



**STANDING COMMITTEE  
OF  
TYNWALD COURT  
OFFICIAL REPORT**

**RECORTYS OIKOIL  
BING VEAYN TINVAAL**

**PROCEEDINGS  
DAALTYN**

**SOCIAL AFFAIRS  
POLICY REVIEW COMMITTEE**

**Historical Child Abuse**

**HANSARD**

**Douglas, Friday, 18th May 2018**

**PP2018/0097**

**SAPRC-HCA, No. 2/2017-18**

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**Members Present:**

*Chairman:* Mr D C Cretney MLC  
Ms J M Edge MHK

*Clerk:*  
Mr J D C King

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# Standing Committee of Tynwald on Social Affairs Policy Review

## Historical Child Abuse

*The Committee sat in public at 11.30 a.m.  
in the Legislative Council Chamber,  
Legislative Buildings, Douglas*

[MR CRETNEY *in the Chair*]

### Procedural

**The Chairman (Mr Cretney):** Welcome to this public meeting of the Social Affairs Policy Review Committee, which is a Standing Committee of Tynwald. I am David Cretney MLC and I chair this Committee. With me is Julie Edge MHK.

The third member of the Committee is Martyn Perkins MHK. He is not taking part in this inquiry, for reasons which I explained to Tynwald in December 2017.

Could we please ensure that mobile phones are off or on silent so we do not have any interruptions, and for the purposes of *Hansard* I will be ensuring we do not have two people speaking at once.

The Social Affairs Policy Review Committee is one of four Standing Committees of Tynwald Court which scrutinise different areas of Government. We have three Departments to cover: the Department of Home Affairs, Department of Education, Sport and Culture and the Department of Health and Social Care.

It was resolved on 18th July 2017: 'That Tynwald notes with concern reports of historical child abuse at the former Knottfield Children's Home, which closed in 1983, and refers the matter to the Social Affairs Policy Review Committee to report by December 2017; and further instructs the Committee to investigate the adequacy of current procedures to protect from abuse children in care (looked after children) in the Isle of Man and to report in March 2018.'

This morning we are going to hear from the Chief Constable – welcome.

### EVIDENCE OF Mr Gary Roberts, Chief Constable

**Q99. The Chairman:** For the record, perhaps you could state your name and role and how long you have been in that role.

**Mr Roberts:** My name is Gary Roberts, I am the Chief Constable of the Isle of Man Constabulary. I was appointed on 1st January 2013. Prior to that I had been the Deputy Chief Constable for five years.

**Q100. The Chairman:** And how long have you been an officer with the ... ?

**Mr Roberts:** I have been 34 years a police officer.

30 **Q101. The Chairman:** Thank you.

Thank you for your submission which we published on the Tynwald website. Would you like to make any opening statement?

35 **Mr Roberts:** Yes, and before I do make an opening statement – I intend to make quite a lengthy one – what I will say is this has been too long coming. Although it is not a pleasure to be here today, I am glad that I am here today and it is important that I am here today.

I think in modern life one of the words that it is most overused is ‘unprecedented’. If a football team does well, people say its success is unprecedented. Some of the things I am going to say today are unprecedented in terms of coming from the post-holder that I am; coming from  
40 a place where I am carefully and advisedly applying hindsight to things; and coming from a place also where I make statements that are in some ways in language that you would not expect from a Chief Constable.

And, just for the record, I think it is important to say that I have shared with you this opening address to aid you in your work because it is lengthy and it will take me quite some time to read  
45 it.

**The Chairman:** Thank you.

50 **Mr Roberts:** Mr Chairman, it had not been my intention to make an opening statement. I held the view that my written submission to the Committee, my oral evidence and the chance to answer questions from you and your colleagues would be sufficient to make clear my personal views and the position of the Constabulary. However, I now believe that that approach would have been wrong. It would have risked understating the importance that I attach to this hearing and to the strength of my personal and professional feelings.

55 There is a danger in applying hindsight to matters as appalling and emotive as the sexual and physical abuse of children. As perfect as hindsight is, professionals such as me have to be careful not to stray from our ordinary operating environment, which is based on facts and proof beyond all reasonable doubt, to a world where we can speculate, draw inferences and indulge in conjecture.

60 However, the issues that this Committee is investigating are so serious and have been so appallingly damaging to so many people, that I feel it would be a dereliction of my duty if I were not to apply some degree of hindsight.

65 Based on what I can see, Joseph Henry Marshall ran the Knottfield Children’s Home for his own sexually perverted pleasure. Survivors of the abuse that he inflicted gave consistently chilling accounts of the abuse and how and when it was carried out that suggest – on the balance of probabilities – that those who should have been charged with overseeing his work either knew he was abusing children and helped protect him, or they turned a blind eye to what he was doing; or they simply failed to see what ought to have been obvious. It was almost as if he were offending in plain sight.

70 Whatever the truth, many children in his care were systematically and callously abused by him over a period of several years. Abuse can ruin the life of a victim. The actions of Marshall may well have ruined the life of some of the young people who were in his care.

It is because of this abuse and the failure of those in positions of responsibility and power to see what was going on and stop it that we are here today.

75 We live in an era when professionals are required to report to the authorities knowledge or suspicion of money laundering. There is no such requirement in terms of the abuse of children.

