contract for £1 billion, not £1 million, £1 billion outside of the remit of the Procurement Act. It was the one on the approach road and extra works.

And they will never be able to point out, we have done that legally, because there was no legal provision for them to grant it. It was outside all of the exemptions. And when I asked the question in Parliament about that in 2011, the Government said it would not answer.

And when I was elected to Government and I checked, I saw, as I was entitled to by the way, nobody was showing me a file that I was not entitled to see, that the contract had been granted illegally, outside of the Procurement Act. And I called in the counterparty. And I told the counterparty that he had a choice. He either surrendered the contract, the illegal contract that they had granted, outside of the procurement rules, outside of the exemptions, or I would sue in the Supreme Court for rescission of the contract. The contract was cancelled by mutual agreement.

So, if they are going to get up to criticise us, because 4 of our 270 public procurement contracts had been criticised and we have been able to show, because we were not given the time by the Auditor to give him the information, that actually they were in keeping with the procurement rules, they should do so remembering that their posterior is made of hay on these issues.

And that they are holed below the waterline on this. Because the only Government, as I can see it, Madam Speaker, in the history of this Parliament, that has acted outside of the Procurement Act, was a GSD Government.

On matters related, Madam Speaker, to the overtime and staffing in the Environment Department. As the former Principal Auditor himself acknowledges and the recommendations

555 made, the Acting CEO confirmed that new staff had been hired and transferred to reduce overtime expenditure in the Upper Rock and Beaches section. Indeed, the Auditor recognises at page 186 of the report where he says:

560 Numerous site officers have very recently been employed and transferred to this section, and according to the Acting Chief Executive Officer, this will result in a reduction in overtime expenditure.

On overtime controls generally, Madam Speaker, the Chief Secretary's Circular No. 9 of the 29th April 2025 deals with issues of overtime. The Chief Secretary, as ever, constructively has acknowledged the problem of overtime being improperly charged and had previously issued a Circular to strengthen approval and management controls, and he recently issued another Circular earlier this year, ahead of the report. The revised overtime and approval procedures were implemented with immediate effect from 29th April 2025.

This is reflected in page 187 of the report as follows, where it says:

570 The Chief Secretary issued a Circular advising that the revised procedure for the approval and management of overtime was being implemented with immediate effect.

This is also very important. However, when we come here during the course of the Budget debate, and we talk about putting a £1,000 line in so that we have a better eye on overtime and this whole House is able to supervise it better, hon. Members seem to suddenly become Union Leaders on behalf of Public Servants and what they want is more overtime to be provided for, so they need to decide, Madam Speaker, whether they are Arthur or Martha in the context of these issues. On business continuity planning and risk management, Madam Speaker, the Director of Strategic Development, currently the Chief Secretary, acknowledged the need for improved business continuity planning and departmental guidance, one of the issues that the Auditor raised.

Indeed, as a result, His Majesty's Government is now committing to pursue ISO standards on those issues with clear internal guidance to strengthen resilience. On this, Madam Speaker, you will know that at pages 229 to 230 of the report, the Principal Auditor said:

585 I agreed with the Director of Strategic Development that it might be beneficial that guidance should be as comprehensive as possible to eliminate any uncertainty.

We are doing that, Madam Speaker, and we are working on a policy for business continuity, and a recent circular and questionnaire was circulated to all Heads of Department.

590 On the public audit legislation, Madam Speaker, I think actually there exists consensus across political parties and indeed between this House and its absent Member, a Principal Auditor, that audit law requires modernisation. Except, Madam Speaker, that when I say that we are going to bring modernisation, in particular the sentence that says that an Auditor should not be advising on policy issues, which is what all modern auditing legislation says, in particular the model in the United Kingdom, hon. Members opposite seem to have apoplexy on local media saying that I am going to gag people. I cannot be gagging people, Madam Speaker, by agreeing to the reforms that they are asking for.

595 The Morello Proposals of 1997, Madam Speaker, remain on the table, of course, and the issue there is that if the Morello Proposals of 1997 on updating auditing laws remain on the table, it is not just because we have not actioned them in 14 years. It is because they did not action them in 16. In 16, Madam Speaker, politics *a la* GSD, do as I say and not as I do, Madam Speaker. Anyway, the former Principal Auditor has this to say at page 73:

600 There has been broad agreement across successive administrations that Gibraltar's audit legislation is outdated and requires reform. A view expressed as far back as the Morello review [when Mr Morello was actually asked to carry out a review and advise on it] in 1997.

