



PROCEEDINGS OF THE GIBRALTAR PARLIAMENT

MORNING SESSION: 10.17 a.m. – 1.24 p.m.

Gibraltar, Wednesday, 21st January 2026

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The Gibraltar Parliament

The Parliament met at 10.17 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

Clerk: Meeting of Parliament, Wednesday 21st January 2026. Order of the day.

GOVERNMENT MOTIONS

5 **Clerk:** Government Motions. The Hon. Chief Minister.

the Hon. F R Picardo (Chief Minister): Madam Speaker, I have the honour to move the motion standing in my name which reads as follows. I hereby give notice under Standing Order No. 59 to proceed with the suspension of Standing Order No. 19 in order to proceed with a Government motion.

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

Clerk: The Hon. the Minister for Inward Investment and the Savings Bank.

15 **the Hon. Sir J J Bossano (Minister for Inward Investment and the Savings Bank):** Madam Speaker, I beg to move that this House notes that a number of individuals who were police officers employed by the Royal Gibraltar Police made protected disclosures under the Employment Act in the past five years. The House recalls the public debate about these statements and the House now calls on the Minister for Protected Disclosures to set out to the Parliament the substance of these disclosures and the background which gave rise to the making of those reports.

20 Madam Speaker, I think this is an extremely important motion in terms of the facts, the information that I am going to provide and I think it is a test of whether the Members of the Opposition really subscribe to the high standards that they have been proclaiming in the previous motion that we noted.

25 There is a saying that there is a silver lining in every cloud and perhaps if there had not been the controversy that we have had recently over the alleged conspiracy to defraud people of something they did not own and they were not entitled to have, it would not have led to the position that has come about where an incredible number of things happening in the RGP over a period of time have come to the notice of the Government.

Madam Speaker, I am the person that actually receives these statements because my experience in labour issues and my background in the Trade Union movement has led to the

30 Government giving me the responsibility for the protected disclosures. As a result, I am now going to set out to the House some of what the whistleblowers have said was happening in the RGP under the leadership of previous senior management teams. I emphasise that this is not about the RGP today and not about the RGP under Owain Richards.

I think I need to bring to the notice of the House as well that there is a specific section in the
35 Employment Act dealing with protected disclosures that refers to the application and related provisions to the police. An interesting element of that is that it says that a person who holds otherwise than under a contract of employment the office of Constable in the Royal Gibraltar Police shall be treated as an employee employed by the relevant officer under the contract of employment and that any reference to a worker being employed and to his employer shall be
40 construed accordingly, which makes it possible for police officers to make whistleblowing statements which otherwise would not be because they do not come under the definition of worker in the rest of the legislation.

And the Constable is supposed to make the whistleblowing statement to the relevant officer being the Commissioner of Police. What that indicates is the expectation that the people who will
45 be making the statements of what was going on in the police will be making statements about maybe a Constable saying the Sergeant is doing something wrong and I need to let the Commissioner know. Not an unreasonable expectation.

The reality is that most, if not nearly all, the protected disclosures are above the top echelon. In one particular case the officer concerned was a person that was responsible at the level where
50 he was a Detective Inspector, he had dealt with criminal cases in the department and he had a lot of high level duties and therefore he did what the law says. Although he was not a Constable and technically, he should not have had the right, but the reality is that if somebody higher than a Constable is seeing criminality in the police force, I mean this is a very serious matter.

I do not think you can have something more serious than a situation where there are criminal
55 offences committed in the institution that we finance in this Parliament to stop criminality. I mean you could make it up. But this particular whistleblower actually went ahead and made the disclosures to the Commissioner and the result of it was that he was penalised for doing it and that no action was taken.

And this was in a situation where papers were being passed to people who should not have
60 had those papers in the context of the McGrail and the ongoing investigation. This is something very recent. And when you have a situation where you do what the law says and you give it to the person that you have to give it to and that person actually starts putting pressure on you and eventually forces you to go out of the force because of the pressure and the treatment that you are receiving.

65 And in fact, the case in point is one that has just been disposed, the wife of this officer has sent a letter to the Gibraltar Chronicle about this incident which is now being published. So, I do not need to go into that which is already in the public domain. But we then have a situation in Gibraltar where something like 10% of the people in the force are making these disclosures.

We have a situation for example where particularly in relation to what we were discussing
70 yesterday and I know that the Point of Order that the hon. Member said was that because the Inquiry decided that the whistleblowers were not relevant, well perhaps they were not relevant because the decision to ask Commissioner McGrail to resign was not the result of things that the whistleblowers doing. If what the whistleblowers said in their statements was known then I suppose the McGrail Inquiry would not have taken place because it would have been a situation
75 where if there are accusations of things that are criminal then they would have had to be dealt not as a problem of losing confidence but a problem of investigating the accusations of criminal activities and then deciding whether there was a case or not. I mean I assume that the law on what is a crime and not a crime applies to people who work as police officers the same as they do to every other citizen. They do not have an exception that allows them to do things that are illegal
80 if other people do it.

And this particular statement which is something that is not included in the group of the 19 is one that is being made by somebody who was directly involved in how the investigation into the allegations of the supposed stealing of the programme that Mr. Gaggero was being paid to implement was being done. And it is absolutely damning. The person that was involved in that, the person that was involved in the police to carry out that investigation was involved in meetings, and he says:

A meeting took place in New Mole House headquarters within the Commissioners suite. My recollection is that this occurred during an early operational phase of Operation Delhi and approximately two weeks before the arrests. I cannot say the exact dates because I no longer have access to my pocketbook and daybook.

Of course, Mr. McGrail did not have access to anything because he destroyed them all. This is something that I was on the point of making clear yesterday and I think it is very relevant.

The individuals present in this meeting were the Commissioner of Police Ian McGrail, Mr. James Gaggero, the Superintendent Paul Richardson, the Inspector Mark Wyan and a representative of the Foreign and Commonwealth Office.

Hon. Dr K Azopardi: If he is going to read statements into the record, can he confirm the name of the person who is providing the statement and whether that person has consented to that statement being read in Parliament?

Hon. Sir J J Bossano (Minister for Inward Investment and the Savings Bank): Well, I do not know. I mean the hon. Member obviously likes to have things disclosed to him but I am telling him that I do not know that I necessarily, I have, of course I have the consent of a person to do what I am doing otherwise I would not have done it. But it does not mean necessarily that I want or need to name him because his name is irrelevant.

It is not a relevant issue. That is to say, if these people were having this meeting, whether he was Joe Bossano or Bossino, it is irrelevant. The meeting took place unless he thinks that there is more credibility in the people that says he is a Bossino instead of a Bossano.

So, these were the people before the arrests. This is the evidence that the Government of Gibraltar did not make the complaint as the police said in a press release which was false and which they refused to correct when I told them it was false. Which is an indication of the degree to which the police were behaving as if they were above the law and they were able to do whatever they liked.

So, they are enforcers of the law but the law that they are enforcing does not apply to them. So, they can come out and make a false statement saying the Government and Blands have made a statement and the evidence is that James Gaggero was meeting with all these people without any knowledge of the Government. We only discovered it because this guy has told us.

So, the Government did not know that this was going on.

The summary of the discussion that took place about the investigation and possible support from the NCA [he says] was one that I participated on. It was made clear and discussed that the Inspector and I would lead the interviews of the suspects. And I also recall that Mr. Gaggero was quite angry with his ex-employees as well as the involvement of Hassans law firm within the investigation.

Of course, if Mr. Gaggero expressed his anger to this high-powered committee, no doubt that was part of the reason that led to other events that happened in connection with the investigation. But the most important thing that I need to bring to the notice of Parliament is that he says:

In my 19 years of service in the Royal Gibraltar Police, in which I have been detective for a large part of this, this was the one and only time which I was called to the suite of the Commissioner as a result of an ongoing investigation.

It was the only location in which a complainant was dealing directly or indirectly with the Commissioner. During my service, it was always emphasised that the Commissioner was to remain independent from any investigation. And therefore, I felt at the time, as I do now, that Mr. Gaggero was receiving preferential treatment given his status in the local community.

Of course, you know, Mr. Gaggero is an important person in the local community, not because he is a significant figure in the social life of our community, but because he is a wealthy person and the owner of important businesses which employ people and pay income tax. And therefore, he is a contributor to our economy. I do not think that gives him a right to differential treatment of somebody that is poor and insignificant, because we have to judge things on the basis of what is happening and not on the basis of who complains. (interjections).

Madam Speaker: Yes, the Hon. Sir Joe can continue. I am not listening to exchanges across the floor, and I would ask that they do not interfere with the speech. Carry on.

Hon. Sir J J Bossano (Minister for Inward Investment and the Savings Bank): This particular person, in fact, did not continue in the investigation once he started questioning some of the things which he felt were things that he could not accept were correct in terms of the proceedings that were happening. And therefore, one of the important things is that we are not talking about, you know, a Constable seeing something happening at a very low level. This is at the very top of the organisation.

And this is somebody with 19 years of experience in the service. And this is somebody that is himself a high-ranking officer. And I put it to Members opposite that all the things that we say about the rule of law, it must apply to everybody who wants the whole truth. Well, the truth. We all want the whole truth. Then the whole truth is that this is completely unacceptable.

And what has to be done? Well, we have to make sure that what has been happening in the RGP in recent years never ever happens again. Because what has happened and the statements that I have to bring to the notice of Parliament shows that there is every reason for ordinary citizens not to have any confidence in the RGP in terms of the law applies to you or not depending on who you are.

Which, of course, the Leader of the Opposition has made very clear, the commitment of the Opposition that the law should apply the same to all of us, to the whole of the population irrespective of whether they have got money or not, irrespective of whether they are prominent or not, irrespective of whether they are, you know, high people inside the police force.

Another one that is recent because these are not part of the 19 that have been mentioned. So, there is another one, recent one, which is from a person that has also been in the police force for a number of years and had previously served in the UK. And one of the things that comes across in the statements made by the whistleblowers is that when you have people who have previously served in the United Kingdom, they question some of the procedures that are happening here, which apparently are considered to be normal here, but which would not be considered acceptable in the United Kingdom. Now, I do not know whether we can justify that we do things differently here from the UK because we are different, our culture is different, and maybe there is some justification in that, but it cannot be if it results in different treatment to different people. That cannot be justified.

So, if you have to serve somebody with a document and there is a procedure to do it, you do the same procedure for everybody. This particular statement goes through a total of eight different incidents where he considers that there is either illegality or unacceptable conduct. And some of them are things that have already been reported in the declarations of other statements in the group of the 19.

So, we have a situation where a number of different officers from different ranks report something that they do without knowing that somebody else has already made that part of their protected declaration. So, one of the results of that is that you get a picture of what is going wrong there, which would not be possible if it was one person only saying it. What the law says about

protected disclosures clearly is that the person making the disclosure may have got the wrong end of the stick.

185 He may have genuinely believed that what was going on, and he has observed is something that is criminal, and he may genuinely believe it, and in fact when it is investigated it turns out that the person was mistaken. And if it is a genuine mistake and he had nothing to gain by doing it and there is no evidence that the guy was making it up, then it is the right thing to do if you genuinely believe it.

190 When four or five unconnected people in their own statements are making a case of criminality about an incident from different aspects, but they are talking about the same incident, then even before this is investigated, I am not somebody that has ever been involved in police or detective services, but I would have thought that if a random number of people make similar comments from slightly different aspects about an incident, then that in itself is an indicator that the incident
195 happened. And the one that refers to the stolen car of a particular Commissioner and how that car was recovered was made by more than one person as something that is completely unacceptable, where the Commissioner that was in charge of the police set up a process to recover the vehicle of the Commissioner that had retired, who was now a private citizen, but of course, who as a private citizen has the right to say to the police, they have stolen my car, but I think it
200 must be the only stolen car where the Commissioner decides that he is going to tell people who are involved in taking tobacco illegally that they should find out who were the thieves of the car and recover it, because if they did not, there would be action taken and in this particular case, this particular explanation of what happened then goes into further detail than most of the others because it includes the fact that money was used from other parts of the budget to fund overtime
205 to make sure that there was a huge police involvement in making sure that, you know, not a packet of cigarettes moved until the car was, was recovered. And apparently it was eventually, the message came back eventually that it was a Bulgarian gang in Spain that had it and that there was a cash prize to pay to have it delivered and the police here then told the people who moved tobacco that they should pay the Bulgarians to bring the car back.