I have read the transcript of Mr John Guest’s evidence, where he criticised my written submission. He felt that I was somehow seeking to blame the young people, when I described

80 them as having mental health problems, or drink and drug addictions, or that they committed crime. Nothing could be further from the truth.

The point that I was perhaps clumsily attempting to make was this: whatever happened to them in their lives was seemingly an inevitable, understandable and appalling consequence of what Marshall did to them. Nothing more, nothing less.

85 This has been my strongly held belief since I first spent time with a victim in 1992. The many, many hours that I spent with him, hearing his somehow detached and clear account of everything that Marshall had inflicted upon him, of the impact it had had at the time and the devastating effect it had continued to have on him haunted me for many years. I still think about it. If I allow myself, I can find myself back in the interview room with him.

90 That young man – and I am sure many others – should have been absolutely safe as he was in the care of the state. The person charged with protecting him instead used him for his own perverted pleasure. This simple truth cannot be denied.

95 For over a decade I have spoken to every new recruit to the Constabulary and used the story of that young man to illustrate the catastrophic effect that abuse can have on decent young people. I do this to stress to them the need to understand that, behind everyone in need or in crisis, there is a back story, which is often a traumatic one.

I believe that it is safe to say that an opportunity to stop Marshall was presented in the late 1970s. I cannot say precisely what the Constabulary did or did not do. I was not a police officer then and there are no files to be found.

100 If I just go off script at this point, in your previous hearing Mr John Guest mentioned what appeared to be a contradiction in the written submission I provided where I said the files could not be found, and that has been conflated with the Knottfield files. At this point, I am only talking about the Constabulary's own investigative file, not the Knottfield files.

105 Whatever files may have existed before 1992 had been destroyed by the time of that investigation. However, the report on the 1992 investigation makes a number of references to what had apparently happened in the 1970s. These references were based on work that was undertaken in 1992, including the interviewing of professionals from social services and education.

110 The report on the 1992 investigation makes clear that the single 1970s complainant, a young man, alleged sexual abuse against him by Marshall. It is impossible to determine what happened, except that Marshall denied the allegations and, as the report explains, he was given the support of the then Director of Education, Alun Davies, who has long been deceased. This support meant that Marshall remained in charge of Knottfield for several more years, during which time he sexually assaulted other boys. It also meant that he remained a foster parent. In this capacity it is highly likely that he abused another boy. The 1992 investigation report contains the damning view that everyone around Marshall and Knottfield treated the matter as that of a naughty boy, who was attempting to cause trouble.

120 This is a point at which I have to be careful: society was different then, police training and techniques were different, the belief attached to young people who complain was different; but different or not, this must have been an opportunity to stop Marshall. The way that the young victim was treated was, by any measure, terrible.

125 At this distance – and in the absence of contemporary records – I cannot tell you what part the Police would have played in protecting young people in the light of the allegations. I suspect that it would have been fundamentally different than it would be now in such circumstances. However, I need to be very clear here: I am sorry that this opportunity to stop Marshall was not taken and I am sorry that the Constabulary was one of the public services that failed either to see or to take the opportunity.

130 The absence of files from 1979 presents a problem. I do not see why the file had gone by 1992, but gone it had. The first Isle of Man Constabulary policy on the retention of records was written in 1987. At the conclusion of the 1992 inquiry, I wrote to the Chief Constable of the time asking for files in respect of alleged sexual and child abuse to be retained indefinitely.

135 Since the Bichard inquiry into the sharing of information between police forces, which arose from the murders in Cambridgeshire of Holly Wells and Jessica Chapman and which reported in 2004, the Constabulary has had a records retention policy that largely mirrors that found in England and Wales. The policy is modern and fit for purpose. It is subject to regular and frequent review.

140 Nowadays, even an investigation that does not lead to a prosecution will inevitably cause action to be taken to safeguard young people. As I have said, I do not know what the regime for safeguarding was like in the 1970s; but I strongly suspect that it was primitive, was not focused on the needs of the child and would not have operated in such a way that, even if a prosecution had not been undertaken, making sure the children involved were safe would have been a consideration. My clear recollection of what the victims in the 1992 investigation told me is that any child who reported abuse was seen to be the problem; seen to be a troublemaker; seen to be lying. This may have been a common societal attitude, but it is no less scandalous for that. This attitude must have made it easy for offenders to lie or prevaricate their way out of trouble.

145 When a complaint was made in 1992 things had moved on. It must be stressed that the 1992 investigation was important. The victim who came forward was an adult survivor. He was serving a very long prison sentence. He did not trust the Police. Yet, because of the care of people around him, he was able to develop that trust. He was the first adult survivor here, in this jurisdiction, to come forward to disclose sexual abuse when he was a child.

150 It is also important not to overlook the fact that Marshall was arrested, interviewed, charged, convicted and imprisoned for those offences and for similar offences against two other boys, who had been abused while resident at Knottfield. At that time it was believed that his was the first conviction for this type of offending on a non-recent basis in the British Isles. This was a significant achievement, but not one that was celebrated by any of us involved in the case. I believed at that time – as I have continued to do – that Marshall had abused very many children, but he was as difficult an offender to deal with as he was a danger to young people.

