

# **REPLY BY THE GSLP TO UNITE UNION : PLEASE SEE ATTACHED**

## **GIBRALTAR SOCIALIST LABOUR PARTY**

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**Press Release 26 November 2009**

The GSLP condemns the Health Committee of UNITE for issuing a statement making false allegations about the GSLP participation in an Industrial Tribunal case, which the GSLP undertook in support of a union members unfair dismissal by the Social Services Agency for demanding an investigation of allegations by other employees, which was handed in, to the Agency.

The union itself funded the initial legal support for this union member against the Agency. The GSLP provided support when the union funded legal defence was no longer available.

The Witness Statements in this case, were all produced by the witnesses, giving their recollection of events at the Agency. These statements were typed and prepared for signature at the GSLP offices, just as they are in all such cases prior to the presentation to the Tribunal and the Social Services Agency in 2006.

The fact that the VOX in 2009 chose to write articles based on such statements is a matter for the VOX, and it is a matter of judgement as to how accurately the Tribunal statements were reflected in the content of such articles. One such statement was identified as the source by VOX, the person who had made was asked to withdraw it or face legal action and given that the Tribunal case is now closed and the statement was never delivered to this Tribunal the person concerned decided to withdraw the statement rather than engage in an expensive legal battle, which he could not afford.

However, for the union to claim that it has emerged in Court that there was any kind of campaign, elements of which were dictated in the GSLP Headquarters is a complete fabrication and the GSLP reserves all its legal rights in respect of this falsehood. The Witness Statements would have been read at the Industrial Tribunal in public, under oath, by those who provided them if the Social Services Agency had not spent many thousands of pounds in legal fees to prevent the case being heard.

If it was all a fabrication, as the Union, who in 2006 supported the case against the Agency now claims, in 2009, then proceeding with the campaign at the time that it was presented in 2006 would have allowed the Agencys lawyers to cross examine all the witnesses that came forward on all the details of the statements and establish if the elements in them were true or false.

The GSLP considers the Unions public statement to be a malicious misrepresentation of the truth, which itself can only be politically motivated, given that there is no political issue in the defence of employees claiming unfair dismissal and the role of the GSLP in such defence is something which the Union has consistently welcomed in this and other cases.

The taking of Witness Statements and their submission as signed documents is standard procedure, which the Union would be familiar with if they were providing a service to their members defending their claims at Tribunals.

To imply that the GSLP has been involved in manufacturing false statements for the purpose of misleading the decision of the Tribunal in determining the complaint of unfair dismissal is an extremely serious accusation, which could involve criminal proceedings and which the GSLP is not going to permit to stand unchallenged.