Although the Principal Auditor's role, Madam Speaker, in all of this is not to seek changes to legislation. It is to audit in keeping with legislation as it is.

610 On attendance and punctuality monitoring, Madam Speaker, this is the final area that I am going to go into. The former Principal Auditor's recommendations have already been implemented, Madam Speaker, but I want to stress, however, that the examples I have provided and this additional example I have now furnished to the House of how we are implementing recommendations are by no means the only instances where the Government has improved
615 Public Services on the back of recommendations of former Principal Auditors, plural, and the former Principal Auditor, singular, in particular - There are more, of course.

In respect of attendance and punctuality, I note that the Chief Secretary has acknowledged the Principal Auditor's observations on attendance and punctuality. He did so in Circular No. 11 of 2025, which was published on 18 July 2025, after the publication of the Principal Auditor's report,
620 and where the Chief Secretary requested all Heads of Departments to provide updated information on attendance monitoring arrangements.

The Government now has all the relevant information from Departments and will implement measures to ensure this matter is properly addressed.

Page 1, Madam Speaker, of the Chief Secretary's Circular states as follows:

625 As part of ongoing efforts to improve accountability and operational efficiency across the public service, and further to observations raised in the Principal Auditor's report for financial year 2018-19, specifically in relation to attendance and punctuality, I am writing to request updated information regarding your Department's attendance monitoring arrangements.
630 Once we have collated the responses, we will consider the implementation of a consistent and suitable monitoring system across the entire Public Service.

There it is, acting in keeping with the recommendations set out in the report. Who says we do not?

635 The same people who said that we were injecting them with Bill Gates' chips, the same people who said that there could not be an inquiry after we changed the Inquiries Act, the same people who said that the rule of law in Gibraltar is under threat, the same people, the same people, Madam Speaker. Nothing to do with reality.

And so, Madam Speaker, I conclude my contributions in respect of the former Principal Auditor's report, and in doing so, I will move the amendment that I presaged at the beginning of my contribution, which, Madam Speaker, I understand, in keeping with the rules, must be moved
640 in writing, Madam Speaker.

And so, for that reason, I am providing you with a notice of amendment in writing to the motion, which I will take the House through, in order, Madam Speaker, to make it easier for Hon.
645 Members to understand the way that I have structured the amendment. What I have done is I have provided a letter to you, in compliance with the rule that I should move the amendment in writing, and I have highlighted in red the words that I am adding. I have not been able to, because of my inability with the technology, to take out the words that I mean to take out, but I think only two or three words go out, and the majority of the text stays in, Madam Speaker.

650 The amendment would now make the whole of the motion read as follows, and I am very happy for it to be circulated to hon. Members, but that, as I was reminded by the Hon. Mr Bossino, I am only the Chief Minister and Leader of the House, and whether to circulate the amendment to Members is a matter for the Speaker, if you wished for it to be circulated.

655 **Madam Speaker:** I confirm that I will be circulating the amendments to hon. Members.

Hon. D J Bossino: I am grateful for it.

Hon. Chief Minister: This House considers that the Principal Auditor's Report for the financial
660 year 2018-2019, and that include the new words, whilst providing a clean bill of health on the

public accounts of Gibraltar, fails in many material respects, in both form and substance, to conform to standards of independence and objectivity.

The next two paragraphs stay the same. Further considers that the said report contains material errors that reflect both: (a) a lack of competence in its finalisation by the former Principal Auditor; and (b) that it has been presented in a manner that is designed to be politically biased against the political parties that make up the Government, and to align with the policies of the Opposition in a manner that is outside the bounds of an Auditor's Report, thereby further illustrating a failure of independence and objectivity. And concludes that, as a result, such transparent bias significantly and completely compromises the accuracy and reliability of the report, and significantly constrains and limits any reliance that this House can place on it.

And therefore rejects, and then I make a change, Madam Speaker, and say, those criticisms, plural, of the Government contained therein, and the relevant parts of the, and then it continues...

