

STATEMENT BY THE GSLP/LIBERAL OPPOSITION

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The Opposition welcome the decision of the Privy Council in the case of a same sex couple who were denied the right to a joint- tenancy of a Government flat. However, the Opposition regrets that it has been necessary to go to such lengths and use vast sums of public money to get a simple issue of discriminatory tenancy rights addressed and put right as it will now hopefully be.

The issue at the heart of the case was that a same sex couple living together 21 years in a Government flat, who were denied a joint-tenancy, sought to provide security for the future in the case of the non-tenant surviving her partner. The surviving partner would then be deemed to be in illegal occupation under the existing housing rules.

The refusal by the Gibraltar Government was based not on any legal provision but on Government administrative policy. The Government defended itself by saying that they would have refused a heterosexual couple a joint tenancy as well in similar circumstances.

This was not enough to persuade the Privy Council that the discrimination was not related to the sexual orientation of the tenants and therefore in violation of their human rights. In our 2003 election manifesto the Opposition already gave a commitment to provide such property rights to same sex couples. It is incredible that that it has taken all this time, money and a ruling from the Privy Council to get the Government to do the same.

ENDS