210 Now, this is being done by the Commissioner, I mean, you know, it seems as if what had developed and had been created in the RGP was as if they were not part of Gibraltar, that is, they were not subject to the same conduct and behaviour that the rest of us have, that the police force, when we were looking at the 2006 Constitution, I fully supported the position of the then Chief Minister that the police, which previously under the Constitution reported to the Governor and
215 only to the Governor, should be made independent but that we had to protect the police from political influence that we did not want.

Neither the GSD nor the GSLP wanted that the police of Gibraltar should be used by politicians to have an influence as to, you know, if Mr. James Gaggero is giving leaflets for the GSD, then we give him a special treatment. We did not want that to happen, right? And that is why we are very
220 clear that there should not be a political influence and that the police should not be in the same situation as other parts of the public service in terms of us being able to tell the police what they are doing is wrong.

We have to find some way of having a check on what the police do, because clearly, I mean, there is no reason why the need should be there in the future, but having discovered what has
225 been happening in the past, I think we need to be sure that what we have in the future, with either the body that is supposed to be in charge of the police and the one that receives complaints from the police, has got the power to do things that need to be done and that we are able to ensure that if anything goes wrong in the future, we can stop it before it gets to the stage that it got here. This is something that clearly has been happening under our noses.

230 I do not know if it goes as far back as the previous administration, but I know that it has been like a cancer that is not treated and spreads. If there is a cancer in our society, we in this House have got to cure it and we have to make sure that it does not come back. The multiple whistleblowers that have sworn evidence concerning the discovery and handling of covert audio

and video recording devices concealed within a police interview room in the police station,
commonly known as the cave.

In this room, it routinely was used for suspect interviews and critically for confidential consultations between detainees and their legal representative. The evidence alleges, more than one person saying it, that a covert pinhole camera and microphone were secretly installed inside an electrical box within the interview room wall. The device was live-powered and capable of recording both sound and images.

At the time of the discovery, in October 2015, Gibraltar had no lawful statutory framework authorising such covert surveillance, particularly within the police station, and no authority permitting the interception of legally privileged lawyer-client communications. The whistleblowers state that the device was discovered accidentally by the officers who immediately recognised its illegality. Senior officers were informed without delay.

Rather than treating the device as evidence of a serious criminal offence, the response from the senior management was to suppress the matter. This is ten years ago. The device was removed without proper forensic procedure and not preserved in accordance with the evidential standards, and no formal report of criminal investigations was permitted.

Even if it is ten years ago, the people that are accountable have to be held accountable. If we have to restore the confidence of people in the rule of law, the confidence that the hon. Members say has been lost, then the huge number of things going wrong in the RGP is what is causing the lack of confidence. And many people believe that you can get away with doing things if you know the right people and make the right contact with the right higher part of the police.

That should not happen. We do not want it to happen. When we did what we did with the new relationship and the new Constitution, we did it on the basis that we genuinely believe, both the GSD and the GSLP, that we could trust the people that are given that responsibility to lead the RGP, to make sure that it operated to the highest standards of impartiality and applying the law, everybody be getting equal treatment.

That trust that we put in them was important and any political element, in terms of being able to influence, we both thought would be a move that we did not want because it would be worse than giving them the level of freedom that we wanted to give them on the basis that we could trust them not to abuse it.

I am afraid that the trust that we both had in them when we took that decision in the 2006 Constitution negotiations, that trust has been betrayed by individuals who have not done what they should have done, which was to ensure themselves, and they have the expertise. I mean, I would not know whether having a secret camera in a room is right or wrong or permitted or not permitted, but I can see that if you say to somebody, you have got the right to talk privately to your lawyer and nobody will know what you are saying to your lawyer, but I am spying on you, and then I use the information that I am telling my lawyer, but which the police did not have, and you use that then to change the way that I am going to prosecute the one that I am accusing, I think that, I do not know, there are lawyers on both sides of the House, I would imagine that that is not something that is permitted. And of course, we know that Mr. McGrail was quite happy to go around taping people's conversations without them knowing they were being taped, so if you know what goes on with a telephone that is taping the conversations, I do not suppose he would be particularly bothered about the camera taping other things from other people. The evidence alleges that the Senior Officer, in this case Mr. McGrail, forcibly removed the device from an exhibit bag, discarded the bag, and ordered that no written record be created.

Now, that seems to be something similar to all the things that he lost, you know the computers that he lost, the book that he lost, all the things that he lost. Officers were instructed not to document the discovery and not to escalate the matter to professional standards or any external authority. This conduct is alleged to amount to deliberate suppression of evidence which can amount to perversion of the cause of justice, which is something that the Opposition is very worried about.

285 Further evidence alleges that following the discovery, discussion took place in which the covert device was described
as having been used or intended to be used to monitor defence lawyers and their clients. Ironically, the Inquiry has
revealed that the former Commissioner, Mr McGrail, actually did also covertly record the Attorney General and the
senior colleagues, which is what they do with telephone. Specific reference is made to the desire to listen to confidential
290 legal consultations in order to give investigative advantage or to link lawyers to criminal activity. If true, this represents
an exceptionally grave abuse of power and a direct attack on fundamental constitutional right to a fair trial.

This is what the whistleblowers say. I am not a lawyer, but it seems to me that this practise,
presumably what this is telling me, could have led to some people being convicted where
otherwise they would not have been convicted.

295 And that is very serious. The police were using covert methods of spying in a situation where
they were providing for the person that was being accused an opportunity to have confidential
conversation, disclosing things to the lawyer about his case. And then that information, which had
not been obtained legally by the police, resurfaces in the prosecution and gets somebody
convicted who would not have been convicted for lack of evidence.

300 I mean, what happens with those convictions when this is discovered? I mean, how is that
redressed? The whistleblowers also describe indications that the device remained in use after its
initial discovery, suggesting it may have been reinstalled or tended to despite its illegality.

Senior management are alleged to have ignored the issue, discouraged further enquiry,
allowed the organisation to carry on as if nothing had occurred. The evidence alleges that a
305 technical error or oversight, that this was not a technical error or oversight, but a corrupt practise
involving the knowing that the deployment of an illegal covert surveillance device and targeting
legally privileged communications and the active suppression of evidence once the activity was
exposed. The whistleblowers also point to the situation where an inspector who made a protected
disclosure in good faith to the Minister after being tasked with reviewing serious allegations of
310 misconduct of Senior Officers.

In the course of that review, the whistleblower states that he identified evidence pointing to
systemic and historical illegality at the highest level of the organisation. This is somebody that
declared this statement to me. The disclosure alleges that the senior and former officers of the
RGP were implicated in the unlawful use of covert surveillance equipment, including the cameras.
315 The rooms were used for suspects, so the person that made that raised in the evidence and the
disclosure further alleges that the inconsistencies in the senior officers' accounts which raised
concern about concealment.

The whistleblower was also instructed to distance himself from investigating these matters
despite their potential criminal nature. So, there was a situation where the enforcement of the
320 law would be unlawfully permitted to operate within Gibraltar, including the instalment of covert
tracking devices in local vessels without judicial authority or lawful presence. Having brought this
as miscarriages of justice to the top, which is to say whistleblowing within the police, instead of
the person that receives this complaint, this concern, we need to understand what is happening
here.

325 People come in, and in the original, I mean I remember when we initially started giving students
to have training paid by the employment service to introduce them into the police ranks as a way
of getting people to know what it entailed. And therefore, perhaps having less wastage where
people came in and then after they came in, they found that the police work was not what they
thought it was and they left. So, we thought, well okay, we will pay for two years, and there was
330 a stream of people coming in.

I can well imagine those people receiving from Senior Officers the lectures on how you have to
behave as a police officer, and how is standards that I expected of you. And they go through all
this indoctrination process for two years, and then they come in as newly grown men. They have
the parade, and everybody says what a wonderful thing it is, we have got all these young people
335 going into the police force.

And these guys believe it. They believe what they have been told. So, when something says,
this is not what they told me should be done or could be done, I will go to somebody above and

say look, I am worried because I have been told to do something, and what I have learned in my induction tells me that this is something wrong that I should not be doing.

340 And he says, he is told by the people who are senior, shut up and look the other way. This is what has been happening. And what happens then?

Who do you go to? If the law says if you see something wrong, you go to the guy that is your senior, the person that has come up from the ranks, the people that are in the top of the management. And you believe it.

345 And you are naive and have to go and do it. And then you say, you look the other way. And if you are stubborn, and you keep on doing it, then you get told, look, either you do what you are told, or you are never going to get up, you are never going to be more than a Constable.

Or if you do what you are told, which is the least popular duty that you have? Is it going into late evening, early night rounds in the bars in Gibraltar, where you may well find yourself in the middle of a fracas and finish up with a black eye? Is that what you least like about being a policeman?

OK. So, if you do not do what you are told, irrespective of what the rule says, that is a job you are going to be doing for the rest of your life. This is what I am talking about.

355 So, I trust that the Members opposite are as incredibly astonished at this being the culture as I have been in receiving these reports. And I trust that they will want that we put it right, and that the people responsible for having created this blight in our otherwise respected and trusted police force are held to account. Because those are the values we share.

This is what we believe in. And it does not matter who it is, and it does not matter whether it is GSD, GSLP, or Reform. It has nothing to do with our political beliefs.

360 It has to do with the situation where we find that Members in important positions in the police force are doing the opposite of what they should be doing. Instead of being an example to the rest of society, what they are doing is saying what you get nicked for. If you do it, I do not, because I am in the RGP. The RGP exists apparently in quite a lot of nations, behaves as if the RGP was there to enforce a law on those who are not members of the RGP, but not to apply that law to themselves.

The whistleblower states that he was instructed to distance himself from investigating matters despite their potential criminal nature. Crucially, the whistleblower alleges that the information was reserved from official reports and enquiries, and that evidence was distorted or omitted, whether deliberate or otherwise, undermining the administration of justice.

370 The actions and inactions of Senior Officers may amount to misconduct in the public office, obstruction of justice, and failure to comply with legal obligations. Following this disclosure, the whistleblower states that he was subjected to internal disciplinary action. So, we pass a legislation to encourage people to come forward, and we say to them we are going to protect you, right? And then, when they do it, and when they think they are being, you know, high-standing citizens, expected to get a medal, they get disciplined.

He believes these actions were retaliatory and connected to his whistleblowing. He describes severe personal consequences, including damage to his health, resulting in stress and lack of institutional support.

380 The whistleblower states that the past and present senior leadership of the RGP have failed in their duty to accountability. Of course, present means present before the present one, because this was before we had the new Commissioner.

I have had, Madam Speaker, in my office police officers of many years, some of whom have not made disclosures, who were a nervous wreck, who left eventually on medical grounds, who were saying to me, look, I am scared to go back to work, because these people there are capable of putting in my locker drugs, and then finding the drugs and ruining me.

Scared of inside the police, Senior Officer, putting drugs in the locker of Junior Officers, because they were misbehaving. That is, they were misbehaving in trying to do what the law says when they were being told to break the law. And this was not a whistleblower.

It was not a whistleblower, because they did not even want to stay there any longer for any reason. They just wanted to get out of there, you know. And this is a person of the age of 40 plus.

I mean, this is not a youngster that does not know how to deal with life. There has been then alleged unlawful surveillance, Cross-Border policing and misuse of covert powers. Multiple whistleblowers have provided sworn evidence to a sustained pattern of alleged unlawful conduct within the Royal Gibraltar Police, involving covert tracking devices and collaboration with foreign Law Enforcement Agencies conducted outside a clear statutory framework.

The statement described how, from at least 2018 onwards, Senior Officers approved and facilitated the purchase and deployment of covert technical surveillance equipment, including GPS tracking devices, despite explicit awareness that no legislation in Gibraltar exists governing their use. Authorisation is alleged to have been granted informally, described internally as a *carte blanche*, bypassing judicial oversight, written warrants or lawful safeguards. Whistleblowers state that GPS tracking devices were covertly installed on vehicles, vessels, sometimes repeatedly, without the knowledge of the individual concerned and without any clear legal authority.

These devices were capable of monitoring movement over extended periods and transmitting live data. Officers described being instructed to deploy or assist in this operation, despite raising concerns about legality and personal liability. The evidence alleges that foreign law enforcement officers, particularly from Spain, were permitted to operate within Gibraltar territory and within Gibraltar police facilities.