Madam Speaker: I'm going to stop the Hon. Chief Minister for a moment.

Hon. D J Bossino: Madam Speaker, would it be possible, given the, I am grateful to the Hon., the Chief Minister that he is going to be making a copy of the motion to the Opposition. Whilst he is going through it, would it be possible for copies to be made available to Members of the House?

At the moment the Hon. Chief Minister is rattling through his rather extensive amendments to the motion, but we are not able to follow it. So from a practical perspective, and I would have thought from a courtesy perspective, it would be right and proper for the copy of the motion to be before us on the table on this side of the House, if possible.

Madam Speaker: Yes, well I have no issue with asking that this be copied and circulated. What I would say, I did have a conversation with the Hon. Leader of the Opposition, behind the Speaker's Chair yesterday, and, I am sorry, there is one more page left here, that there is no disadvantage in any event to the Opposition, because after this amendment has been moved, we are going to adjourn, so there is nothing to be done or said on this today.

Hon. D J Bossino: I see, yes, and I am very grateful to the Hon. Chair for the clarification. I understand that is a position that we were briefed by the Leader of the Opposition in relation to what had been discussed behind the Speaker's Chair.

Madam Speaker: All right, given that, are the hon. Members happy for us to proceed so that we can carry on whilst the photocopies are being made?

Hon. Chief Minister: As the Leader of the House, I am happy to proceed, Madam Speaker. And to start by saying, Madam Speaker, that I am surprised that somebody who rabbits on quite like the hon. Gentleman would like to stand up to start saying that I am rattling on, because that is what sets the tone of my response to him and everything that he says. He has said that I am going through a huge number of amendments.

I have read 11 new words, and he was not able to follow, which is really quite remarkable. I mean, if he cannot follow 11 words, Madam Speaker, I can see why he is always continually rejected in his claims to want to be the leader of his party, because somebody who cannot follow 11 words cannot be Chief Minister of Gibraltar, and at least they have got that right in the GSD. Let us be clear.

And Madam Speaker, I have absolutely no difficulty with my amendment being circulated. It usually is when I hand it to the Chair, not as a matter of courtesy, as a matter of form, but I assume that the courtesy that was being impugned there was not mine, because I had complied with all of my obligations under the rules. And finally, Madam Speaker, the point that I would make is that it should be clear to everyone that I have agreed with the Leader of the Opposition that I would adjourn today when I move the amendment, because he is not here.

And he is not here, Madam Speaker, because he is doing something else. He is at work doing something else, earning hundreds of thousands of pounds, which I think is absolutely right and proper that he should do, because he is in court representing clients, and he is not here fulfilling his public function. That is all right, because this is not a full-time Parliament, but that is why he is not here.

On an issue which he has said is one of the most important issues to have befallen Gibraltar and one of the reasons why he has moved a motion of no confidence in me. But he is not here to hear my explanations. No problem.

I suppose he will be here, at least when he moves his Motion of No Confidence in me, when the time comes, and hopefully prepared. Anyway, Madam Speaker, I was under the paragraph. I hope the courtesy is going to be extended to members of the Government as well and not just to members of the Opposition, because at the end of the day, we are all members here and that the copies will be provided to everyone here.

Madam Speaker: Yes, I thought I had directed copies for everyone, but I am sure they will come if they can hear me in the back office, they will be making further copies.

Hon. Chief Minister: I am sure, Madam Speaker. So the paragraph gave those, and therefore rejects those criticisms of the Government...

Madam Speaker: No, if the Hon. Member wants to...

Will the hon. Member... they are photocopies, not coloured, but it is sufficient. It is going to be read out so the Hon. Member can follow.

Let's carry on.

Hon. D J Bossino: These are not 11 words. These are not 11 words. This is an extensive...

Madam Speaker: No, I am going to ask the Hon. Mr Bossino to sit, to take... I am asking the Hon. Mr Bossino to take his seat and not speak from a sedentary position. And the Hon. Chief Minister can carry on with the...

Hon. Chief Minister: Thank you very much, Madam Speaker. The hon. Gentleman has got up and spoken out of turn, which is something that he does often. We must, for one moment, realise that when people speak out of turn...

