



GOVERNMENT OF GIBRALTAR
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The Minister for Justice has today said that despite the Opposition's criticisms the Government continues to try and resolve the issue of the age of consent in a positive and constructive manner.

Mr. Feetham said "The Government has made no secret of the fact that its members have different views on the issue of equalization of the age of consent but it has consistently over recent months attempted to find a democratic and constructive way of resolving the issue. By voting unanimously to allow the introduction of the Private Members Bill it acted consistently with the democratic position adopted by the GSD when in Opposition in 1992 on the decriminalization of homosexuality by allowing the Bill to be introduced so that a free vote could be taken in Parliament on the issue. Every single member of the Government then debated the issue on its merits one way or the other and voted on the Bill on the basis of principle and substance one way or the other."

"By contrast the Opposition, who have been saying for the last six years that their policy is to treat homosexual men as heterosexuals have been treated for over a century, deployed every single conceivable argument to defeat the motion and the Bill in order to embarrass the Government."

"They started on the Motion with the argument that General Orders did not allow the publication of the Bill before its introduction into Parliament, an argument advanced by Mr. Picardo and abandoned when he introduced his own Private Members Bill on a separate issue some days later. They also castigated the Government for not bring the Bill as a Government Bill on the basis that the obligation to equalize under the European Convention of Human Rights and the Constitution was so clear that it was the Government's legal obligation to present the Bill. Presumably if the Government had done so they would have welcomed and voted in favour of the Bill. By the time the Bill was finally introduced (and several letters in the Chronicle later objecting to the homosexual age of consent being reduced to 16 in line with everyone else) the Opposition had performed complete u-turn. They then decided to vote against the Bill because they purportedly wanted to consult the community, irrespective of whether the Bill had been presented as a Government Bill and irrespective of the fact that they believed treating homosexual men differently was illegal."

"At every stage of the process the Opposition have placed partisan politics and insubstantial technical arguments above principle and substance in order to try and damage the Government. As with the referendum on the Constitution, the Opposition is incapable of adopting a principled

position on any issue of importance, even when they get an opportunity to be true to their own policies and those who voted for them.”

“The Government in contrast has not only acted democratically by allowing a free vote in Parliament, but is now being positive in seeking to have a definitive ruling from the Courts on the legal issue. Rightly the Government, collectively, will comply with whatever ruling is provided by the Court. Whilst I personally would have lowered the age of consent for homosexuals to 16, as it has been for heterosexuals and lesbian women for 120 years without complaint, the Opposition should welcome the fact that the Government will not only seek a resolution of the legal issues but hold a referendum on this issue after those legal issues are resolved. That is being constructive. The Opposition has nothing to offer but criticism and Machiavellianism despite the damage it does to its own constituents.”