I do not know whether or not it is foot on the ground or not, which we are all so concerned about. This included access to police buildings, custody areas, seized vessels, sensitive data, as well as joint operations conducted without formal mutual legal assistance arrangements, judicial approval or transparency. We spent months delaying an agreement of the Treaty because we would not move on giving anything like this in the Treaty in order to protect the integrity of the Schengen area.

We had months and months of arguing on saying this we would not allow. That is what the Opposition expected that we should be doing and that is what we should be doing because that is what we have said. And the police were doing it all the time.

Whistleblowers describe Spanish officers installing or removing tracking devices on vessels in the Gibraltar Marina, sometimes in public areas, creating risk to public safety and sovereignty. Several statements describe officers being directed to cross into Spain informally to collect evidence, conduct searches or retrieve items without lawful authority, documentation or recorded handing over of evidence. Good job we did not send this guy to negotiate the Treaty.

In some instances, officers state, they were abandoned at the border or instructed to proceed despite clear safety and jurisdiction concerns. The whistleblowers also allege that the evidence obtained through this method was poorly handed, inadequately recorded or not properly disclosed. These allegations that material evidence was selectively retained, omitted from reports or not seized at all even in serious criminal investigations.

This includes further serious allegations around internal investigations into police officers. They were doing it even to their own people. Whistleblowers described and sanctioned surveillance of fellow officers, internal monitoring and intelligence gathering, outside professional standards and procedures.

Talk about the KGB. In some instances, officers allege that investigations were initiated or steered for improper purposes including retaliation, reputation management, leverage rather than genuine misconduct concerns. Across the statements whistleblowers consistently described a command culture in which legality was subordinated to operational expediency.

Officers who raised concerns were dismissed, criticised or marginalised. Decision making was concerned at senior levels while risk and liability was pushed downwards onto the Junior Officers expected to comply without question. So, you know, you do what you are told or else.

That is the kind of message that comes out. Taken together the statements allege not isolated errors but systemic misconduct. The suppression and the manipulation of evidence and the intimidation and sidelining of officers when they questioned the practise.

Multiple whistleblowers also provided evidence concerning the retrieval of a vehicle belonging to the Commissioner which I already explained had been also in the new addition to the other one. That also appeared as I mentioned earlier in a number of other whistleblowing. So, it is clear that a lot of people knew what was going on.

445 A lot of people thought that what was going on was terrible and a lot of people that thought it was terrible were scared to do anything about it. The whistleblowers said that the senior command were informed that a payment of £14,000 was being demanded to secure the return of the vehicle. And then the instruction was given get the car back and the car was got back.

450 But in a way which I think must have brought a lot of disrepute in the way that our police were perceived by the people on the other side. The whistleblowers described that this was a show of authority rather than an operational necessity. Officers involved later attempted to register the information who assisted in the recovery as a participating source in line with standard procedures.

455 But this process was inexplicably halted, and the informant was never formally registered or protected. Further concern is raised by the allegations that the funds paid to secure the vehicle's return was never reimbursed despite assurances given at the time. The whistleblowers state that these left informants exposed, officers compromised and serious questions unanswered.

460 Madam Speaker, the continued allegations also deal with a whistleblower formerly an officer within the RGP assigned to special branch and close protection duties which has provided concerns on how close protection arrangements for the Chief Minister were managed, monitored and allegedly misused. The whistleblower states that upon assuming duties connected to the Chief Minister's close protection, he became aware that information obtained through proximity to the Chief Minister was being sought and used for purposes beyond personal safety. He alleges that the Special Branch Officers were expected to report not only on security matters but also on
465 private meetings, conversations and movements of the Chief Minister in circumstances that he believed was unethical and incompatible with the principles of the protection confidentiality.

I never had protection. It did not happen to me. I said I did not want to be protected. So, I never had anybody protecting me. But it seems that the Chief Ministers who accepted protection were in fact being spied on by the police and everything recorded. I do not know why, as a potential
470 weapon to blackmail a future Chief Minister about something that might be wanted or not wanted by the police.

I speculate. Why would the Special Branch expect a report not on the security matters? That is to say, look, we think somebody is following the Chief Minister everywhere and we do not know why, but we find wherever he goes this guy is in the background and then maybe somebody may
475 be planning to attack the Chief Minister, which is why the protection is there. As I say, one of the first things I did in 1988 was to say I do not want anybody from the police with me. I thought I was at greater risk from the police than from the rest of the population.

The statement further alleges that the sensitive information relating to the Chief Minister's meeting was routinely recorded and shared within the police management.

480 Maybe he will not be so keen to be Chief Minister after all, when he finds out what is going on. These included photographs taken covertly during private meetings and records of individuals attending meetings of the Chief Minister, which were then passed back to the senior managers of Police Headquarters. The whistleblower asserts that this practise created a surveillance-like environment around the Chief Minister rather than a protective one.

485 No wonder he wants to go. The whistleblower describes a specific incident in which a Close Protection Officer photographed the reception log recording visitors who had met the Chief Minister with information then being relayed to senior police officers. He states that such actions were not justified by any immediate security concerns and were inconsistent with accepted close protection standards.

490 He further alleges that internal pressure was placed on Special Branch Officers to prioritise loyalty to the police organisation over responsibility to the Chief Minister, with officers being told that their duty was to report the information back to the RGP rather than to the Chief Minister

himself. The whistleblower considers the instructions to be fundamentally at odds with a role of close protection and potentially detrimental to any Chief Minister's office, safety or trust. The statement also raises concerns about operational decisions affecting the security of the Chief Minister being made by officers without appropriate training, experience or security clearance.

The whistleblower describes occasions where the risk assessments and protective decisions were handled by individuals lacking close protection qualifications and his own professional advice and judgement were overridden, placing the Chief Minister at potential risk. In addition, he alleges that attempts were made to distance him from the Chief Minister once he resisted these practises.

So here we have again the same concept of, you think something is going wrong, you tell the people on top of you, look this is going wrong, they tell you shut up and do what you are told, you do not shut up and do what you are told, then they get you away from what you are doing and put you somewhere where you are not a threat or an inconvenience to what they want to be doing with the RGP. I mean this is the RGP being hijacked to serve some people doing some things for reasons that are frankly incomprehensible.

The matters that this evidence has in all these statements I think is something that cannot be swept under the carpet. We have to go through all these things, not a matter that we at the political level have to do, but these things have to go, we have to make sure that every single accusation is investigated and we find whether it is true or not true, whether its exaggerated or real and then if it has happened we have to put the blame on the people who have created the situation which in my view has been, if all of this is true, I have no reason to believe that it is not true, because if I thought that people were making this up then it would not have been accepted as the protection.

The protection is given on the basis that I have been satisfied that the people genuinely believe these things and that they are not making it up and that they have nothing to gain because one of the issues that was related to the McGrail Inquiry was in fact that he accused these people of being bribed to make false accusations, well, that was investigated and officers were arrested and then they said that the evidence was not there, that they had been bribed. I mean, well, that is to say, if you come out of the police force and I do not downgrade you, that is a bribe.

No, the bribe is if I promote you, so nobody that has come out of the police force as a result of making a disclosure, a whistleblowing disclosure has received anything other than protection and of course, I mean, there have been other officers that have come out without a whistleblowing reason, they have not made a whistle statement and then they have come back into the service at the rate of clerical grades, because it was not something that they have said, look, I need protection to make the disclosure and the protection is I cannot stay there and all the evidence in all of them is that before they go to the stage, before they go to the stage of making the reports that they made to me, they tried internally to get something done, it is not that they wanted to leave the RGP, it is that they could no longer continue, because there were people who genuinely believed in the profession that they had entered and it must have been and I can understand it, I mean, you are asking police officers to behave as criminals and then go out and arrest criminals, so the fact that they could not take it any longer, they could not take the incompatibility of the methodology that they were working under with their duty, which they had drummed into them was their role, their role was to protect the citizens from criminal activity, their role was to make sure that everybody was protected and everybody was treated equally, their role was to pursue people who were doing illegality and then inside the outfit they say, but you are telling me that I must stop illegality and you are telling me that I must do something that is illegal and if I say I should not be doing this or I go to somebody on the top and say look this is wrong, they tell you look the other way and shut up, I can understand how conscientious people would have been living this double life with a great amount of stress and trying to rationalise it to themselves, I think if we put ourselves in the place of a person in that situation you can understand how difficult it is, that you get a guy that is parking and you throw a book at him and then you go back to the station and you are told to do something that is ten times worse than parking and you are told ignore it, how can you be in a work environment like that, if you do not care and all you want is

545 your pay check at the end of the month then you do not need to do whistleblowing, if you are not
a conscientious person you do not need to do whistleblowing, just say well look I do not care as
long as I have got my back protected and I am not going to be the one that takes the fall, if
something comes out then fine and I am sure that there may be some people in that context and
I think what has happened was that it only took one to take the step and that actually then led to
550 other people following the example and coming out again, but somebody had to start it, there
had to be a first one to do it.

Madam Speaker taking together the whistleblowers evidence that I am placing before
Parliament, describe a sustained and deeply troubling pattern of alleged misconduct, spanning
many years, multiple operational demands and successive senior management teams, they do not
555 concern isolated errors of judgement, I think therefore that in bringing this to the House and
bringing it to the notice of the public, I am doing a great service to the RGP and to Gibraltar and I
hope that the hon. Members opposite will see it in the same way, be as concerned about this as I
am and want to see that we get to the truth and nothing but the truth and that we apply the law
equally to everybody and that the people who have been responsible for creating the situation
560 are prosecuted and punished for what they have done.

Madam Speaker: I now pose the question in terms of the Motion moved by the Hon. the
Minister for Inward Investment and the Savings Bank; would any hon. Member like to speak? Yes,
the Hon. the Leader of the Opposition.

Hon. Dr K Azopardi (Leader of the Opposition): Madam Speaker, well, I mean this started, and
565 let us not forget, this started where it started and it started because there was an attempt to raise
these issues yesterday in the context of the noting motion on the McGrail Inquiry, so clearly there
was going to be an attempt in the Inquiry Motion to mention these things as a bit of a
smokescreen, clearly. So, because, clearly that was the attempt because if the hon. Members were
so concerned about this, well they could have, I suppose, raised the matter and I am going to
570 comment on it because I suppose they could take action about these things that were so
concerned. They do not need to wait for the noting motion on McGrail and allow the, you know,
they waited for 49 days before they published the McGrail Report, they have waited another
month until the Parliament is in session, they have had these statements for a long time.

Look, let me be very clear, no one, no one is above the law, no one, and there are constitutional
575 pillars, the legislature, the executive and the judiciary. We protect our Constitution for good
reason and the separateness of our functions because there are processes that we hold dear and
freedoms that we hold dear and constitutional protections and rights that we hold dear. In all that
context, no one is above the law.

If something has happened which is wrong, it should be investigated and if the prosecuting
580 authorities who are separate to the investigating authorities consider that the prosecution should
lie, it should lie. But it is not for this House to investigate, and it is not for this House to decide
whether or not there has been criminality because that is for the prosecuting authorities to bring
a prosecution or not. This is a Parliament where we debate issues of interest which should not be
abused in the context of what it does because people need to ask themselves what this is about
585 and what this is not about.

And it is not a coincidence that this has come about first yesterday because they tried to insert
it in the Noting Motion as a smokescreen. People are entitled to ask themselves the question, if
this was so genuine, if people are concerned about these things, why have not they done
something about it? And why try it yesterday when we had the Noting Motion on the McGrail
590 Inquiry?

There are reasons for that. And there are things that have been said today, I mean the things
that have been said today, of course *prima facie* when you hear them, require investigation to see
whether, as the hon. Member says, they are true or not true. If they are not true, they should be
set aside.

595 If they are true, they should be pursued in the normal way. the hon. Member talks about the pinhole camera as if he's discovered America. This was the subject of a Panorama article many years ago.

He could have read in the Panorama. Did he pick up the Panorama and send it to the police? The police saw the pinhole camera article.

600 The Commissioner of Police the other day, the other day in a *Viewpoint* programme said that the Chief Minister had asked him to review the investigation on the pinhole camera and that he was reviewing it. So, it is a matter for him. Let him do whatever he thinks he needs to do or not do. But that already is being raised. The whole pinhole camera thing was the subject of court proceedings. Evidence was given. Anyone can Google that on the 7th of August 2025, six months
605 ago, there was evidence given in court about these things. Where a witness was cross-examined on this issue and gave evidence on the pinhole camera as a defence to a criminal charge. It was examined by the courts. Are we now going to second-guess these things? This is a matter for the investigating authorities and the courts if indeed there is any basis for it.

