

THE CHIEF MINISTER

Henry Pinna  
Action for Housing  
John Mackintosh Hall  
Gibraltar

29<sup>th</sup> September 2021

Dear Henry

**Allocation of Property : Alameda Estate**

Thank you for your reply to my letter of last week.

I would be very happy to meet, as we have in the past, to continue to discuss this and other issues. I know that previous Government's have refused to meet with Action for Housing in the past and that we have had a useful relationship which we have developed by meeting and discussing matters openly and honestly. I shall have my office get in touch to fix the meeting.

I must, ahead of meeting, nonetheless, point out a number of issues which arise from your letter under reply:

1. Nothing that is contained in your letter suggests that there was any objectively justifiable reason for your early publication of your concerns about this case ahead of the usual 21 day period for a reply to ministerial correspondence. Indeed, the facts set out in your letter suggest unseemingly and undue haste and no desire to wait the usual period for response. It is particularly surprising to us that a former Ombudsman would jump the gun before a prescribed time set out for response has elapsed. That leads to me, and my fellow ministers, to wonder what that undue haste might be? Suffice to say that the family in question have been to hell and back as a result of the hugely unfair publicity that has arisen from your publication of your original press release. I am sure you and your colleagues will want to reflect on this hugely damaging effect on this families life as you and your colleagues consider your next public intervention in relation to this matter.
2. You say that I am '*very conveniently hid[ing] behind*' Data Protection rules. If I may say so with respect, that is utter nonsense. Remarkably, your suggestion has drawn agreement from the GSD Opposition that are actually the ones who legislated for the original Data Protection rules to be put in place on our statute books! As a result, the Data Protection laws that we have in place, which arise from international obligations and are designed to protect individual privacy, are actually very often a problem for the Government, not 'a tool' which we can conveniently use. The rules prevent us from sharing the details of this case in a way that would entirely exonerate all relevant decision makers from the improper innuendos which are being made by you and, apparently in concert with you, the Opposition, and which makes it appear that you are involved in a coordinated onslaught against my Government. Indeed, it is particularly surprising coming from you, a former Ombudsman, that you should refer to our Data Protection laws as a 'convenience' and that you should seek to ignore the binding



nature of the obligations that prevent us from deploying the information we have in our defence.

3. Thank you for recognising the empathy that my Government has displayed in this case. It is the empathy that we bring to every matter we deal with in Government, across all ministries and policy areas. It is the same empathy you have called upon in the many cases in which we have assisted at your express request and that of your colleagues in Action for Housing. It is the empathy that drives us to help whenever we can, as often as we can and as effectively as we can. You can rest assured that we deploy it even in assisting our most avowed political opponents and their supporters when they need our help and is, in my view, one of the qualities that distinguishes my Government from many that have come before.
4. You say that the explanation in my letter 'does not go far enough'. I am sorry to have to remind you that, as a pressure group, Action for Housing has no jurisdiction to require the Government to provide you with more or any information. We have replied out of courtesy. You are not in any way a party with a right to adjudicate on whether or not the allocation in this or any other case has been properly managed or not. What I can tell you is that having reviewed the case, I reiterate to you that I am satisfied it was properly managed.
5. In your reply you assert, also with no evidence (as you have all the other innuendoes you have raised in this case), that I have raised matters in relation to the purchase of post-war housing to somehow deviate attention from this case. I assure you that is not the case. In your original letter you are referring me to an allocation of property at Alameda Estate. It is for that reason that I have referred you, in reply, to issues affecting the Government's ability to allocate property at that estate and other post-war estates. I did not mention you. You have made that link in your letter under reply. I actually very much look forward to discussing with you when we meet the issues of, in my view, immoral profiteering going on in respect of the post-war stock. I should add that I consider such blatant, immoral, profiteering with the post-war stock to be abusive and no less than an assault on the tax payer which has seriously impacted the Government's ability to allocate homes to young people with families and family problems – and a demonstration that we were right when we said that, in selling the post-war stock, the GSD were selling the family silver. I do not think you will be able to persuade me otherwise when we meet, but I shall look forward to hearing your views.

Finally, as we have now fallen into the practice of doing, I will be publishing this letter so that the public have a complete record of our exchanges, in keeping with our commitment to transparency and full accountability on all matters.

Yours sincerely

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