155 I was present when the late Deemster Callow sentenced Marshall to a term of imprisonment. The inadequacy of the sentence was caused by the state of our laws; the revulsion clearly felt by the Deemster was obvious.

160 The 1992 investigation was good for its time, given the state of societal and police awareness of abuse of this kind. It was good considering the absence at the time of specialist training and it was good because it stopped Marshall from offending in a care environment. However, it clearly was less than adequate for the ongoing support needed by the victims, including those who did not complain. I am not excusing this, but I would remind you that nothing of this kind – the reporting of non-recent abuse by an adult survivor – had happened here before.

165 It is important that there is proper recognition of the 1992 investigation: clearly and for the first time, victims were believed and, just as importantly, Marshall was sent to prison.

170 Subsequent investigations were better as techniques improved and as awareness increased; but they were not perfect and they were perhaps not good enough in terms of how they helped victims obtain the support that they needed. Sadly they did not lead to prosecutions. I am sure that the Attorney General will be able to articulate the enormous difficulties that prosecutors face when trying to obtain convictions decades after an event that, by its very nature, had happened out of the sight of others.

175 The most recent investigation did the most to help victims. In some ways this is one of the most complex areas for the Committee to consider. The help and support that victims and survivors of abuse will need will necessarily vary from person to person. There may be some who need no support from the state; there may be others who need access to counselling services or to the care given by general practitioners, while there are others who may need long-term support from the Mental Health Service.

180 All of this said, the role of the Police in terms of supporting victims is not clear and is certainly not understood. Even today, the National Police Chiefs' Council in the United Kingdom is yet to

decide how the Police should approach victims. Do we believe them or not? Do we offer them support, or is that someone else's job?

185 What is clear is that victims, especially people abused in the way that Marshall abused his victims, need the best possible support. However, the Police are not trained or resourced to do this. Indeed, it is not our role. The best we can do is help direct victims to places where they can get help. This is only effective, though, if those services themselves are adequately resourced to meet demand.

190 As recently as yesterday I discussed the type of support that should be given to those reporting sexual abuse with senior partners in the Mental Health Service. They confirmed what I have said: the role of the Police in these circumstances should never go beyond directing victims and survivors to other services. How we do that has not always been consistent.

195 I have appeared before this Committee twice in the last 11 months to discuss mental health issues. You know the admiration that I have for the senior leaders of that service and how I believe that the service is heading in the right direction. However, for the 'signposting', if I can call it that, to work properly, services need to be properly resourced.

200 The issue of whether to believe victims is also critically important. I absolutely and totally believe the people you have heard from. I believe the victims of abuse at Knottfield. I have always done so. That has been the position held by every officer involved in investigating these matters since 1992.

My officers now effectively work on this basis: we will begin by believing an account given to us. We will probe it and seek to find evidence that may support it or otherwise, but we will continue to believe it unless and until proof is found that the account is wrong. This is really important. The starting point is and always will be to believe.

205 The Police then have fine line to walk. We have a duty to the court and to justice, which means that we have to gather evidence that may support the account of a victim, or may benefit the defendant. What this means is that our interviews with victims have to be about gathering evidence that is useable in court. They cannot have the therapeutic role that the Committee touched upon in its earliest sessions. To run the interviews along those lines would risk the integrity of the investigative and prosecution process. This may sound callous, but it is a fact of our criminal justice system.

Nothing I have said means that police officers investigating child abuse do not care. Indeed, they care deeply and are passionate about getting justice for victims of abuse. Often they are badly affected by what they encounter in their work.

215 The Committee has heard submissions that, effectively, detail an inequality of arms between the authorities, such as the Police, and victims. I can understand why people would think that this is the case and I wonder whether the Committee's remit will allow it to consider the value of a victims' commissioner. Our justice system lags behind others in terms of how victims are supported and how their interests are protected. This is not a role for the Police and there is a gap in the system.

220 I have made changes to how we investigate serious sexual assault allegations. Until fairly recently, our whole approach was about simply seeking a conviction. If a victim did not wish to go to court, then we would do little or nothing. Now we try to do what the victim wants: this may involve taking evidence, taking forensic samples and the like, but not doing anything until the victim is ready. This is a big shift and an important one.

225 It must be noted, though, that when an investigation is complete the Police report to the Attorney General. It is for him, not us, to decide what will follow. Under the terms of a mutual agreement, I am obliged to follow his legal advice.

230 Returning now more specifically to Knottfield: we will continue to investigate allegations of abuse. It is nonsense to suggest that we have no interest in seeking justice. We have an absolute duty under statute and common law to investigate offences, but rightly there is a complete separation of powers so that we do not decide what happens at the conclusion of an investigation.

235 I have seen the comments of Ms Sharpe MLC. I cannot say whether there was a conspiracy in  
place in the 1960s and 1970s. However, my training as a senior detective taught me that there  
are no such things as coincidences in criminal matters. People who have sexual feelings for  
children will always target their activities so that they are close to children; often they find ways  
of working with them. These people will somehow associate with each other. They will not stop  
the evil things that they do by choice: they have to *be* stopped.