The hon. Member says, in the course of his intervention, and I paraphrase, that many people
610 believe they can get away with things depending on who, if you know the right people. He said it in the context of the discussions on Mr. Gaggero. I am not sure he meant Mr. Gaggero, but I think he said it in that context. Well, of course that is not right.

I have not spoken to James Gaggero in 25 years since I was last in Government. But of course, that is absolutely right. But that is right for everybody.

615 And this is why I say it is a bit of a smokescreen to come up with these platitudes, but they do not mean it. Because you mean it today, but you mean it yesterday when the Inquiry findings are that there was an attempt to interfere in a criminal investigation because the clear finding of the Inquiry judge, Chairman, is that the Chief Minister was helping his friend and mentor. So, if people believe that they can get away with things because you know the right people, you know the Chief
620 Minister, well then it applies not just today, it applied yesterday as well when we are considering the findings.

And this is why it is a smokescreen when you look at it properly. Because that is why they wanted to raise it yesterday, because the hon. Member wanted to make this point yesterday as a smokescreen from the findings that say that actually the Chief Minister was helping his friend and
625 mentor. So, it is okay as long as it is they who are helping the right people.

So, where has the hon. Member been in the Panorama years? Because it has been years. Has he complained to the police when he says he was shocked? Look, some of the things that he said were shocking. If they have happened, they should be investigated. But what did he do about it?

Has he gone to the police and asked them to investigate? Because if he has, he has not made
630 it clear, but if he has, he says from a sedentary position, who in the police? He and the Chief Minister have made it clear that they have full confidence in the current Commissioner of Police.

So, have they asked the current Commissioner of Police to investigate all these things? Because there have been a number of Commissioner of Police since the pinhole camera. I mean, we are talking about 2015.

635 So, Madam Speaker, the reality with these things is that beyond the sensationalism that the hon. Member tries to shock people, because some of the things that he said were shocking and deserve investigation, of course, beyond that, people are entitled legitimately to understand. And ask themselves the questions of the timing, because the timing is relevant. Clearly, timing is relevant. And there is no accident. And where the people of Gibraltar and the Members on this
640 side of the House are not going to be conned. Because we see through the timing. We see through the timing. This is yet again, the usual story.

I mean, they've done it before, where they erode constitutional protections, because there was no accident. They wanted to say this yesterday. Because they have tried in the inquiry.

I said yesterday that there are passages in the Inquiry report where the Chairman says that he
645 heard submissions on the statements. He said, I said it yesterday, I will say it again on the substance of this Motion. He says:

Hassans submitted 19 witness statements.

and this is page 27, 0.41.

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By present or former RGP officers to the enquiry, the statements were submitted on behalf of each individual witness, not the GPF as an organisation. Most of these statements did not refer to bullying at all, but made allegations of all manner of other misconduct, some of which alleged the commission of criminal offences by many different RGP officers and former officers, including by Mr. McGrail. In a closed ruling on the 1st of March 2024, I held that all but three of the 19 statements were not relevant to the reasons and circumstances of Mr. McGrail's retirement. Those three statements are held to be relevant only in part.

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People can download for themselves the statements of those officers, which I am not going to name. They are heavily redacted. The Inquiry report says that it says two things.

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First, that Mr. McGrail strongly denies the allegations, and it also says that the Government parties believe that they are true. It says both things. But those submissions were put to the judge, the Chairman of the enquiry, and he rejected them as not relevant.

The Inquiry Chairman records that there was then an investigation into the job offers, what the hon. Member says, the bribery of other statements, the job offers. In other words, did they make statements for jobs, basically. And it says that 0.45,

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Superintendent McVea conducted a criminal investigation into the job offers. His recommendation was that the available evidence did not meet the threshold for prosecution for the criminal offence of misconduct in public office. His investigation and his conclusion were validated by an independent officer at the UK's National Crime Agency, who described his investigation as thorough. His conclusion was conferred by the advice of King's Council in London.

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The RGP have therefore given notice that their investigation has ended.

that is what he says. The Inquiry Chairman also talks in detail, from page 154 onwards, about the issue of relevance and it says at 7.13 and 7.14 at 155:

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it sets out the opposite versions of events.

In other words, Mr. McGrail strongly denies the allegations. 7.14, the Government parties say that what the witnesses say or at least may be true, it says. And that there is nothing improper in the job offers for payments made to the witnesses. But the Inquiry Chairman considered it irrelevant. He records that there were investigations.

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If there are matters to investigate, they should be investigated, whatever they are. But the reality, Madam Speaker, as well, the reality as well, if we are going to put the full picture in front of a House, the reality as well is that there are conflicts left, right and centre in the position of the hon. Members. Because the hon. Members were core participants in the inquiry, core participants in the inquiry.

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They made submissions through council on these issues that was rejected. They had the statements for X years. I do not know when, but presumably for at least three years, because the fact that there were statements was known in 2023.

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At least, I do not know what the earliest date of these statements are. Apart from the use in the inquiry, what else have they done with it? I have heard some of these things for the first time today.

But what have they done if they are so shocked? Why did they have to wait till the Noting Motion of the Inquiry? Forgive me, forgive me for thinking that they wanted to derail the findings or create a smokescreen, because of course it was the only and the first opportunity that they had to bring it up.

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Well, forgive me for not buying that story, because there are conflicts left, right and centre. Not only are they core participants, but the Chief Minister has also faced serious findings in the inquiry. And the fact that they bring it up today and tried yesterday is because they are deeply conflicted.

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He is deeply conflicted and has created a ruse so that the Father of the House raises these issues rather than him. And no doubt he will speak on this motion despite the conflicts that he struggles with. And that is the issue, Madam Speaker, because they failed to persuade the Chairman of the Inquiry that this was relevant.

705 And now they are trying again to create a smokescreen before the people of Gibraltar. That is what they are trying. That is what they are trying.

And some of the things that they have said are presumably being investigated because the Commissioner of Police said the other day that he had been asked to review the investigation of the pinhole camera of the Chief Minister and he is looking at it. Well, even that, you know, so
710 talking about it today is presumably a breach of Standing Orders. But look, fine, let us talk about it.

Let us talk about it. let us talk about it. And given that, and I should say, I should congratulate the hon. Member.

I congratulate him for his newfound responsibility for protected disclosures. You know, when
715 we got the motion yesterday that the House now calls on the Minister for Protected Disclosures to set out to the Parliament the substance of those disclosures, I asked myself, who is the Minister for Protected Disclosures? And I picked up the particular directions under Section 46 of the Constitution.

I could not find it. I could not find it. I saw his, and he says he is the Minister for Protected
720 Disclosures.

Congratulations on his new portfolio, by the way, because it says Economic Development and Inward Investment, National Economic Plan, Telecommunications, Gibraltar Savings Bank, Gibraltar National Mint, constituency MP with special responsibility for senior citizens, the administration of Government departments charged as aforesaid. And I said, nowhere does it say
725 he's now the Minister for Protected Disclosures. Well, at least I know that the day that I decide that I need to make a protected disclosure, I will go to him, given his special responsibility.

Well, Madam Speaker, we have to ask ourselves how this came about and what the issues are. And it is relevant to consider the code of this House, because the Ministerial Code and the Code of Conduct are relevant. The Code of Conduct of Members of this House, Members shall base their
730 conduct on a consideration of the public interest, avoid conflict between personal interest and the public interest, and resolve any conflict between the two at once in favour of the public interest.

How are they doing that? How are they resolving the conflicts that the Chief Minister has? Big conflicts of facing these findings but wanting to raise these issues as a smokescreen.

735 So, I could not do it yesterday, I will do it today. I will do it today and hope that the people of Gibraltar buy in to our shock, our shock, our genuine astoundment about the fact that this is happening. But in the process, let us trash our institutions.

Let us say that the RGP, who I sat with the day before, smiling, saying that we are reforming the police, is corrupt, or at least might be corrupt. Do not worry, it is not Owain Richardson, but it
740 could be anybody else. Because presumably, one person did not act alone.

So those whistleblowers, what are we saying? Do the hon. Members really want to bring down the House with them? Just because the Chief Minister faces these findings, are they that desperate?

I mean, the Ministerial code says that Ministers of the Crown are expected to behave in a way
745 that upholds the highest standards of propriety. Ministers of the crown are expected to behave in a way that upholds the highest standards of propriety. The Chief Minister has been found to have acted with gross impropriety.

Ministers must ensure that no conflict arises or appears to arise between their public duties and their private interests. They had private interests, at least the Chief Minister did, and another
750 Minister. He had private interests to protect his friend and mentor, says the Inquiry report.

He faces findings where he is conflicted. So, Madam speaker, not only is this a smokescreen, but it is also a tool for a vendetta. And you know, it really looks ugly from where we sit, because if things are wrong, they should be investigated and pursued.

755 But what power should not be used for is for vendettas or to create smokescreens from your own improper action, because that is called abuse of power. That is called abuse of power. A Government out of control, not using power properly.

And people are entitled to say what does it say, not just about how they use power, but our democracy, if that is where we are. This is a sidewind manoeuvre to diminish the Inquiry. It is clear. You know, the timing is there. People can see it for themselves. We have been talking about
760 the Inquiry findings and hey, presto, but by the way, all these things happened many, many years ago.

Well, let them be pursued many years ago. Why are we talking about it today? This is tantamount, and this is why it was being raised yesterday.

This is tantamount to; I do not like the verdict of the courts. So, it is a sidewind to diminish the enquiry. Again, tangentially, one could take a view, this is a breach of Standing Orders, because,
765 but I am not even going there.

I am going to respond on the substance, but that is the reality of what is going on here. I do not like the ruling. I do not like the ruling of the Inquiry Chairman who said it was irrelevant because I wanted to make it relevant.

770 You know, I did not have my moment because the Government parties wanted to obfuscate a bit in the enquiry, were not able to persuade the Chairman to agree that they were relevant. And, and therefore, I do not like the Inquiry findings judgments. And that is why the hon. Member, when he stood up, the Father of the House yesterday said, if these things that are known today would have been known, this is the real truth, the whole truth and nothing but the truth.

775 The implication behind that is very clear. That what they are saying is, had these things been before the Inquiry, the findings would be different. But there are two answers to that.

First of all, they were before the Inquiry, but the Inquiry Chairman decided it was irrelevant. And the second answer is clearly that it is not for this House. It is not for this House to behave like a court of appeal to the Inquiry, because we are not.

780 We are a Parliament and the courts are the courts and the police are the police, and the prosecuting authorities are the prosecuting authorities. And they all have the independent functions, and the Principal Auditor is the Principal Auditor, and everyone has their separate functions, whether we like it or not. And the role of this House, the role of Ministers is to use power reasonably in a measured way, in a responsible way to acquire Office and understand.

785 That is the best way of using power is to use soft power, not hard power, because they have power. It is not the role of Ministers, especially in a small place to squash people with their power, to abuse institutions, to come to this House and try to behave like a court of appeal because they do not like the findings. Because what happens next time?

790 What happens next time? They go to court on a judicial review, but they think the judge gets it wrong. What happens next time?

Do they come here on a motion and say, well, the judge decided this thing was inadmissible, but had he decided it was admissible, this would have been a different verdict. This would have been the truth, the whole truth and nothing but the truth. As I kept saying yesterday, they will not be satisfied that something is the truth, the whole truth and nothing but the truth unless they
795 write it themselves. That is where we are. This is the Gibraltar we have. This is the Gibraltar of the GSLP. That unless they write it, it is not the truth. Well, that is not what constitutional protections are about. People are vested with power with separate functions so that they audit the Government, so that they express their opinion, so that they adjudicate over Government action in a separate way and what they say goes until a court says otherwise, and it is final and that is
800 why we have the separation of functions and powers and if we do not believe in that, we are trashing the Constitution that we have worked for decades to bring into effect.

So, Madam Speaker, this is very serious indeed, because where is the handbrake to these excesses? Where is the handbrake? Because even mild-mannered Clark Kent, the Deputy Chief Minister, became the king of whitewash yesterday.

805 You know, people have a right to move on, but they do not care. But people also have a right to bring claims. If things happened that were wrong, they should be investigated and prosecuted if indeed the authorities believe it.

