

PRESS RELEASE

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HM Government of Gibraltar's Victory against OHL is Confirmed

Her Majesty's Government of Gibraltar is delighted to be able to confirm that the Court of Appeal in London on Friday decided to refuse OHL leave to appeal to the United Kingdom's Supreme Court.

The Court of Appeal had previously refused the appeal that OHL had brought against the decision of the High Court that had found in favour of the Government of Gibraltar in the tunnel case.

After that initial decision of the Court of Appeal, OHL sought leave to continue the case in order to once again appeal the decision which had twice gone against them and in favour of Gibraltar. It is that request for leave which has now been turned down.

The Chief Minister, Hon Fabian Picardo QC MP said: "This is a terrific result for the People and Government of Gibraltar. OHL have now reached the end of the road in this process and people will forgive me for saying that at last we can see light 'at the end of the tunnel' on this litigation and frustrated completion of this project. A further chance for leave to appeal could be made to the UK Supreme Court itself, but as there are no points of law of general public importance, it is unlikely such a request for leave will succeed, especially after the Court of Appeal's refusal. We have been carrying out works during the course of the litigation, and will now continue to pursue in earnest the completion of all the project works. The team that has supported the Government, which has included Edward Corbett in the United Kingdom and Guy Stagnetto of Triay Stagnetto Neish in Gibraltar, have done a fabulous job in the legal proceedings. On behalf of the People and Government of Gibraltar, I express our gratitude to them. On Friday we have received an advance payment of a further quarter of a million pounds in respect of costs in the Court of Appeal. The costs are higher and this is just an interim award until the full costs can be agreed or assessed by the Court itself. Further sums are to be paid in respect of our costs of the first hearing in the High Court and obviously in respect of the costs of completion of the tunnel project. This is excellent news and no doubt the whole Community will be delighted with this stunning success by Government which is now virtually final and complete."