240 The second part of the Committee's remit is critical in terms of this particular issue. I do not  
think it necessary to make this address even longer, so I will not offer a commentary on current  
safeguarding arrangements. However, I am a member of the Safeguarding Children Board and in  
this capacity I have a duty to ensure that those arrangements are effective. I will be happy to  
answer questions from the Committee about those arrangements.

245 It is clear that Marshall was a dangerous predatory paedophile offender; his friend, the  
Reverend Graham Gregory, was another such offender. Both men were imprisoned here for  
offences against children who were under their care or control. Indeed Gregory was also  
imprisoned elsewhere. Gregory had links, through Marshall, to the children who resided in the  
home.

250 The post-1970s investigations did not focus on conspiracies involving several offenders, but  
had evidence been found of any such thing, then appropriate steps would have been taken.

I mentioned hindsight when I first began this address. Hindsight tells us that there were  
several people holding positions, which gave them control of vulnerable children, or which  
allowed them access to such children. Hindsight also tells us that they went on to abuse  
255 children. Hindsight does not tell us whether there was an actual criminal conspiracy. It is now  
difficult to imagine how evidence of such a conspiracy could be secured, beyond obtaining  
admissions from offenders. The attitude of both of the men I have mentioned rules this out.

Turning now to data: I have provided the Committee with data showing the reporting,  
investigation and prosecution of non-recent sexual offences over the last five years. I am happy  
260 for this data to be published by the Committee. The Constabulary generates a lot of  
management information on a routine basis, but I commissioned this work to help the  
Committee. The data is complex, but it tends to show that obtaining convictions at court can be  
done, but is by no means easy. It is very difficult to deliver justice to those who most need it  
when a lot of time has elapsed. The nature of our judicial processes and the criminal standard of  
265 proof are significant, but unavoidable factors.

The data contains evidence of what I described earlier: we will take reports, record them  
properly, even go on to gather evidence, but do nothing else because that is what the victims  
want. In the past this would not have been recorded in our data. What we do now has to be in  
the interests of victims.

270 There has been considerable focus on files relating to residents of Knottfield. The handling of  
the files by the most recent owners of the property has been such that people will suspect that  
something sinister has been done. I am not sure that this is the case.

The Constabulary has examined all of the files. However, there has been almost nothing of  
any evidential value in them. It is important to remember that, when the files were active, they  
275 were controlled by an abuser. On that basis alone it is scarcely conceivable that they would  
contain evidence of offending.

All of this said, the files held by the Museum were useful in terms of helping to identify the  
names of residents of Knottfield. This has allowed cross-referencing to take place with other  
data gathered by the Police. For example, a list of residents' names was found in 1992 and in  
280 subsequent investigations this was checked against details from the Museum files.

The Committee has heard about the discovery of extra files in September 2017. It is correct  
that these files were about to be destroyed when the Police were called. It is for the directors of  
the Isle of Man Children's Centre to explain how these files had not previously been made  
available to the Police. However, they did not contain any useful evidence, albeit they did reveal  
285 names of seven residents who had not featured elsewhere.

The issue of files takes me naturally onto the scope of police investigations. Contemporary investigations are different than those in the past in several ways, but notably in terms of how decisions are made and recorded. Investigators are trained to make what are termed ‘policy decisions’ about the scale, scope and direction of investigations. They make such decisions based upon a variety of factors, including the available resources and the likelihood of obtaining a conviction. Decisions such as these were clearly made in the past, but the biggest difference between now and then is that they are better recorded and properly rationalised now.

Clearly I do not know about the 1970s investigation, so I cannot comment upon it.

The 1992 investigation focused on the allegations made by person A, as he is termed in my original written submission to the Committee. It was not confined to him, but was widened to include male residents of the home at the time that he had been abused.

The 2015 investigation began after a man alleged that he had been abused in a very small timeframe: between 29th December 1974 and 2nd January 1975. A senior officer made a policy decision that the investigation should focus upon people who had been resident there for the six months before and after those dates, and upon staff who were known to have been employed at the same time. This led to 52 people being identified as potentially being able to offer evidence as a witness, or indeed as a victim. The discovery of the extra files in September 2017 brought this figure to 59.

It was at this stage that contact was made, and it was at this stage that people, such as Mr John Guest, received renewed contact from the Police. The impact of that contact will have been different for every one of the people whom the Police traced. Mr Guest has clearly articulated the effect that it had on him to this Committee, and to me in a meeting we had late last year. What he said to investigating officers directly affected the way that officers then went about the 2017 investigation. I am sorry that our attempt to do the right thing caused him anguish.

As you know, the opening of this inquiry led to former residents of Knottfield to come forward to give evidence. Arrangements were made to share their testimony with the Police, subject, of course, to them consenting to this. Most of the people concerned had featured in previous investigations, but two had not done so. They were spoken to, but were unable to provide anything that would support any further action. At the same time a further individual came forward to complain about Marshall. He had not been a resident of the home and had not featured in any of its records, but he had had cause to visit the home when Marshall was in charge.

The allegations that he made were of a criminal nature but – and without wishing to downplay them – they were considerably less serious than the allegations that had been made in 1992 or in 2015. Nevertheless, they were fully investigated. Contrary to the belief of one of the witnesses who has appeared before you, this investigation led to the arrest, detention and interview of Marshall, as has been the case every time an allegation has been put to him since his imprisonment in 1993. Yet again he denied the allegations.