People can also bring their claims and litigate wherever they need to litigate, whether it is here or in the courts or any tribunal. But this is not the place, because otherwise we have become
810 again, again, Madam Speaker, a kangaroo court. that is what we have become.

You know, let me bring the evidence that the Inquiry Chairman did not think was relevant. Let me read it out. Oh my God, what a shock.

And let us trash an individual, irrespective of whatever it means. I do not know who is right or wrong here. Let it be investigated and let the conclusions flow. Let their consequences be
815 whatever they are. But it is not the function of this House, because otherwise we are simply a kangaroo court.

Madam Speaker, it says a lot about them. It says a lot about them that they are prepared to do this. You know, how desperate have they become as a Government? They have done good things in the past, but how desperate have they become as a Government that really this is what they
820 are doing?

They did it with the auditor. They do not want to take on Sir Peter Openshaw, because they might have a judicial review, so they do not want to mention. it is not a criticising.

But they do it as a side wind. But we have got to find some way, that is what they say, we have got to find some way, that is their attitude, of somehow undermining the findings. So let us do it
825 this way, to trash, but they are in danger of trashing and collapsing the institutions that protect us all in the process, because the rights in our Constitution are rights for everybody here and everybody out there.

The separation of functions is for the benefit of all. The fact that investigators should not decide necessarily whether people finally get prosecuted or not is separate for a reason, because
830 prosecuting authorities should review whether or not charges that investigators want to bring are right or wrong. that is why we have the process and the systems that we have to protect us all.

And that is why we have to be zealous in this House about protecting the Constitution. But they confirm what we always say that actually they are interested in survival, political survival more than anything else. Not the Ministerial duties, not the protecting the conflicts of interest,
835 not resolving the private interests in favour of the public interest at once, as the code says.

No, at once it gets resolved in favour of the private interests, the private political interests of survival. So, it says a lot about them, actually. It says a lot about them.

And it is a disgrace to any notion of fairness. A disgrace. They are not warriors. The Chief Minister says they were warriors yesterday. They are not warriors when they do things like this.
840 They are gutless, spineless, cowards.

So, they disgrace our democracy with every day that passes. And the Deputy Chief Minister said yesterday, when we raise issues, they have got a mandate. Of course they have got a mandate.

They had a mandate in 2023. I am a democrat, I accept that. We are democrats, we accept
845 that.

But we also say that sometimes moments arrive when the confidence of the people needs to be tested in their governments. And the moment is now. Because things have happened since 2023.

And the people of Gibraltar are clamouring to test the confidence in this Government. Because
850 people do not give Election wins as blank cheques. The idea, the notion that we are in blank cheque politics land is bananas.

I am certainly an insult to the people of Gibraltar if that is what they believe. If that is the thrust of the remarks that we will hear that they got returned and therefore that, is it. They misunderstand and trash the Constitution even more than I think they do.

855 They have learnt nothing, Madam Speaker, nothing from the findings. They welcome and accept the findings in their press release of the 23rd of December, but come here to say that the findings actually, maybe not. We do not like them.

And by the way, if this had been before the Inquiry, of course, they would have found a different truth. So, Madam Speaker, power needs to be exercised reasonably and with
860 responsibility, not for their preservation and self-interest or survival. They have learnt absolutely nothing if this is what they do.

Because Madam Speaker, to come here to make these allegations as a smokescreen is a very thin smokescreen. A very thin mist has descended on this Chamber today, but the mist is dissipating because the people of Gibraltar will see through this mist, because the coincidence of
865 timing itself is the swiftest dissipater of this mist. The Hon. Chief Minister said yesterday that their moral compass points to the north.

Well, there may be other people who take a different view, that it points right down to hell. But maybe with his compass, maybe he has got his own compass, bought from Picardo, purveyor of twisted instruments. But Madam Speaker, the reality is they are deeply, deeply conflicted.

870 Deeply conflicted and now, utterly, morally bankrupt. Because Madam Speaker, the power that we have, the parliamentary privilege that we have of freedom of speech is for a reason.

Because we have a freedom of speech here, absolute privilege in this House, parliamentary privilege, dating back to the Bill of Rights, so that we can say whatever we want in the public interest. But the parliamentary privilege is abused if people stand up in this House and say things
875 under the guise of parliamentary privilege in their private interest or their political interest. So, if what they are saying is for the private political interest of creating a smokescreen, it is an abuse of the parliamentary privilege, which should be exercised in accordance with the public interest of the Members of this House to say what people want them to say in the public interest of Gibraltar.

880 Not in their private political interest. They contort it. They contort it for their own private political interests.

And no amount of mild-mannered whitewash is going to save them, Madam Speaker. Because I do not know who is right or wrong, but that is why we have investigators. And some of them appear to have been investigators.

885 I do not know who is right or wrong, but that is why we have courts. And I do not know who is right or wrong, but that is why we respect the independence of the institutions who are charged with making those decisions. So, of course it is serious to hear those things.

But equally, it is not for me to either take them at face value or not take them at face value. They are, as far as I can see, some of them untested. Some of them might have been tested at
890 different degrees by the courts or by investigators.

I do not know. I do not know. But they are not big men when they come, or big women, when they come to this House and abuse parliamentary privilege in this way.

They are rather small. Because big people, if they are really big, would say it outside this House, presumably, when they do not have the absolute privilege of parliamentary privilege that they are
895 abusing. So, even here, Madam Speaker, even here, they impugn judges.

They did so yesterday. I think when someone got up, I think it was the Chief Minister who said, oh, the Magistrate was a friend. Well, is not that impugning the judicial process, which is not supposed to do without a substantive Motion on Conduct?

45(12). But you know, I do not want to address it on technicality, I want to address it on
900 substance. Because this again is a usurpation of functions. Under the guise of shock horror, there is something serious.

So, Madam Speaker, they do not deserve to govern anymore, if they govern for themselves. And that is the question that people need to ask themselves. What is going on here? what

happened with the Principal Auditor? what is the common theme? Inquiry findings. And now this.
905 A Government that loses its way does not deserve to govern if they govern for themselves, if they are putting their private political interests above the public interest.

A Government that does that does not deserve to govern. A Government that does that needs to test the confidence of the people. If they govern for themselves, putting their private political interests above the public interest. If they govern to use their power for their friends, then they
910 are bankrupt, politically bankrupt, if they are mired in self-interest in this way.

And this is why, this is why, Madam Speaker, this is why this is so serious. Because they conflate the public interest with their private interest. They will stand up when I finish to say that this is in the public interest. What is in the public interest is that as soon as they received those complaints of people, they should have sought to give it to the proper authorities to investigate and let the
915 matter run. To come here years after, to raise it in this way is a self-serving demonstration of private political interest above public interest and an abuse of the parliamentary privilege that for decades we have sought very hard to work to protect.

Madam Speaker: Does any other hon. Member wish to speak? The Hon. Chief Minister.

Hon. F R Picardo (Chief Minister): Yes, Madam Speaker, I do wish to speak. I do wish to have something to say in respect of the matters that have been said by the Father of the House in his magnificent presentation this morning and in respect of some of the ludicrous overreach that we have heard from the Leader of the Opposition. Although I have to say to him, Madam Speaker, that it is the first time I have seen him animated.

In all of the time that he has been in this House, I do not think I have ever seen him animated before. Obviously today he is animated because he had one moment when he thought he had something which was in his hands almost a nugget of gold to try and throw at me, who he has not been able to defeat at the ballot box for so many years, and it seems to be slipping through his fingers. Slipping through his fingers once it is set in its proper context, once the jigsaw puzzle starts to emerge more clearly in the eyes of the electorate who are the only people he is thinking of today.
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He is not thinking of the whistleblowers. He is not thinking of the victims of the things that have been said. He is thinking only about one thing, as he was thinking yesterday, as he was thinking when he received the Principal Auditor's Report.

He was not worried, Madam Speaker, when he got that, about value for money or waste.
935 Actually, Madam Speaker, I will give the Hon. Mr. Clinton his due. I think Mr. Clinton usually is worried about those things.

But Mr. Azopardi is not worried about those things. He does not see pounds, shillings or pence in the Principal Auditor's Report. He does not see people in respect of the whistleblowing statements.

He sees votes, like in the old ABBA song, slipping through his fingers all the time, Madam Speaker, even when he was stood on the threshold of Number 6 Convent Place on the night of the last Election, slipping through his fingers all the time. And that is what has led to the vituperative assault on the Father of the House by the Leader of the Opposition a few moments ago. A vituperative assault, Madam Speaker, that needs to be put in its proper context, so that people can understand what it is.
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Because that is the politics of today. That is the smokescreen that alleges the smokescreen. But what matters more to me, and what matters more to the Father of the House, what matters more to every Member on this side of the House, and I put it, Madam Speaker, to him and to every Member of this House, that actually what matters the most to people out there in this community is what the Father of the House got up to tell us.
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And not, by the way, Madam Speaker, as the Hon. Leader of the Opposition has suggested, because I asked him to. I know that he might have been used to a different sort of discipline when he was in the GSD between 1996 and 2003. But when hon. Members get up to speak on this side

of the House, I mean, unless they have asked me about a particular reference or a number, because, you know, I am required to know the estimates, they say what they want.

If I were able to whip any Member on the side of the House, which I do not try to do, I really do not fancy my chances in respect of the Father of the House, Madam Speaker. I really do not. I do not think I have ever dared say to Joe Bosano, Joe, *tu di esto*.

Or Joe, *tu metete por aqui*. Good luck to anyone who tried to do that. So, Madam Speaker, when the Hon. Leader of the Opposition says all of these things were done yesterday or attempted to be done yesterday by the Father of the House to try and create a smokescreen in respect of the Inquiry findings, because you, the Chief Minister, wanted him to do so, the hon. Gentleman is in that respect, I hope he will take it from me, inadvertently misleading the House, because that did not happen. I am happy to take any oath, Madam Speaker, to say that that did not happen. This was Joe Bosano being Joe Bosano.

Always the Trade Unionist, the representative of the underdog. Even round the Cabinet table, I have to say. So that removes the bottom card of all of the theories that the Hon. Leader of the Opposition has been advancing for the past hour.

With his blood pressure higher than I have ever seen it, Madam Speaker. Apparently, Madam Speaker, he says in a sedentary position because I wind him up. Which is really quite remarkable, given that I have only moved the suspension of Standing Orders this morning.

Madam Speaker, the Hon. Father of the House is the person who has spoken. If a man in his late 80s can wind him up so much, Madam Speaker, he really does need to consider whether he has the temperance to ever be the leader of our community, Madam Speaker. I mean, it is remarkable.

I mean, you wind me up. I mean, Madam Speaker, to move the amendment of Standing Orders, the suspension of Standing Orders, is remarkable. That is what we are dealing with here, Madam Speaker.

The hon. Gentleman has wound himself up for the reasons I have said. Now, what we started with, which is enough to wind anyone up, but not in the way that the hon. Gentleman has allegedly been wound up, is a setting out, in the Hon. Father of the House's usual plain English, layman's terms, issues of potentially serious human rights abusers of individual police officers, and indeed, of a generation of defendants and their counsel, at New Mole House. I mean, Madam Speaker, when you finish listening to the Father of the House, you end up thinking that under the Ancient Régime, that is to say, not now, it might better have been referred to as House of Horrors rather than New Mole House.

I mean, not least the fact that the HMIC report of 2020 was of course absolutely right to say that the RGP had a serious issue with not being able to account for the control of corruption in its ranks. A serious indictment of things as they were then, all of that was referred to in the report, because the HMIC report, Madam Speaker, was definitely a matter that was considered by the Openshaw Enquiry. And indeed, the conclusions of Sir Peter Openshaw were that Mr McGrail was lucky not to have been asked to go as a result of its findings then, before he was asked to go.

This is a serious indictment of what was happening in the RGP, and was, is a past tense, was, is a past tense, as you could ever have. I have to tell the House, Madam Speaker, that one of the whistleblowers would only give the statement directly to me and the former Governor. Not just me, me and the former Governor, because it involved matters leading to a disappearance and a potential murder.

These matters are that serious. They were investigated, Madam Speaker, but they are that serious. Another whistleblower subsequently substantiated that statement.

I am not an investigator. I am a politician. But I am able to write down what somebody tells me when they come to see me as a constituent, for example, just like they can.

