

## Spadoni Case

Written by PAG  
Saturday, 29 May 2010 17:46

---

Today (Wed 19 May) Tynwald approved unanimously that CoMin bring forward its proposals on access to information as a matter of urgency. This was one of the recommendations of the Select Committee on the 'Report on Redress' for Mr and Mrs Spadoni.

### The case

The affair has been going on for about 10 years with local fisherman, Dante Spadoni and his wife Joan, relentlessly seeking redress for being wrongly accused of interfering with the stability of their beam trawler "Suzanna D".

It ended with the couple requesting, via their MHK Phil Gawne, a full unreserved apology, in order to clear their name.

This was somewhat reluctantly approved by the Court; Keys voting in favour, 15 votes to 6 and LegCo being deadlocked, 4 in favour and 4 against. The vote reflected the sentiment of an impassioned speech by Minister Gawne where he said "sorry seems to be the hardest word, particularly if you are in a position of power"

The case has cost the couple many thousands of pounds over the years and, as the Report states, it has received the direct attention of their MHKs and successive Chief Ministers and Ministers for Trade and Industry, as well as a CoMin sub-committee and finally a Select Committee.

The conclusion by the Select Committee, urging action by CoMin, to introduce an Access to Government Information Bill, is founded on "Document 437" which, had it been made available to the couple earlier in the decade, would have unambiguously shown that there was an inherent design fault in the trawler since being built in 1966.

---

### Gawne's Speech

So, how did they get from the position of being a highly successful Manx fishing family to the sorry state they are now in?

In simple terms, they made the mistake of trusting the very people who are paid by us, with Manx taxpayers' money, to protect the safety of all seamen who go to sea in Manx-registered vessels.

They made the mistake of assuming that our Marine Administration would ensure that the certificate of seaworthiness their vessel was given by the Manx Marine Administration was worth the paper it was written on.

They made the mistake of assuming that, when our Marine Administration discovered that the United Kingdom Maritime and Coastguard Agency had flagrantly disregarded the rules regarding safety of seagoing vessels, the Marine Administration would help them.

They then made the mistake of trusting that Chief Ministers would be able to help them, they made the mistake of assuming that a Minister of the Isle of Man Government would not wholly mislead this Hon. Court and, more importantly, Dante and Joan made the mistake of assuming that officers, who must have deliberately misled their Minister, who subsequently misled the Court, would not be allowed to get away with it.

Dante and Joan went on to make further mistakes.

They made the mistake of assuming that their representatives for Rushen, armed with incontrovertible evidence, would be able to persuade first Government, and later Tynwald, to assist them in their plight.

They made the mistake of assuming a Government Subcommittee, faced with clear evidence, would be able to assist them.

## Spadoni Case

Written by PAG  
Saturday, 29 May 2010 17:46

---

They made the mistake of assuming a Committee, which was asked to investigate specific matters, would call people directly concerned with those specific matters to give public evidence and, had those people being given that opportunity, may even have been able to clear their names to a greater extent.

They made the mistake of assuming that DTI Ministers, former and current, faced with clear evidence of wrongdoing in their Department, would make fulsome and unreserved apologies to them.

Finally, they made the mistake of assuming that the Select Committee, which has reported today, would finally, once and for all, clear their name.

---

## Voting

Although the substantive motion was carried unanimously, there was a division over Phil Gawne's earlier amendment that 'Tynwald requests that a formal and unreserved letter of apology be sent to Mr and Mrs Spadoni by the Minister for Economic Development' as follows:

<b>VOTING FOR</b>	<b>VOTING AGAINST</b>		
<b>Keys</b>	<b>Legislative Council</b>	<b>Keys</b>	<b>Legislative Council</b>
Karran	Callister	Quirk	Downie
Craine	Christian	Earnshaw	Lord Bishop
Quayle	Butt	Crookall	Lowey
Cannan	Turner	Anderson	Braidwood
Houghton	Teare		

## Spadoni Case

Written by PAG  
Saturday, 29 May 2010 17:46

---

Henderson  
Malarkey  
Cannell  
Corkish  
Shimmin  
Cretney  
Watterson  
Gawne  
Gill  
Speaker

Cregeen