

STATEMENT BY THE GSLP/LIBERAL OPPOSITION

152/2009

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The Opposition would like to make it clear, for the avoidance of doubt, that the views expressed by the Chief Minister at the swearing-in ceremony of the new Governor and repeated in an interview last week were made only on behalf of the ten MPs that sit on the Government benches. They are not the unanimous view of the Parliament, still less of the Opposition in Gibraltar.

It is also worth pointing out, for the record, that all the organisational arrangements on the day were decided by Mr Caruana and his Government alone without reference to the Opposition. This includes the seating arrangements, the introduction of different officeholders into the Parliament Chamber and the decision that the Governor should be received by the Chief Minister and not by the Speaker of the Parliament. This has set a precedent for any future Government to organise the ceremony in whichever way they choose whenever a new Governor is sworn in.

Mr Caruana also made a considerable fuss and questioned whether Her Majesty was doing things properly by pointing to a possible conflict between the wording of the Constitution and the wording of the Queen's warrant on the precise moment when the Governor takes office. Since this is a matter entirely in the gift of Her Majesty, no doubt she can easily resolve it by changing the wording of the warrant or changing the wording of the Constitution as she sees fit, which she is perfectly entitled to do.

Mr Caruana has repeated his opinion that there cannot be a position held by an official in the Governor's Office which carries the title Deputy Governor on the basis that the requirement for the use of the words Deputy Governor has been removed from the Constitution. The Gibraltar Government also apparently objects to the next person in the line of command having the title Assistant Deputy Governor.

The Opposition consider that the majority of Gibraltarians have other more important things to worry about than whether there should be someone in Gibraltar who is called the Deputy Governor or called something else. Nobody is going to lose any sleep over this. However, given that Mr Caruana has become obsessed about it, it is important to remind him that his view on this aspect of the Constitution is simply that, a personal judgment or a personal interpretation.

In the past, Mr Caruana has been very quick to point out, whenever someone has not shared the Government's view on any particular aspect of the Constitution, that the complainant should take the matter to the Supreme Court. A legal opinion by one or more lawyers cannot be the arbiter of whether the United Kingdom Government is in breach of the Constitution, or not respecting the Constitution, simply because they have someone called Deputy Governor in a post in Gibraltar.

It is true to say that the Constitution no longer requires the use of the words Deputy Governor, but the fact that the requirement has ceased does not convert it into a prohibition. If the UK Government considers it appropriate to describe the officials concerned as Deputy Governor and as Assistant Deputy Governor, reflecting their role in acting upwards as representative of Her Majesty when the need arises, one can only assume that Her Majesty is satisfied with these arrangements and the Opposition has no problem with them.

ENDS