I have the legal training, so I can turn that note into a statement. I cannot take that person's oath, because I am not in practise as a Commissioner for Oaths, and that person required independent legal advice. And that person insisted only to the Chief Minister and the Governor,

1005 because of the seriousness of what is at play, and the potential danger to their family as a result of what they had to tell us.

A danger which arose, I have to clarify, not from the police, but from a third party. The concerns relating to the police were about other types of retaliation, but not the danger. But that is the seriousness of what we are dealing with, Madam Speaker.

1010 And the community deserves to know these things. Of course it does. In the same way the community deserves to be able to read the criticisms of me in the Inquiry Report and politically call me to account for them through my colleagues, and through hon. Members opposite, and through commentators in Gibraltar.

1015 A music that I have faced and am facing. And the issue of the pinhole camera, and the listening device, is worse than shocking, Madam Speaker. And what the hon. Gentleman needs to know, is that yes this was in the Panorama three years ago, but then there were a number of different versions of reasons and excuses provided, in respect to what appeared in the Panorama, with no consistency, and that they had to be re-investigated.

1020 That is why I have asked Commissioner Owain Richards, as he has said in Viewpoint, to look into them. And I have done so Madam Speaker, without using the statutory power I have under Section 15 of the Police Act. Which I have only had to use once.

1025 Because I have confidence that I do not need to use Section 15 to obtain clarity from Commissioner Richards. Although of course the power is there, as is the power to convene an Inquiry in respect of that matter. Because how can it not be serious, that there is an allegation, which is not disproven, and indeed the many mouthed excuses we have been given, in respect to what appeared in the Panorama, do not disprove it.

1030 That counsel and their lawyers have had their confidential discussions, eavesdropped on, in breach of constitutional rights, in breach of European Convention rights. It should make everyone who sees themselves as a defender of rights and freedoms in Gibraltar tremble in their boots. And I know that the Hon. Leader of the Opposition tries, as usual, and this is the problem he has, to straddle both horses.

1035 By keeping himself open, the possibility of saying, well I never said that that was not an issue, I am not the investigator, let somebody investigate it. But on the pinhole camera it said it was a Panorama, it is resolved. Well, look Madam Speaker, I do not think people will want such a defender of their fundamental human rights, ever being the person sitting at Number 6 Convent Place.

1040 Somebody who does not bother to see these issues through on the fundamentals. I want my children to see the police like I saw the police, past tense, and how I see the police, current tense, except for a short intervening period when I did not see the police in this way. Which is, as the defenders of our rights, the protectors of our freedoms.

1045 But for a short period, what the Hon. Father of the House has told us today is that in fact, some people in the police were responsible for breaches of human rights. And indeed, if individuals were convicted of things, as a result of the fruit of the poisoned tree, that would be the eavesdropping that had been done illegally, then there must be redress. If there are people in the HM Prison today, if there were people at some stage in HM Prison, somebody has paid a fine, been subject to a penalty, or further investigation, as a result of that pinhole camera or whatever it was, or a derivative of that pinhole camera, we need to know, and that person needs to have redress.

1050 There can be no excuse for this, Madam Speaker. Because we cannot condone the opposite. Until the hon. Gentleman got up, I thought no Member of the House would ever condone the opposite.

1055 I think he has left the door open, not to condone the opposite, but on the pinhole camera, I think he went a little further by saying it has been investigated, it was in Panorama, you should have read about it five years ago. And yes, Madam Speaker, the Commissioner of Police is reviewing it. Because I have asked him to.

And there is the contradiction into which the Hon. Leader of the Opposition fell. Because he said, this was years ago, why did not you ask for it to be reviewed then? When you read about it in Panorama, why did not you ask for anything then?

1060 And later says, up at our *Viewpoint*, we are told that it is being reviewed. That is the contradiction into which he fell. But all of these issues, Madam Speaker, have to be seen through the filter of what the community was being told at the time.

1065 Because the whistleblower statements were coming out after, but in the context of, the many allegations of bullying in the police that we saw. And I sat in this House, before the last Election, being told that there were issues of morale in the police because there was bullying the police. Except then, when you get the whistleblower statements, you see that the issues of morale in the police related to the bullying of rank-and-file officers.

1070 Not because of resources, of course it could not be about resources. Because we give 70% more resources to the police in cash terms. But because of the bullying that is reflected in the statements that the Hon. Leader of the Opposition has provided for.

And bullying, Madam Speaker, not just of rank-and-file officers, but also of office holders in the police federation. Which they have talked about publicly. And which is also in the statements.

1075 But perhaps this should not be surprising. Because Madam Speaker, one of the first things that we did when we were Elected in 2011, as we fulfilled all our manifesto commitments, 99.7% before Brexit and COVID, was to create the police federation. Because it had been in our 2011 manifesto that we were going to create the police federation.

We created it by statute in this House. No problem with the Commissioner who was Commissioner when I was Elected. No problem with the Commissioner who became Commissioner after I was Elected.

1080 And when we passed this law, and when the Union, in effect, of police officers, the Trade Union of police officers, became the federation. We were committed to do that too. Make it like the federations in the UK.

1085 Until Mr McGrail became Commissioner of Police. And one of the first things that he does, I have to confess I found this remarkable, was write to the Governor, to the Governor, to ask the Governor to undo the statute that had created the GPF. Because it was very difficult for him to operate in that way.

And he wrote to the Governor because the Governor had responsibility for the police. Undoing the will of the people. So, I am not surprised that afterwards, when he did not get his way, because of course I said we are not going to repeal the Act that we introduced.

1090 To give proper representation to police officers. So, they can defend themselves internally. So, they have rights at work too.

And when we did that, what he did was to have a very confrontational relationship with the GPF. Which played out in the media and all over the place. This is when we changed our law to be like the UK law.

1095 When we changed our law to be like the UK law, the Inquiries Act, the Hon. Leader of the Opposition asked for a meeting with the Governor. Allegedly not to ask him to withhold consent, he said yesterday. When we change our law to be in keeping with UK law, irrespective of the representation of police officers at work.

The Commissioner goes to the Governor to ask him not to do that. This is a remarkable approach to decolonisation and democracy. It is not what I subscribe to.

1100 I mean if they passed a law that I do not like, I would not ask to have tea with the Governor the day after. I might ask to have an interview with The Chronicle or an interview with GBC. But I would leave the Governor where he is.

1105 Because the Governor has to be where the King is when it comes to legislation and assent. Not anywhere else. And anybody who suggests otherwise might as well wear a cap that says 'colony' on it.

It is a remarkable Gibraltar, Madam Speaker, in which Governors do not try and overstep their mark. But Gibraltarians try and bring issues to them which are outside their new constitutional

competence. And that is a good thing too, Madam Speaker, because it makes for an excellent relationship between Government and the Convent.

1110 And indeed, London. I hope there is not any morsel slipping through your fingers there. Madam Speaker, in all of that context, the things that the Father of the House was telling us are coming full circle.

1115 it is not just the Inquiry that is completed, but out of respect to the enquiry, some things have had to wait to the end of the Inquiry because the Inquiry Chairman said they were not relevant to the enquiry. that is the proper course. If we had raised these issues whilst the Inquiry was on course, the accusation we would have had with equal vehemence from the other side was that we were trying to poison the will of the enquiry.

Well, those things are now resolved. But these things also have to be before the community. Because the Principal Auditor has said there is spending in relation to the whistleblowers.

1120 So, are the public entitled to know what that spending was? when people have moved to other departments, and they are paid different things because the grades change. Well, Madam Speaker, why is it that they are always very keen to have transparency, but on this, they do not want transparency.

1125 They want to know every contract before it is signed. They want to know about heads of terms when we are negotiating them, not just when the ink is dry on the paper. But on this, they do not want to hear a word until a judge has said that the whistleblower has told the truth or not told the truth.

1130 it is a bit selective, no? A bit selective. It does really justify the view that we take that all they are trying to do is to put together as much as they can against the Government to use for their political purposes.

And somebody might say, no poop Sherlock, they are in Opposition. That is of course what they want to do. Well, fair enough, but that is politics.

And this is more than just politics. So, what is the full jigsaw puzzle? Look at what we have been told today in our newspaper of record.

1135 The path to vindication.

Dear Sir, I believe this letter may be of public interest. My husband is a former police officer of the Royal Gibraltar Police.

1140 At the rank of Inspector, and with just over five years of service remaining, he was compelled to resign on the 31st of January 2025. For a period exceeding two years, true to his word and guided by an unwavering sense of strong principles, he has demonstrated remarkable courage in pursuing, without hesitation and with all those concerned, everything necessary and possible in the quest for his justice. Inevitably, his determination has carried significant personal, professional, financial and reputational consequences.

1145 More concerning is the toll that it has taken on his already fragile health. As a family, together with others who have stood by him, we never doubted that he was entirely right in what he did, what he sought to do and what he intended to achieve. Yet out of deep concern for his well-being, we have repeatedly urged him to let go, knowing all along that he would not be swayed.

1150 He persisted, steadfast and relentless throughout, driven by a resolve possessed only by those rare individuals who defend their principles and stand against injustice, no matter what and to what extent. In his case, having to give up his vocation, following an extraordinarily successful 16-year career and with an impeccable record. Nonetheless, the good news is that the principal argument he has consistently advocated and defending throughout this period, one of the reasons for his departure, has now been vindicated.

1155 He had the courage to say, enough is enough, the courage to stand up to the abuse of power and double standards, and the courage to ensure that his rights were upheld on equal terms, without distinction of position, status or any other factor. As this ordeal draws to a close, upon reflection we must admit that we now feel an overwhelming and profound sense of pride. I wish to publicly express my sincere gratitude to Commissioner Owain Richards for his prompt action, strong leadership, competence and understanding.

1160 He considered the matter without hesitation and took the necessary steps to address the issue appropriately. Thank you, Commissioner. Perhaps your approach and actions may have provided and may continue to provide a valuable learning opportunity for others, including certain senior officers who have retired and a few others who are still serving yours faithfully.

That is one of the most poignant, most moving things that I have read in our newspaper on record for a long time. I know that there are families of others who have had a very difficult time to go through at the hands of the former senior management team. I applaud all of their strength.

1165 Members of the House may have seen on social media the video of another individual going through serious health issues and having a fit, explaining that that goes back also to his treatment. So, when I hear the Leader of the Opposition talk about abuse of power and dealing people on equal terms without distinction of position, status or any other factor, I ask him to reflect that this might be about more than just politics. Because this is about a person whose family Member has
1170 been compelled to write to today's Gibraltar Chronicle and say that he, one of the people who stood up to the former senior management team, had the courage to say enough is enough.

Had the courage to stand up to the abuse of power. In the context of this letter, it is for the first time in this House that we are not hearing that threat alleged against the Government. we are hearing that that was the position of the senior management team of the Royal Gibraltar
1175 Police, that they had double standards.

That they were the ones not dealing with people on equal terms without distinction of position, status or any other factor. Does not that make the Leader of the Opposition want to think again and say, look Fabian, I am going to continue to attack you mercilessly on the findings of the Inquiry Report against you, but you are right on this, we must be together as a Parliament. And keep
1180 attacking me.

I said in my New Year's address, Madam Speaker, bring it on, attack me, leave the institutions out of it. we are not the ones attacking the institution of the Royal Gibraltar Police. We are defending the institution of the Royal Gibraltar Police.

We say it now has the credibility it needed and the competence it needed and the confidence
1185 it needed. Or are they attacking the principal institution of Gibraltar by attacking the Government? Of course they are not, they are doing their politics.

We are not attacking the RGP by saying there were problems in the RGP. This lady who has written in the Chronicle, she is not writing politics. This means more than anything he and I have ever said here.

1190 Read it carefully, Madam Speaker, because the things it says make for much more uncomfortable reading for this community than anything that there might be in the Inquiry Report. So, when the hon. Gentleman talks about abuse of power and the power of the Government and how we use it, I will come to those issues. But this, this is the clearest assertion of abuse in the RGP from a third party, I do not know this person, I have never met her, that we
1195 have heard.

And if they do not reflect on the things that they have said today after this very poignant statement by an unpolitical individual, then they are the ones who do not deserve to be in this House, Madam Speaker. And it is not the last time I am going to refer to the newspaper record, Madam Speaker, because a lot of these things are not just playing out in the enquiry. I mean, the
1200 hon. Gentleman now just wants to talk about the Inquiry and what was before the enquiry.