Madam Speaker: I am going to call the hon. Member to order. Please carry on. The Hon. Chief Minister has the floor.

Hon. Chief Minister: I note, Madam Speaker, that you have called Mr Bossino to order because he constantly speaks out of turn. We have to understand how dangerous that is because if we lose here, that when we speak, and we can all just get up and speak, this will be a free-for-all. And Mr Bossino is putting the whole of the Parliament in a very difficult position.

In this Parliament, Madam Speaker, we speak when we are able to speak because you permit us to speak and there are rules as to when we speak. The Hon. Mr Bossino thinks that we are in the Piazza, we are above the Piazza but we are not in the Piazza, and that we can shout at each other and he can get up and put on his microphone and speak when he likes. And I am very grateful, Madam Speaker, that you have ensured that I am able to continue with my speech as I am allowed to.

I was telling the House, Madam Speaker, in relation to what Mr Bossino said, that I had only read 11 words and he had not been able to follow 11 words. There are many more words to come, of course, but he had said that he was not able to follow and by then I had only proposed 11 words. That's why, Madam Speaker, that is why...

765 **Hon. D J Bossino:** (*interjections*)

Madam Speaker: Order, please. Order. Can we deal with this point and finish it? The Hon. Chief Minister, could I ask the Hon. Chief Minister to revert to his reading of the amendment?

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Hon. Chief Minister: Yes, Madam Speaker, of course you can. I am very grateful and I am very grateful that the jester of the Opposition has been asked to shut up. Madam Speaker, I am therefore going to the paragraph that says, and therefore rejects, and then I am changing the tense of that paragraph by making a few changes, and it will read as follows, and therefore rejects those criticisms of the Government contained therein and the relevant parts of the report itself as not being in keeping with the rigour, objectivity and independence required constitutionally from a Principal Auditor's report.

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So what is new there, Madam Speaker, is that the reference to the whole report being rejected is out and it is a reference to the relevant parts of the report. And then, Madam Speaker, I list the particular parts of the report that are the ones that we reject, because the paragraph before talks about the rejecting of the criticism of the relevant parts of the report, and then I list the relevant parts of the report. In particular, the parts of the report,

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1. On the tabling of the Accounts of the Gibraltar Savings Bank, which is rejected for misinterpreting section 12 of the Gibraltar Savings Bank Act 1935 and parliamentary procedure, which is properly set out in the Speaker's interpretations and rulings in respect thereof;

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2. On the Auditor's wish to carry out a Compliance Audit of the Gibraltar Savings Bank under the provisions of the Proceeds of Crime Act, which is ultra vires and constitutionally unfounded and without statutory authority;

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3. On the unsubstantiated allegations made in respect of Wildlife (Gibraltar) Ltd which are rejected as procedurally unfair, factually incorrect and defamatory insinuations and innuendoes at the same time as it fails to reflect prior explanations publicly provided;

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4. In respect of criticisms of Housing Allocations which are rejected for mischaracterising the exercise of lawful discretion and ignoring binding precedent;

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5. In respect of criticisms Gibraltar Industrial Cleaners which is rejected for failing to properly and fully account for reforms already on foot and breaching principles of procedural fairness;

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6. On the policy recommendations made in respect of the adoption of a Public Accounts Committee which are fully rejected as an entirely ultra vires politically biased, policy intrusion well outside the lawful remit, jurisdiction and functions of the office of Principal Auditor, including the specific references in case law and the pertinent NAO guidelines;

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7. On the policy recommendations for legislative reform made in respect of Government Owned Companies which are fully rejected as an entirely ultra vires politically biased, policy intrusion well outside the lawful remit, jurisdiction and functions of the office of Principal Auditor, including the specific references in case law and the pertinent NAO guidelines;

8. In respect of the various ex-gratia payments analysed in the report, which analysis is rejected for misrepresenting properly and legally well founded discretionary settlements and ignoring legal standards as to the amounts of damages payable, the right of individuals to make certain claims and the manner in which the Government properly carried out correct calculations in respect thereof well within the Government's discretion to settle claims of the nature of those properly settled;