I know that the Committee will put questions to the Attorney General about the decision not to prosecute Marshall for this latest matter. Those questions are for him to answer but, based on my reading of the file, I cannot see how he would safely have reached any other conclusion. Again, this is not because the complainant was lying. He was another person who patently told the truth.

I do not for one second doubt the veracity of this last complainant, just as I have not doubted any of the others. The only person whom I believe to have been untruthful throughout the series of police investigations has been Marshall himself; albeit in 1992, and in subsequent inquiries, the conduct and attitude of his wife called her truthfulness into question. She died some time ago.

I know that the Committee will understand the significance of some of the things that I have said today. I hope that the victims who are here today recognise the sincerity of this address. What happened at Knottfield was sickening. The Constabulary successfully investigated,

prosecuted and convicted Marshall in 1993, but it is difficult to see how he was not stopped many years earlier.

340 In the course of this address I have apologised for what was not done by the Police in the 1970s. I do not ordinarily support the concept of contemporary leaders apologising for failures or for shortcomings in how things were done in the distant past. Our view of the past is inevitably coloured by what we are doing in the present. It is affected by contemporary culture, by modern standards and by attitudes that inevitably change with the passage of time. For  
345 example, I have resisted calls for me to apologise for the fact that the Constabulary enforced laws made by Tynwald that made some sexual acts between consenting adults illegal. Police officers do not make laws and cannot be criticised for enforcing laws made by a democratically elected parliament. However, I am as clear as I can possibly be that I deeply regret any failures on the part of the Police 40 years or more ago that prevented the victims of Marshall getting at  
350 that time the justice that they so obviously and deeply deserved.

I am also sorry that some of the victims feel that we did not give them the support that they needed. I have sought to explain that what we do now is not what we did two years ago, or 25 years ago. We seek all the time to move on and to get better. In the last few weeks I have seen  
355 evidence from victims of other cases, where abuse had happened years ago but where investigations have just concluded, which shows me that our approach is now offering far better support to the people who need it.

I do not envy the Committee in its task of reporting on this whole, awful affair. I believe that any society should be judged on how it treats the most vulnerable people. The young people who were resident in Knottfield were amongst the most vulnerable members of this community.  
360 When they should have been safe, many of them were instead exposed to vile abuse. This was shameful.

**Q102. The Chairman:** Thank you very much.

We have got some questions; obviously some of them will cross over the statement you have  
365 made already, so I apologise for that in advance.

If we go right back to 1979, you say in your submission that an opportunity to stop Marshall, the defendant, arose in 1979 but was not taken. Can you say why it was not taken at that time?

**Mr Roberts:** I cannot say why, because I do not know. What I can say is that if an allegation  
370 were made now, of that nature, it would be investigated more rigorously and thoroughly than it clearly was in the 1970s. But the safeguarding regime that is in place now would then make sure that no other young people were in danger from that offender.

Now, what that regime was like in 1979 I do not know, but as I said in my submission, I  
375 suspect it was primitive and I suspect the attitude, all the way through, was 'this is a naughty boy trying to cause trouble for a fine upstanding member of the community', when Marshall was a serial abuser.

**Q103. The Chairman:** In the 1992-93 investigation, what was your role and what did you find  
380 and what was the outcome?

**Mr Roberts:** I was the officer in charge of the investigation.

Marshall was sentenced to three years' imprisonment for 13 offences against three ... they  
were young men then, but there were boys at the time.

Marshall surprised me during that, because in the interviews for that, for the first and only  
385 time ever he made admissions. He has not admitted anything at all ever and he was arrested twice after that, soon after his release from prison, for other offences that had come to light since he had been imprisoned.

Marshall is – I do not know – probably the most dangerous child sex offender I have ever encountered.

390 **Q104. Ms Edge:** Can I just add to that, with regard to that inquiry. You said about the records being retained and that the process changed, but then you said only since the Bichard inquiry, so have you got any guarantees between 1992 and ... that the records you requested to be retained have been?

395 **Mr Roberts:** Yes, the policy change was made in 1992 by Chief Constable Oake, which meant that files in respect of sexual complaints were to be retained indefinitely.

Under the current policy they are retained for 100 years and they are reviewed every 10 years. So if, for argument's sake, someone made an allegation of rape that was not detected, every 10 years that would be reviewed, and so those files are now safely stored.

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**Q105. The Chairman:** Whilst you have said in your statement that there is a clear separation between the judiciary, the Attorney General's Chambers and the Police – and I would agree and say also the political Members – do you believe that in the UK and elsewhere where historical items of sexual abuse have been unearthed and people, whatever their age or necessarily their health, are prosecuted, that is the correct way to follow such matters?

405

**Mr Roberts:** It depends. So I said in my submission that we are trying to deal with sexual offending in the way that suits the victim. So, as I said, we will do an awful lot now, if the victim says, 'I am just telling you about this and I do not want a prosecution', but we will do an awful lot. That would not have been the case in the past, clearly. I think the views of victims have been insufficiently considered in the whole of the justice system for the whole time that I have been a police officer.