But there has been media around the enquiry, media and social media about the enquiry, comments about the things in the enquiry. Is it that the Government somehow is not allowed to reply to things that have been said about the Government or in relation to these matters in the media and in social media, unless I was cross-examined about it in the inquiry? Of course not,
1205 Madam Speaker.

In this place, we talk about all the things that matter in our community. And the question of the whistleblowers has been in the media throughout, not just in the Inquiry in the way that he read out. It was in the leaders' debate, as he reminded us yesterday.

But it was in the leaders' debate because he wanted to talk about it. Why did he want to talk
1210 about the whistleblowers in the leaders' debate in October 2023? Why, Madam Speaker?

Because it was a relevant political issue. Why was it a relevant political issue in August and October 2023? Because Mr McGrail, through his lawyers, made a complaint to his best friend. I am not saying that. that is what they said on the record in the enquiry, that the whistleblower

statements were somehow being procured improperly. Well, Madam Speaker, that has been investigated three times, as the hon. Gentleman has said.

Bless you. Then it was reviewed again after the reference in the Principal Auditors Report with nothing new to be said. So, something has been investigated that number of times, and you are exonerated every time.

You do have to ask yourself, were these allegations proper? Or is it only the whistleblowers' allegations that should not be referred to in public until they are determined to have been proper and found by a judge to have been proper? But the allegations against me in relation to the whistleblowers and how their statements were allegedly procured when they were not, that we can talk about all the time.

I have less rights than Ian McGrail. Ian McGrail can say, Fabian Picardo has procured these and this is a perversion of the course of justice. And that is fine.

That is not a breach of anyone's rights. And then that can be thrown in my face in a leaders' debate. 24 hours, no, not 24 hours, 12 hours before polls open. And that is absolutely fine.

Hon. Dr K Azopardi (Leader of the Opposition): On a Point of Order, I was not aware of the investigation on the letters of assurance or whatever at the leaders' debate. I may have raised the letters of assurance, but I think the RGP issued a press release about the outcome of the investigation months after the General Election.

Hon. F R Picardo (Chief Minister): Well, Madam Speaker, another reason why he cannot be at Number 6 Convent Place is he does not know what is going on in Gibraltar. Because Madam Speaker, everyone was aware in Gibraltar that somebody who is very close to me at Number 6 Convent Place, was arrested by the RGP in order to question them about the issue of the whistleblowers. So just put this in the context and in the timeline, Madam Speaker.

In the run-up to the 2023 General Election, Mr McGrail makes a complaint to the man who describes himself later in evidence in the Inquiry as his best friend about the fact that these whistleblowers who might be giving evidence against him must surely have their evidence procured in order to give it. A person who is very close to me, at Number 6 Convent Place, is arrested by the Royal Gibraltar Police, and the comment is all about whether this is an illegal enterprise from Number 6, whether there is misconduct in public office, and this is everywhere. And the Hon. Leader of the Opposition raises it in the leaders' debate.

Why? Of course this was a live political issue. And what was happening, Madam Speaker?

The statements that we've referred to today in the statement by the Hon. Leader of the Opposition and the investigation into this alleged procurement, of which we have been cleared three or four times now, were being used like Hansel and Gretel's sweets, laying a trail to my office in an attempt to create the notion in people's minds in the run-up to the General Election that somehow the Chief Minister had acted in misconduct in public office. When in fact nothing of the sort was the case.

My senior colleague was arrested only to be completely exonerated, Madam Speaker. The whole of the process of these witness statements being provided, we have been exonerated of on three separate occasions. But Madam Speaker, of course we agree that the police should not be used by the politicians.

But here, the police itself were up to something else. I have to say, Madam Speaker, and I am not saying that hon. Members were complicit in this. I am not saying that.

But they might have become the unintended beneficiaries of it, that arresting one of my senior advisors less than 90 days before a General Election is using the law to play political games. It is as close as Gibraltar has ever come to a bloodless coup, despite subsequently three or four consecutive complete exonerations. And all because we passed a law to protect police officers in the police from senior management by creating the Federation.

And all because we passed a law which included police officers in the protection they could get if they whistle blew. Something, Madam Speaker, that I think was a very good thing and I stand

by. And this was the typical tactic that when you see that things are going against you and lots of people are now finally saying what happened and telling the truth, attack is the best form of defence.

Lawfare has arrived in Gibraltar, Madam Speaker, and it is alive and kicking. Just like the dirty war in Spain on the left, it is alive and kicking here. Look, in Spain, Madam Speaker, politicians of the extreme left have had to leave their seats in Parliament because of allegations made against them. Remarkable allegations made against them. Only to see those allegations disproven three years later. But by then you have left Parliament.

The political moment has moved on. that is what was happening here, Madam Speaker. And who were the instruments of this lawfare in Gibraltar, Madam Speaker?

The lawyers of Mr McGrail and of the RGP. The Wagner Group, Madam Speaker. Transparency International issues statements defending whistleblowers and how important they are in the infrastructure of anti-corruption.

Unless they are in Gibraltar, Madam Speaker. Because one of the friends of the people who write in Transparency International is Mr Wagner. Who represents Mr McGrail and is leading these allegations to try and suppress the statements of the whistleblowers.

Because they do his clients harm. They do his narrative harm. Saying that they have somehow been procured by us.

And the whistleblowers all, come forward, Madam Speaker. They cause us an administrative headache. Yesterday, yesterday, or the day before, yesterday I think, on Twitter, Mr Wagner was calling for the UK Government to step in in Gibraltar.

Because we are not to be trusted to implement the recommendations set out in the Inquiry report. The Hon. Mrs Ladislaus has already set out that some of these are recommendations that the RGP makes should be made of itself. And which they are already implementing.

There are five that relate to the Government. I have already said that we are going to do them in 100 days. Even if I had not, even if I said that we had completely discarded the Inquiry recommendations.

Which of course we are free to do. We can say that these are not binding, we do not agree with the Chairman, and we discard them. We do not do that.

We say that we accept them and we are going to implement them. And a man who has been paid by the taxpayer, in the United Kingdom, says undo the Gibraltar constitution and all the protections, and UK Government step in and do it. I mean, he gives an interview to the hugely respected Joshua Rosenberg.

And said that he thought Mr McGrail was very brave, having stood up to the Government in Gibraltar. Well except, as we have seen in today's Gibraltar Chronicle, actually the abuses of power might not have been by the Government. Actually, the bravery may be in those whose statements are being sought to be suppressed.

And I am not saying that that is what happened in the Inquiry. The Inquiry had a very defined remit. And the whistleblowing statements perhaps, except for those three, go to a wider remit.

A wider jigsaw puzzle. So, we entirely respect Mr. Justice Openshaw's view in respect of which of the whistleblower statements were relevant or not. It was a matter for him.

But that does not mean that they are not relevant to our conversation as a community, Madam Speaker. And they are not relevant to whether or not Mr. McGrail is the brave man who stood up to the Government. Or the coward who is scurried, seeking the advice and protection of human rights lawyers when in fact what might be shown is that he was the person who, in many of these witness statements, has been seen to be breaching those very rights.

I have never sought to use my parliamentary privilege, Madam Speaker, to say things in this House that somehow are not substantiated. We have sworn witness statements to this effect. We do not have tittle-tattle.

They come here and accuse us of all sorts of things because they have heard in the street that. We have sworn witness statements. And then, Madam Speaker, the rest of the lawfare relating to this set of witness statements.

Mr. Gomez, who, look, I fully respect that Mr Gomez, as a lawyer representing Mr McGrail, must do his best for his client. Of course, absolutely right. But stray into politics?

1320 I mean, it is very clear to me that ever since we took the position that we took on equality and abortion, Mr Gomez, who had until then been a staunch supporter of the Government and who had represented us and had taken taxpayers' money to represent us, suddenly did not want anything to do with us and wants to do everything he can to undo us. So be it. But this is lawfare, Madam Speaker.

1325 Writing to Governors, asking them to take positions in relation to Chief Ministers. What is this? This is not a place where those things happen or need to happen anymore under our Constitution. People seem to think it is still 1969. And then, Madam Speaker, Mr Vasquez's position, also today in the Gibraltar Chronicle, on whether I should have my fees paid for or not. Well, look, Madam Speaker, I respect Mr Vasquez because he said he's left the law, he's a journalist, and he's writing and all the rest of it.

1330 Okay, no problem. I might do the same thing, Madam Speaker, at some stage. Because I have a lot to say from a different perspective.

But let us say that public officials should not follow instructions if they are given them to make payments because they might be personally liable. Reads like a threat to me. Another threat, Madam Speaker.

1335 I mean, we must be the worst abusers of power in history, Madam Speaker, because nobody thinks anything of writing to the Chronicle to say that we are wrong. Or putting on Facebook what terrible people we are. And we are not very good abusers of power.

We do not seem to scare anyone. Good! Because we do not want to scare anyone, Madam Speaker.

1340 We do not want to scare anyone. And then, Madam Speaker, the other conflict, his new best friend. Again, Mr Cruz, who represented the RGP, who writes in the Chronicle in support of him and against me, calling for the RGP, his clients, former clients, to investigate me, Madam Speaker. And that despite coming to my office with tears in his eyes, asking me to help him in relation to enterprise. And then, of course, getting very disappointed because we did not choose him as a candidate for the General Election. And then deciding he needs to go once again and try and find a new home for his candidature.

1345 We have conflicts? One of the things that the Father of the House has talked about is one of the most difficult episodes that I have had to live through. Which was the revelation that some Members of my Close Protection Team had been asked to provide intelligence to the senior management of the Royal Gibraltar Police of what I was doing.

1350 This is before Mr McGrail and I fell out. This is before any of those issues. And not for my protection.

My calendar, Madam Speaker, is open to all Ministers, so all Ministers see my calendar. I make no secret of what I do or who I see, Madam Speaker, even on a Sunday in my house. Because if anybody knows who I met on Sunday in my house, it is because I told them.

1355 My Close Protection Team are some of the people who are the closest to me. For 15 years, Madam Speaker, I have been accompanied wherever I have gone by one or two individuals from the Royal Gibraltar Police. They become more than just, obviously, Close Protection Officers.

We become friends, Madam Speaker. I fully and completely trust the men, for they have all been men, who are my Close Protection Officers. But look at what the RGP tried to do.

1360 These men who are, depending on where I was on age, when I was first Elected, they were all older than me, Madam Speaker. Now, they are all younger. They have become my children's grandfathers.

1365 Now, more like my children's uncles. they are a part of our family, Madam Speaker, in many respects. And they were being asked to breach my rights, and indeed the rights of many others, and provide information on what I was doing.

I had to go and see the Governor about this. Not because I should be wearing a cap 'colonial', but because the Governor's responsibility for internal security in the police. And I said to His

Excellency then, this information has come to me. I want you to take it up immediately with the Commissioner of the RGP. In 24 hours, I will be making a decision whether to cease to use the RGP for the Chief Minister's personal security. And I will use private security instead.

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I was not going to do that without issuing a public statement, if I had to. The matter was resolved. And the matter was resolved, not least because, despite those failures which led to that in the senior management team, I completely and entirely trusted and trust the people who make up my close protection detail.

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But that was happening in this Gibraltar. Is that my abuse of power? Is that us abusing our power? Does the hon. Gentleman want to reflect on that for a moment? Because he has accused us of abuse of power, as he usually does. the hon. Member's problem is he cries wolf so often, Madam Speaker, that people might not actually be listening much.

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I mean, he has been saying that we are abusing power. From the moment that he stopped being my staunch supporter and somebody I would instruct, and he sent me the message saying, given there is a chance, and I could once again have the opportunity of fulfilling my ambition, and there is a vacancy, I am going to try and become leader of the GSD. And then everything changes.

From that moment, we are abusers of power. The moment before, we are good for £400,000 if I had made him Solicitor General. And happy to support you and work with you.

1385

Reflect on that. And reflect on the things that have been said now. Actually, a Principal Auditor might now say, okay, now I understand.

And yes, we are not the investigators. We do not pretend to be the investigators. Sir Joe Bossano has not come here as Father of the House to say, the whistleblowers have said this, and I have investigated it, and yes and no and right and wrong.

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He said, the whistleblowers have come to me, and this is what they have told us. Somebody, we agree with them, the investigators have to do something about it. Tell us whether it is true, tell us whether it is not true.

