



HM GOVERNMENT OF GIBRALTAR

Ministry for Health & Environment

**Floor 7, Block 1, St. Bernard's Hospital, Harbour Views Road,
Gibraltar**

Telephone: (350) 20072266 Ext. 2011/2012

Fax: (350) 20059942

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Mental health case shows that Opposition are either misleading the public or incompetent

The Government maintains that the Opposition have again got their facts wrong over the case of the vulnerable person that they chose to highlight last week.

The Opposition's failed attempt at justifying the unjustifiable is contemptible on many grounds. They insist in discussing this vulnerable person in public, increasing as they do so the risk of the identity of that person becoming established, a person who on account of his mental state cannot even agree to this matter being discussed in public. It is not the first time the Opposition have behaved in this way. In Parliament they frequently ask for personal information, showing that they care less about vulnerable people than they do about trying to score political points.

They also know that Government cannot and would not be willing to give the full details as it is bound to confidentiality with the person and the family. Therefore the GSD Opposition can irresponsibly say what they like: the Government cannot and will not.

However, what the Government will continue to do is reject fully the claim by the Opposition that they have their facts right. They do not. One clear example is contained in their original statement. They say that it has taken the family personal legal action to resolve the matter. This is simply not true. The family has not taken any personal legal action. The case relates to criminal proceedings in the Magistrates' Court which have now been committed to the Supreme Court and not a personal action at all.

Moreover, the family had been in close contact with Government, and the Minister for Health had taken a personal interest in the case. One of the family's main concerns was that the person's release from prison should be to KGV and not back to the community, where the person had been living alone prior to the arrest, so that the person would be looked after. All legal avenues were explored, in discussion between the Minister, the Consultant Psychiatrist and the Attorney General. The person had been receiving all the necessary care and support from the mental health team, which was what was required,

and social services were aware and poised to provide support if the release was in fact back to the community. Clinical advice was that, at no time was the person in question so disturbed that urgent admission to KGV was required (the only way a transfer was possible without the Courts). Nothing further could be done by Government until the Court granted bail. It then fell to the defence lawyer to request bail, which the lawyer who took the case, Mr Eric Ellul, did in December, and care was accepted by the Mental Health team at KGV. All the work in the preceding weeks and months therefore delivered the desired result. A few days later the Minister for Health personally visited the patient at KGV.

The fact is that matters were in hand and the situation was being correctly handled by the Government within the constraints of the law.

But the Opposition claim that they had been following the case for fourteen months. If that is so, and if things were really being done so badly, if the person was being so badly prejudiced and they were as concerned and worried as they say they were, why did they do nothing about it then? If they genuinely cared about this person, they would and indeed should have put pressure there and then and brought it to the notice of the authorities. They did not.

Who is it then that failed this vulnerable person? Was it the Government that was working hard behind the scenes to ensure all necessary care was administered and to ensure that there was a strategy in place to follow release, or was it the Opposition who thought this was so terrible for the person but which chose to keep quiet? Why did they not even approach Ministers, as they do on other matters, even if confidentially, to express concerns and try to move things forward? If something was wrong, and they knew, and waited the 14 months, then they are shamefully guilty of having let things run and prejudicing this individual, hoping things took too long and turned sour, and then using this person's situation for their political benefit.

This again is typical of an Opposition that behaves as if it wishes Gibraltar harm in order to then blame the Government. In fact, if the Opposition felt so strongly about this, then their incompetence is demonstrated with the way that they dealt with it in Parliament. In May 2013, Mrs Ellul-Hammond asked a Parliamentary question on Social Services' support for vulnerable adults with mental health issues on remand. The reply by the Minister for Social Services was that while on remand, this was the responsibility of the prison service under the remit of the GHA mental health team, and that this had always been the position. It is significant that while this was an oral question, Mrs Ellul-Hammond did not ask any further questions, if the position as explained was so outrageous, it would have been logical for supplementary questions to follow.

The Opposition is simply demonstrating its complete lack of understanding of the system. Mrs Ellul-Hammond is intent on criticising Social Services for not being involved in this individual's case, simply put, this is not appropriate at present. Never has a Social Worker or a Care Worker visited someone in

prison in these circumstances. This is a situation where the lead is taken by the Mental Health Services not Social Services: the latter have been involved at a multi-disciplinary level and were aware of the case and will of course will become involved at the appropriate time that the need arises.

So the Opposition has either deliberately misled the public now, or has been irresponsible and has despicably allowed an unacceptable situation to run. Neither is worthy of a responsible Opposition. The fact that Gibraltar's Parliament has such incompetence on the Opposition benches is not good for our democracy nor indeed for our community.