410

**Q106. Ms Edge:** You just said previously that the files are reviewed every 10 years but it appears nothing happened between 1995 and 2015. If there was a review of files, why do you feel that nothing came forward?

415

**Mr Roberts:** The review is not in terms necessarily of reinvestigating. The review is in terms of the need to retain and whether the information in it is of use elsewhere.

So there were a series of other small investigations into Marshall. In two inquiries that happened shortly after his release from prison, files were sent to the Attorney General and on both occasions the Chief Prosecutor of the time, who were two different characters, made decisions not to prosecute him. I am not sure I agreed with those decisions, but they were the decisions that they made.

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**Q107. The Chairman:** In the 2015-16 investigation what was your role, what did you find and what was the outcome?

**Mr Roberts:** Well, I have no role in operational policing. It is important that I stay reasonably detached from operational policing so that I can provide objective scrutiny if I need to. So that work was undertaken and the policy decisions, if you like – the direction, scale and scope of the inquiry – were set by a detective inspector.

430

**Q108. Ms Edge:** Can I just ask with regard to ... I know you have explained that we should speak to the AG about why there was no prosecution, but it seems to be that it was felt that the defendant was too old to be prosecuted. Is there a policy in place as to when somebody is too old? Why would that be – ?

435

**Mr Roberts:** Age can never be a case. There is a man who has been sent to prison in the United Kingdom at the age of 99, I think, for sexual abuse.

440

The prosecutors have a code to follow. They follow their code and their code is based on the likelihood of a conviction, whether it is in the public interest, and they have to take account of all manner of things. That is for the Attorney General to answer. There are some parts of that where I would be speculating and that would not be fair to you or to the people here today.

445

**Ms Edge:** Okay, thank you.

**Q109. The Chairman:** If the defendant was considered by the Attorney General's Chambers or the prosecuting officer to be too old to be prosecuted in 2015, why did the service put people through the trauma of another investigation in 2017-18?

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**Mr Roberts:** That is not a consideration for us. There is nothing in the law that says anybody is too old. If a complaint is made against someone, no matter their age, we will investigate it. So we have to.

455

The Attorney, I am sure, will deal with the age thing, but age in itself can never, ever be a barrier to prosecution.

**Q110. The Chairman:** Okay.

And just tell me again why there was no prosecution this time?

460

**Mr Roberts:** That is again a question you will have to ask of the Attorney, but he felt there was insufficient evidence at this time.

**Q111. Ms Edge:** During the Committee's oral hearings, Mrs Urquhart said that:

Over the past year alone, from 1st January 2017 to ... 2018, a total of 86 crimes were reported to the Police in the Island. Of these, 33 were historical, of which 18 were inflicted upon children – persons as they were children. Only five of these 18 – and this is from when I received the information in March, I must add – were operational.

465

**Mr Roberts:** I have provided you with quite extensive data.

**Q112. Ms Edge:** Does that marry up with what Mrs Urquhart ... ?

470

**Mr Roberts:** Let me go through it with you. It would be easier for people who are listening today to understand when they see it posted online, but it says a number of things.

So we covered the last five years and we looked at the number of non-recent offences, so non-recent offences we term as things that happened at least a year earlier.

475

We looked at different types of offence – indecent assault, rape, gross indecency and so on; we looked at the dates they were committed the dates; the dates they were reported; the outcome; if the offender was known or unknown; and whether the investigation was supported or unsupported by the victim – so going back to whether the victim was just telling us for our information.

480

In the last five years there have been 99 non-recent sexual abuse reports recorded. These consist of 54 indecent assault, 37 rape, six gross indecency and two buggery. The victims comprise: males 30% of records and female 70%. Three quarters of the crimes related to offences when victims were under the age of 16.

485

Fifteen cases – now, this is where it becomes tricky, because one offender can commit several offences, so the numbers of offences that were recorded does not tally with the number of offenders – 15 resulted in successful prosecutions; 12 in unsuccessful prosecutions; 10 of those 12 unsuccessful prosecutions were in the first two years of the reporting period – so in other words, four and five years ago.

Thirteen of these investigations are live or are pending as prosecutions; 59 were discontinued.

490 Of those discontinued two thirds were discontinued on advice from the Attorney General's noting insufficient evidence.

Other reasons for discontinuing were: the failure of a victim to provide a formal complaint – so this is people just telling us, not wanting us to do anything – that was 11 crimes; an inability to identify offenders – two offences; the investigation being handed to another police force in another jurisdiction in two cases; the suspect being dead in two cases; and one is ongoing while we locate the suspect.

In almost all the cases recorded, the suspect was known to the victim.

In an eighth of the cases the two were or had been in a relationship – so that is in 12 of those crimes, they are people who have been together as partners.

500 A quarter are in the same family, albeit that includes a foster or step relationship – that is 25 crimes; and another half were known to each other prior to the offences.

One in eight of these cases have not been supported by the victims.

I could go into all the detail but it can go online, but that gives you the scale and scope of things. As of this week, the Public Protection Unit, which investigates matters such as this, has got about 25 live investigations – that is a handful of officers, five or six officers dealing with 25 crimes and there are another half dozen or so that are in the court process, so either waiting for a guilty plea or waiting for a trial. So it is substantial. Really, it is substantial.