What we should not accept is that we are told something is true, but it is probably easier to just move on. Because these things are too serious, Madam Speaker. And indeed, some of these whistleblowers, Madam Speaker, many of whom were police officers with great vocation, may even want to consider going back to the RGP now, that it is led in what I will say, so that it remains on the record of Hansard, in an exemplary manner now.

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But the fact that we've had to bring, Madam Speaker, a Commissioner from outside of Gibraltar, something that successive Chief Ministers would have resisted, is an indictment of itself on the former leadership of the RGP. So, when the hon. Gentleman starts his address by saying that all we have done today is create a smokescreen, what he fails to consider is what he would have said if we had done this during the course of the enquiry. They would immediately have said, you are trying to derail the enquiry.

1400

You could have taken action before, he said. Well, we have referred matters to the RGP before. Indeed, the statement I talked about, that I took with the Governor, was referred to the RGP and was investigated.

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I do not know that I can say that I am confident about the outcome of that, because the investigation was not shared with me, only the outcome was. And perhaps it needs to be looked at again. But hon. Members think that anything which is not embarrassing of the Government is a smokescreen.

1410

And the only thing that is worth talking about in this place are things which are embarrassing of the Government. It is a matter for them. And then he says that we have separation of powers and that here we should only use absolute privilege sparingly.

Absolutely, Madam Speaker. When have we ever used it before? And are we using it today?

1415

We are simply saying what the whistleblower has talked about. Because the prosecutors are the only, the prosecution is only lying if prosecuting authorities consider that is the case. Exactly.

And if prosecuting authorities have investigated things three times and said that there is no reason to prosecute them, how can people still get away with saying that the whistleblower statements have been procured? Because that has been looked at and the answer has been that

1420 they were not. And then the remarkable thing that the Hon. Leader of the Opposition said was that we should only be here to debate issues of interest.

Does he really think that these matters are not of interest in our community? That the only thing that is of interest in our community are the things that the Inquiry has said about me, Madam Speaker? Seriously?

1425 And he says that there was evidence given in the court in 2005 about the issue of the pinhole camera. 2025 in the issue of the pinhole camera. Yes, that might have been.

But is he telling us that the court made a full determination of whether or not there was a pinhole camera? Nobody knows that Madam Speaker. We do not know the context of what that case dealt with.

1430 When I asked this question, Madam Speaker, I was not told by the Commissioner that the matter was resolved in the case in 2025. It may not have been resolved, Madam Speaker. The court may not have been able to resolve it in that case.

Or it may not have been relevant in that case. We have nothing to say about it here. This is just a matter for the court.

1435 Seriously, this is not a place where people can bring issues which are of general public importance to raise awareness of them and to perhaps prompt investigation of things. Because I would never seek to stand in their way of it. And then he once again made the accusation that we are only here to help the right people.

1440 You know, this reference constantly to James Levy, which he made from a sedentary position, etc, etc. Nonsense, Madam Speaker. the Hon. Father of the House will correct me if I am wrong, but James Levy has not given a witness statement as a whistleblower as far as I understand it.

These are the little guy, Madam Speaker. These are the people that need the protection. But who are they helping by saying that these matters are not of interest?

1445 Who are they helping by saying that this is just a smoke screen? Not the whistleblowers, not the little guy, not the officers of the Royal Gibraltar Police. Who are they seeking to help, Madam Speaker?

Some things are shocking and they deserve investigation, he said. Good, at least we can agree on something. And if he says that they can see through the timing, he is wrong to think that we could have done this at any other time.

1450 Now, is it true that we have conflicts left, right and centre? Well, look, Madam Speaker, in a community the size of Gibraltar, what he is saying is that we know a lot of people. I do not know why he says there are two Ministers who have conflicts, like me, because there are three of us on this side of the House who are partners of Hassans on sabbatical.

1455 Ah, he is talking about the previous Cabinet, because the Inquiry was talking about the previous Cabinet. I see, right, right. But look at me, there were a lot of people, you have a lot of conflicts.

But the question is how you resolve those conflicts. How do they resolve their conflicts? I mean, is it their position that they are never going to instruct TSN, if they become the Government?

1460 Is it their position, or should we, if I judge them by the same standard that they purport to judge us, should I say that everything that is said by the GFSB is in effect being said by them, because the chair of the GFSB practises in their same chambers? I do not say that. I do not believe it, Madam Speaker.

1465 But that would be a conflict of interest judged in the way that they assess conflicts of interest. Or do we now have to pretend that we are not all perhaps friends in Gibraltar in some way, and that you end up instructing people who you may know. And if we are friends, do we not appear before our friends if our friends are in the judicial capacity, Madam Speaker?

As long as they are not determining matters that relate to us, but we are representing people. Is that what he's saying? Or are the conflicts only ours?

1470 So, there is no question of my having created a ruse here in respect of the conflicts I struggle with, because I have not told the Father of the House what to do or to do this. And it is not a newfound responsibility that he has for protected disclosures. He has had it since 2022 or 23, at least, even though it is not in his title.

But he does that, like he does other things. It does not have to be in your title, Madam Speaker. And if I have my picture taken with everybody who is in the new steering group on the RGP, it is because I am happy to sit round a table with the new leadership of the RGP.

1475 And because the things I am saying are not about the RGP, although he would rather, they were, so that he could try and persuade everyone in the RGP not to vote GSLP Liberals. By the way, it is GSLP Liberals, he keeps saying GSLP, it is no longer 1996, it is GSLP Liberals. I am saying it about the previous senior management team of the RGP, Madam Speaker.

1480 But anyway, what he has said, and he told us yesterday, is that he is not prepared to sit with the Governor and with the Chairman of the GPA, who happens to be the founder of his party, with the Attorney General, with the DPP, with the Commissioner of Police, and with me, to look at future governance of the police. Well, Madam Speaker, you know what, once you have invited him, once you have tried, if he does not want to, good riddance, Madam Speaker. But then he should not complain, when he has not had input into the fruit of that work, because he has been
1485 invited to be consulted on the fruit of that work.

And yes, the stuff that is in this witness statement are not just about Mr. McGrail, we are not saying that one person acted alone. We are saying this affected a lot of the senior management team. But Madam Speaker, again, I refer him to the letter in today's newspaper, he might like to read again and again the final sentence.

1490 Madam Speaker, I said I did not know the person who wrote this letter. Neither did I know it was going to be in the Gibraltar Chronicle, today or at any time. This has been a complete surprise to me.

In fact, I am lucky, I usually read the Chronicle at 6.30 in the morning, today, for my sins and for my weight, I went out for a run, I did not have a chance to read it, I am lucky I picked it up in the office before I came to the House. So, we are not using any of this as a tool for vendetta, Madam Speaker. As I said to the interviewer in Gibraltar today, I mean, if you plan revenge, dig
1495 two graves, the revenge is tragedy, Madam Speaker.

Vendettas are for the hills of Corsica, not for Gibraltar. This is us doing what we have to do, and I am concerned, Madam Speaker, that they think that there is something wrong in what we are doing. Because that means if they were the Government, they would not be doing this, they would not be defending the people who have made these disclosures.

1500 And this has nothing to do with the verdict of the Inquiry. Far from it, Madam Speaker. That is a separate argument that we are dealing with separately.

And it is certainly not a breach of Standing Orders, because if it were, Madam Speaker, you would have had something to say about it. The hon. Gentleman is not the guardian of Standing Orders, you are, Madam Speaker. But then the remarkable thing is he says, but these things happened years ago, why are we looking at them?

In the same breath as he says, the findings about you six years ago are fundamental and you have to go. You could not make that up, Madam Speaker, it is so contradictory. He should be half painted in black and half painted in white.

1510 The best way of using power is not to abuse it. I could not agree more. That is why people have returned us to power on four separate occasions.

Because when I have been entrusted with it, I have never abused it. The Gibraltar of the GSLP Liberals is a Gibraltar where everyone is safe. Not least our opponents.

1515 If I have one internal criticism in the GSLP, Madam Speaker, is that I look after our opponents as much as I look after our own people and everybody else. I see no distinction in people when they come to see me. Look how I treated Mr Cruz when he came to pray in aid, my support with tears in his eyes. I would not come here in any way if a judge got something wrong in a ruling. I would appeal? That is what the rule of law provides for, Madam Speaker.

1520 That is the rule of law that we defend. Not the rule of law that puts individuals, simply because they are Ministers in a Government, in a worse position than anybody else, that we cannot appeal a finding and we have less rights. So, the people who are trashing the Constitution are those who

suggest that that is the case, that we cannot appeal findings, and we are subject to findings at first instance.

1525 And hon. Members then will have been perhaps amused by the reference to the Hon. Deputy Chief Minister as Clark Kent. But in making that allusion, Madam Speaker, I ask the Hon. Leader of the Opposition to remind himself of what it was that Clark Kent wore under his shirt. Because it might start to explain to the hon. Member why it is that somebody who he tries to deprecate by referring to him as Clark Kent has won every Election that he has stood for since 1999 and has
1530 been my partner with our colleagues in Government in winning four successive General Elections, three or four of them against him.

Over and over again. Because this is no kangaroo court, Madam Speaker. This is a place where we talk about the things that really do matter to our people.

1535 And when the Home Secretary in the United Kingdom stands up in the House of Commons and says, I have lost confidence in the West Midlands Commissioner of Police. When the Mayor of London stands up in the Mayoralty in London and says, I have lost confidence in the former Commissioner of Police, Miss Cressida Dick. Nobody says, this is a kangaroo court because the Chief Constable of West Midlands Police cannot come here to defend himself.

1540 Miss Cressida Dick cannot come here to defend themselves. Of course not. Why does he say it here?

Are we somehow, I do not want to fall into the trap of quoting Orwell, less equal than others? Madam Speaker? But anyway, it was Orwell that said that not Obama, Madam Speaker.

1545 Because we are not here because we need to survive in any respect. We are more than just surviving, Madam Speaker. We are thriving. I am coming to the end of my time as Chief Minister, seeking to achieve the things I have left to achieve as Chief Minister, as the warrior that I am. Good luck if anybody thinks that anyone on this side is gutless or spineless or a coward.

1550 We have the guts of warriors. We have spines made of rock and the cowards are those sitting opposite us who do not defend the little guy, who do not defend the rank-and-file police officers who have made the witness statements and would scurry to avoid the argument. Those are the cowards, Madam Speaker, in this place.

1555 So, Madam Speaker, far from a smoke screen, what is happening here and what they do not like is that the fog is starting to lift. And as the fog lifts and the heat of the sun enables everyone to see what is really happening, hon. Members might be left to wonder whether in fact we were not right about the direction of our moral compasses and they might have been wrong, with their false north pointing towards votes and our north always being clear, magnetic and the one that is the right one to pursue. We are not pursuing any private interests here.

I have no private political interests left, Madam Speaker. I am the only person in this House who has said they do not want to stand for Election again. I am not fighting for votes. They are, Madam Speaker.

1560 But if one of them were Chief Minister and they did not take the attitude that I have taken and that the Father of the House has taken, this place would be a much poorer place. He says that we are small, not big, Madam Speaker.

1565 I can only refer to him that actually I have worked out long ago, perhaps he has not, that size does not really matter. And that in the 15 years that I have held the Office of Chief Minister, I have used and understood that I have, in this community and in the context only of this community, a giant's strength. But I have always used it lightly.

1570 But if I have to use it to protect people who are not giants, then I will. Because that is why I have been entrusted with the power for the protection of the weak, not for the defence of the strong and the rich, as we have seen the Hon. Leader of the Opposition do today. And if they come to this place, not to represent the little guy, even when they are in Opposition, they need to ask themselves, why bother coming to this place?

He said, if all the Members of the Government come to this place to govern for themselves, they do not deserve to govern. I am reminded of what one of the other Members of the Opposition

said yesterday, that if you preface something with an if, it does not really mean what you then go on to say. I think even he understood that we have never come here to govern for ourselves.

1575

We come here to govern for our people. We use our power to protect our people. We would never use our power to do anything other than represent the whole of our community.

On four successive occasions, the community has agreed with us, even when there was an attempt to use the law to derail us before the last General Election. Thank goodness that with the spines of rock and the guts of warriors, we were able to see even then love once and we will again. Madam Speaker, I commend the motion in the name of the Father of the House to the House, and I move that the House should now recess until 3.00 p.m. to continue the debate.

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Madam Speaker: We will recess until 3 p.m.

The House recessed at 1.24 p.m.