9. In relation to the parts of the report which cursorily analysed in negative terms, the payments to the retiring Media Director, which payments were entirely in keeping with the Government's contractual obligations to the Media Director as provided for in that officer's original contract as entered into by the former, GSD, administration, which analysis is therefore rejected for factual inaccuracy, procedural unfairness, and selective scrutiny suggesting further, improper, party political bias on the part of the author of the Report;

10. In relation to the part of the Report which states, in paragraph 5.5.27 that:

Despite numerous emails to No. 6 Convent Place requesting information on the nature and reason(s) relating to this payment to be provided, no reply has been forthcoming.

given that this sentence MISLEADS THE HOUSE because it is UNTRUE as there had been a reply, before the 31st May 2025, which had alerted the Gibraltar Audit Office to reasons why a more substantive reply could not issue (and a full set of replies was issued in June and July 2025);

11. In relation to the parts of the report on Procurement, that these are rejected for a complete failure to contextualise that out of 270 contracts 4 had been adopted outside the full provision of the EU Directive derived Procurement Regulations (2016) and that these four contracts fell squarely within the application of provisions on the said legislation, which had been properly applied by the Government;

12. In relation to the GDC officer in respect of whose service the Report dedicates 12 full pages (as well as some annexes) from paragraphs 4.3.1 to 4.3.30, the Report is rejected as Ultra Vires and Constitutionally unfounded and without statutory authority in respect of the analysis at 4.3.27 to 4.3.30, as the Principal Auditor has no role whatsoever in respect of analysis of matters related to political activities of officers in the public service;

13. and in relation to the same parts of the Report (4.3.27 to 4.3.30) that they reflect a deep party political bias against the Gibraltar Socialist Labour Party (and, as a result, the Liberal Party of Gibraltar) by the author of the Report, tarnishing the said Report in its entirety in respect of the party political bias implicit in many more parts thereof,

AND THEREFORE NOW CALLS UPON THE GOVERNMENT to lay on the table a Counter Report for Financial Year 2018/2019 that addresses all of these matters and corrects the factually, financially and legally erroneous record created by the former Principal Auditor in the 2018/2019 Report, and which will include all the relevant correspondence referred to by the Government during the course of this debate and the Opinion of Leading Counsel, Mr Fisher KC, that has been relied upon by the Government in this debate.

End of amendment, Madam Speaker.

Now, in moving this amendment, Madam Speaker, the Government is trying to show on the face of the motion, in a succinct manner, the things that I have been required to set out in the nine days that I have been addressing this House in the course of this debate. This amendment, Madam Speaker, is necessary because the record, of course, of the Parliament is Hansard but the motion as originally drafted, which was drafted when we first saw the report and the issues that were being raised by hon. Members opposite in the media and which were being raised by the media, raised some issues. But when we looked in detail at the report, it also required other areas to be identified which I have gone through in great detail in the past nine sitting days that you have heard me, Madam Speaker.

I have also moved away from the rejection of the full report, something that you and I discussed concerned you. I think the Government is perfectly entitled to reject the full report. It does not expunge the record.

The report stays on the record. It just demonstrates that the Government rejects it, as in this case where we are not rejecting the whole report. We are rejecting parts of the report. Those parts of the report, even the most objectionable, ultra vires, improper and therefore illegal parts of the report, stay on the record. But we are specifically putting the focus on them and saying why we reject them. But nonetheless, Madam Speaker, it is important that the motion actually reflects that on the face of it and additionally, and that is why the motion ends as it ends, that the Government should lay on the table a counter-report.

That counter-report should therefore be on the table in Parliament so that the Parliament has in the future, in the context of documents laid, and this is a document laid, also the Government's view, not just in the Hansard but contained in what we would call the counter-report for the financial year 2018-19 that puts the things that I have said and indeed other Members of the Government will say about the report, that are wrong in the report, on the record of documents laid. And in structuring the amendment in this way, what I am doing is taking your advice not to reject the whole report but to reject those parts of the report which are set out specifically in this way and setting out on the face of the motion some of the more pertinent things that I have said in debating the motion and in the things that I have had to put before the House in the past nine working days that the House has dealt with this matter. Madam Speaker, I have agreed with the Leader of the Opposition that because he is not here, he is in court, he is unable to attend today because he is carrying out his professional function and cannot carry out his public function, that when I finish my presentation of the amendment, I would adjourn the House to a time that is, I know now, convenient to him in order to be able to enable him to start his reply in respect of the amendment and such other parts of the motion as we may then deal with in whatever procedure we may agree with you.

