

STATEMENT BY THE GSLP/LIBERAL OPPOSITION

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The reason why the Opposition continues to make public the shortcomings at the Dr Giraldi Home is because both the Social Services Agency and the Government have been involved in a cover-up exercise since the allegations came to light. This follows the latest politically charged statement issued by the Agency last week.

The Agency, in a transparent attempt to reduce the importance of the allegations, has said that some of these “alleged situations” occurred between 5-8 years ago. They are either deliberately distorting the truth or have shown they cannot count. It is a fact that a number of these incidents happened as recently as 2005, which is only 3 years ago and that therefore they did not happen as far back as the Government has tried to make out. In any case, the timescale is irrelevant in the sense that the point must surely be that they should never have happened at all.

Gibraltar owes a debt of gratitude to the former Manager of the Home Joanna Hernandez for having had the courage to come forward and make public what was then happening at the Home behind closed doors. The Government can rest assured that there is

no “intense frustration” on the part of the Opposition at the outcome of the tribunal hearing. How can there be when Ms Hernandez has been found to be unfairly dismissed and the Government at the 11th hour admitted that they could not meet the burden of proof?

It will be recalled that the Government went to extraordinary lengths and expense in order to prevent the allegations from being heard during the Joanna Hernandez industrial tribunal hearing. The case was delayed by the Government for years using the ridiculous argument that a working week had to start on a Sunday not on a Monday to be counted and that on this basis the tribunal had no jurisdiction. This point was lost in the tribunal and all the way up to the Court of Appeal. However, the delay to Ms Hernandez and the expense to the taxpayer was considerable.

Once the Government run out of obstructive technical arguments, many months later, they suddenly decided to settle the case rather than have it heard, presumably on the expectation that the serious allegations about what had happened in the Home would be kept under wraps.

The tactics of the Government throughout the tribunal hearing were unworthy of a Chief Minister and unworthy of a Government of Gibraltar particularly when the allegations affected some of the most vulnerable members of our community and the

Government have since admitted that some of these allegations were true.

This was confirmed in the last question-time in Parliament in answer to questions from Shadow Minister for Social Services Neil Costa.

- Government confirmed that a child was made to stand facing the wall with quite heavy books in both arms because it was claimed the child had misbehaved and a senior member of staff had confirmed that this was a suitable form of punishment.

- Government confirmed that a past Deputy Manager of Home had attempted, while drunk, to administer excessive doses of Ritalin (Class A drug) to a child because “he was so drunk he couldn’t even read the drug sheet”.

- Government confirmed that in 2005 the Social Services Agency refused to provide details to the sister of a service user of statements given to the Police in which it had been alleged that this particular service-user had been mentally and sexually abused.

- Government confirmed that following the mental and sexual abuse complaint in 2005 which led to the Police being called, the Agency also conducted its own investigation of the matter.

- Government confirmed that in 2005 a carer of the Social Services Agency told the CEO and the Minister that “the Dr Giraldi Home was a time bomb”.

- Government confirmed that there was an investigation into an incident in which a bottle of diazepam is said to have disappeared from a locked medicine cabinet the Dr Giraldi Home in 2005.

The Opposition is therefore not disputing that procedures in the Dr Giraldi Home may now be different from what they were at the time that these incidents occurred. What we are saying is that nobody has yet taken political responsibility for what happened in the past when in other countries heads would have rolled for less.

ENDS