

STATEMENT BY THE GSLP/LIBERAL OPPOSITION

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The news that the Government is to seek a declaratory ruling from the Supreme Court on the equalisation of the age of consent is a reflection of the seriousness of the split that exists between Government Ministers on this issue.

It will be recalled that when Parliament debated the Private Member's Bill on the subject recently, there were diametrically opposed views expressed by the Minister for Justice, on the one hand, and the Chief Minister, on the other. The view of the Minister, who is a lawyer, was that the equalisation of the age of consent in Gibraltar was a legal obligation. The Chief Minister, who is a QC, maintained that it was not necessarily a legal obligation. Mr Montiel, the Minister for Employment, said that he trusted Daniel Feetham's interpretation of the law and he therefore voted against Mr Caruana.

The decision to spend public money in seeking a ruling from the Supreme Court to settle the legal argument between Mr Caruana and Mr Feetham will raise eyebrows in many circles, particularly among those who think that such funds could be better spent elsewhere.

The ruling from the court will have no bearing on the policy on the Opposition on this issue. We remain fully committed to the principle of implementation of legislation

that does not discriminate on the grounds of sexual orientation. Therefore our policy is that the age of consent in Gibraltar should be the same for all citizens irrespective of their sexual orientation. This remains our view regardless of whether or not the Court determines that there is a legal obligation to equalise it. We do not need a ruling of the Supreme Court for this.

Moreover, nobody who believes in democracy or in human rights can possibly believe that there can be any basis in Gibraltar for discrimination on the grounds of sexual orientation to exist. The only point on which there is room for debate and discussion, as we have already made clear, is at what age such equalisation should take place and that is why the community-wide consultation process that we called for is required. It beggars belief that Mr Caruana, who criticised our call for wider consultation on this specific issue, should now be prepared to call a referendum to settle the matter depending on the ruling of the Court.

ENDS