510 **Q113. The Chairman:** In his evidence John Guest told us he had been classified as a 'dissatisfied customer'. What does that mean?

515 **Mr Roberts:** Mr Guest made complaints about how he had been treated, in terms of being a victim, how the contact had been made, how there was insufficient support available to him. He complained about that but his complaint was about the Constabulary's policy, not about the conduct of individual officers.

So our complaint system is a bit complex, and Tynwald has reviewed it several times in the past. There is an independent Police Complaints Commissioner who deals with complaints about the conduct of officers. He does not have oversight of things where the force policy is such that it adversely affects people, that is not his remit.

520 It was a direct result of Mr Guest being treated in the way has that major steps were taken in terms of the very latest investigation, which I think in his evidence he said to you was done properly, and that was the difference. So he was not a formal complainant in terms of the conduct of an officer, because it was not about the conduct of an officer; it was about the policy and its approach of the Constabulary.

525 **Q114. The Chairman:** And if you have read his evidence, you will have picked up – I am sure it is in writing at least – how he was aware about another person who had been interviewed by the Police and then went outside and was sat in the car and was clearly distressed. Is there anything you would like to...?

530 **Mr Roberts:** I have touched on this in the opening address I made. There is no easy answer to this and I said everybody is different, and I spoke at some length yesterday with senior people in the Mental Health Service, just to check that my understanding is right. It may be that the Committee wants to speak to people from the Mental Health Service because they will give support to what I am saying, I think, in terms of a dispassionate approach to this.

They say that if the Police went beyond simply signposting people, they would be entering dangerous territory that actually in the longer term could harm people. That is their view.

We are not trained or equipped, and never will we be, nor should we be, to deal with things like that.

540 **Q115. The Chairman:** I just wonder if, in such situations – and I am talking about an ideal world here, I guess – where somebody who is clearly distressed who has been interviewed on a really sensitive matter, that perhaps somebody from the Mental Health Services or another agency might be involved at the same time.

545 **Mr Roberts:** And that was touched on, I think, when Minister Ashford was a member of this Committee, right at the start of this. He made reference to the benefit of having the Police asking the questions to get evidence and there being a therapeutic element to that. That would actually, sadly, fundamentally undermine the investigation. It simply cannot be done and I am sure the Attorney would be able to explain it better than I can well why that would be the case.

550 But having the access to support is critical. So you go back to 1992, there was at that time a drop-in service in Kingswood Grove and people were signposted, if you like, to there; but whether they got adequate support I do not know. Whether there were people there who were *able* to give them adequate support at that time I do not know, because this was fairly new ground

555 At the very latest, people were given a direct access number to contact if they needed support. Now, that sounds a bit callous, but as I said in my written address, there are some people who will need nothing but there will be some people who are so enormously and badly damaged in the long term for this that they need really intensive support. The Police can never be the people to do that. We can only be the people to signpost them to it. (**The Chairman:** If the –)

560 And sorry, just to cut across you – (**The Chairman:** No problem.) On the two occasions I have been before this Committee to talk about mental health, I have read an extract from a report from Sir Thomas Winsor, who is Her Majesty's Chief Inspector of Constabulary, where I have said that he says that until the Mental Health Service is as equally resourced as the physical health service, the problems that we are talking about today and the problems of mental health in the community, as they present to my officers, will continue. And we are a long, long way from being in that position.

570 **Q116. The Chairman:** I just wonder if there is any, formal or otherwise, follow-up if somebody is signposted; whether somebody from your office would then check up with the relevant service to see if ... because otherwise they may become lost and they may end up doing something which we would all regret.

575 **Mr Roberts:** I absolutely agree but my service ... I told you about the 25 live investigations that a handful of officers are dealing with. They have to focus on the investigation and this sounds really callous, and in many ways I regret saying this, but they are not able to do what in the ideal world everybody would want them to do. They simply cannot.

580 But the other services should be able to. Now whether they can or not is another matter maybe for another day.

585 **Q117. Ms Edge:** Can I just ask then, so if I had been in and I had been interviewed, I get signposted. Immediately after having that interview, I do not have a phone with me, I have nobody to pick me up, I have nowhere to go. Is there not a critical response team, could they not be called?

**Mr Roberts:** Let me illustrate this. It is almost like my officers are coming across as callous and they are *absolutely* not.

590 I read a letter recently from someone who said that she had been the survivor of horrific sexual abuse and one officer, she said, now means the world to her and her family, for the work that that officer has done.

We had a case recently where officers actually went and bought clothes for a victim so that when he went to court he was not in pyjamas, because he had no other clothes.

So officers will do everything that they can because they passionately care about getting justice for these victims. But it is a really difficult one.

595

**Q118. Ms Edge:** Could I just ask: is there a phone that people can use up at the station? They would have to ask?

600

**Mr Roberts:** If we interviewed the victim of abuse in the police station and they said, 'I can't get home, I haven't got a phone', we would take them home. That is the sort of thing we would do and the distance we have come since the 1970s, clearly, I think it is considerable.

605

But – and this is where I absolutely support and understand what Mr Guest said to you – if, out of the blue, where you have dealt with these things, you in your own mind have somehow come to terms with what has happened to you, but out of the blue a police officer rings you up or arrives at your house and says, 'I want to talk to you about what happened to you in the 1970s', that is like dropping a bomb on someone. I absolutely understand that.