Madam Speaker, I recognise I have kept the House for some considerable time. I could have got up and delivered one speech over ten hours that would have dealt with all of these issues but the assessment of the Government and each Minister in it, together in Cabinet, was that we had to do this in a way that was digestible to the public because the issues in play were far too serious.

As I have said during the course of the past nine days, I have had to address issues of people being singled out because of their political belief. I have had to address issues of an author of a report to this House going outside the bounds of the power the law and the Constitution give him to report to this House things that are ultra vires. And I have had to report to this House, Madam Speaker, that a report to this House contains at least one sentence which is misleading and if it had been uttered by a Member of this House in this House would have led to a requirement for a correction by other Members.

And the former Principal Auditor, when he laid his report, or in the quality respect of which he laid his report, was a Member of this House and cannot mislead this House. And that is why there is that reference.

Adjournment

Chief Minister (Hon. F R Picardo): And so, Madam Speaker, on that basis, I would now end my contribution in the presentation of the motion and the presentation of the amendment and I would therefore, as a result of my agreement with the Leader of the Opposition, that I would adjourn the House.

Now move that the House should adjourn to... Let me make sure that I get the date exactly right. I do not want to get it wrong. *[interjections]* Let me just get the date. If the gesture of the House would just permit me to at least get the date right, Madam Speaker. I am just going to be moving the amendment, Madam Speaker, to the adjournment.

Sorry, I am going to be moving the adjournment to consider the amendment to next Thursday at 3.30 in the afternoon.

Madam Speaker: And the date of next Thursday is... the 13th.

Yes, the Hon. Mr Bossino.

Hon. D J Bossino: Madam Speaker, I am grateful. The one point of detail that I would raise with the House is this. Because the Hon. Chief Minister simply cannot help himself but to dig and have digs against me or indeed against the Leader of the Opposition and he does not...

Madam Speaker: This can be part of the reply. If there is a procedural point that I need to deal with, I will deal with it but I am not going to have a further debate - I want to go home.

Hon. D J Bossino: Indeed, we all have other things to do although this is clearly a very important aspect of the Public Service that we have to discharge and I know that all of us in this House do, including the Leader of the Opposition.

Given that the Hon. the Chief Minister is very careful, quite rightly, to ensure that the record of the House is accurate, I would ask him to confirm or otherwise amend the amendments that he is putting forward to his originally filed motion. And I think in relation to paragraph 13, which starts:

...and in relation to the same parts of the report

and it goes on, the written version that we have before us states that and I quote:

...that they reflect a deep party-political bias

But I think he said a deep-rooted party-political bias and I would ask him to confirm which version he is relying on to give us the opportunity and we look forward to being given the opportunity on Thursday to reply to all the nonsense that he has put forward in support of this amendment.

Madam Speaker: For the avoidance of doubt, I am not going to take that as a reply to the amendment I am going to take that as a question seeking clarification. My view is that the amendment has been circulated in writing, that the Hon. the Chief Minister has read it out and unless the Hon. the Chief Minister says otherwise, what stands is what is the amendment in writing. There is no reference to rooted in writing. So is that what the Hon. the Chief Minister says?

Hon. Chief Minister: Madam Speaker, I have no memory of having said rooted. If I said rooted, it is because of the deep-rooted roll of the tongue, but as the Hon. the Jester of the Opposition

knows, I do not take anything that he says for granted, Madam Speaker, so I would have to hear it on the hand side.

970 **Madam Speaker:** So for the avoidance of doubt, the amendment moved is as in writing, which we now all have a copy. So, I now propose the question which is at this House to now adjourn to Thursday 13th at 3.30pm. I now put the question which is at this House to now adjourn to Thursday 13th at 3.30pm. Those in favour? **(Members: Aye.)** Those against? Passed.

This House will now adjourn to Thursday 13th at 3.30pm. Thank you.

The House adjourned at 12.30 p.m.