But we have a duty then to investigate and how we do that is often going to be unpleasant, and that is where the support services are necessary behind the scenes.

610

We talked about separation of functions, and I know I am talking a lot, but the separation of functions between the Police, the judiciary, the Attorney General and the politicians: there also has to be that separation between the Police and the support services.

**Q119. The Chairman:** Okay.

615

What training is in place for police officers in dealing with people who disclose historical child abuse?

620

**Mr Roberts:** There was no training at all until earlier in this century. Officers are now trained to deal with abuse, whether it is recent or historical, and they are trained better than I ever was trained.

**Q120. The Chairman:** So is that something that you introduced during your time or prior, Chief Constable Oake?

625

**Mr Roberts:** No, it is more complicated than that. The conditions of service of police officers in the Isle of Man are linked to the UK, so they in theory get exactly the same training as UK officers. So when the UK changes its approach, we stay in step as far as we can and as far as it is relevant.

630

**Q121. Ms Edge:** And is that training in place from when they go to training school or is it only if you get into a specific department like the CID? Is it specific for the role you have or is it for every officer?

635

**Mr Roberts:** There are two or three levels to it. So when officers first join, they are given training about how to deal with witnesses and victims, they are given training about how to interview people.

As they move on in their careers they are given enhanced training, and particularly if they go into public protection, they will get specific training that teaches them how to do that. And the people who go into that world are selected for their character.

640

**Q122. The Clerk:** Can I ask, when you say they are trained how to do it, who are they trained by? Is it by other police officers?

645 **Mr Roberts:** Things are in the course of changing. Until recently, until the last three or four years, we were trained with police forces in England and Wales. The College of Policing has been set up which now owns all the intellectual copyright for training on police matters and so we can only access their curriculum, if you like, with their consent and in exchange for money.

However, we do have our own curriculum that runs in parallel and some of our training is undertaken by private companies or provided by private companies.

650 **Q123. The Clerk:** Right, and does it involve the same kind of interagency thinking that we hear about?

655 **Mr Roberts:** This takes on you to the second part of your inquiry really. There is interagency training in terms of the investigation of abuse. So officers who work specifically in the public protection world and ... This will confuse people: there is a public protection unit that investigates and there is a multi-agency public protection unit that it is located within the social services building and they do things like the case conferences and so on.

The officers who work in those two teams are trained with social workers and with education professionals and health professionals. They all have common training.

660

**Q124. Ms Edge:** Can I ask then why was the 2015 case conducted by CID and not by the highly trained public protection officers?

665 **Mr Roberts:** Demand – simply demand. We at times were struggling to cope with the demand so officers had to be seconded in, but the basic detective training that detectives have gives them some of those skills and the officer who led that inquiry had previously been in that environment. She had previously worked in public protection. So it was not like somebody without skills. Detectives tend to move around so that they can do different things, and she had previously worked in that environment.

670

**Q125. The Chairman:** The next two questions I am going to ask you are ones which were put to us by John Guest to ask you. I do not know whether his view has changed any from what you have had to say today or not, but I will ask the questions anyway. You have obviously referred to both these matters already in your statement this morning.

675 John asked us to say that because the victims have made complaints against the Police, his view is the Police are not impartial; therefore someone else should be putting a file to the Attorney General. Would you like to comment on that?

680 **Mr Roberts:** I have strayed into being less than impartial myself here, because I have said throughout all of this, police officers have absolutely fundamentally believed all of the victims. They have absolutely fundamentally wanted Marshall to be brought to justice every time there has been a complaint. If that strays away from us being objective and makes us biased, then it is biased not in the way that Mr Guest I think is saying. We are biased that actually we want this to be right.

685 And we cannot lose sight of the fact that in 1992 an investigation began; in 1993 a Deemster sent him to prison for offending against three boys. We must not lose sight of that. Whether that should have happened in 1979 is a matter of conjecture.

690 **Q126. The Chairman:** Okay and the second one was: he felt that your original submission to us could be seen as defamatory because you referred to such matters as alcoholism hits re-offending, difficulties in forming personal relationships and poor mental health. You have referred to this, obviously, in your opening statement but is there anything further you would like to add?

695 **Mr Roberts:** Yes, I referred to that because what I said is what I absolutely and fundamentally believe.

Marshall ruined the lives of these young people and what I was trying to say in that original written submission was just that: that is exactly what he did.

700 Boy A had the makings of a *really* fine young man and Marshall took that away from him. That is the point I was trying to make. It was perhaps not written the way it would have supported ...

I am just trying to find a note to illustrate a slightly different point.

705 When we were looking at the Museum files and the personal files of the victims, we found ... I can do it without the notes. There were two young people who had been sexually abused by Marshall. One had been to a doctor and in his file there was a reference to chafing and wounds on his legs. My view is that those wounds or the marks were caused by Marshall's sexual abuse of him. The doctor simply wrote it down as, 'This boy is overweight'.

710 There was another boy who was examined and the doctor wrote, 'He is a deep character. He is deep and difficult and hard to deal with. It is probably because he is in the wrong stream at school.' He was being abused every single day of his life by Marshall, that is why he was like that.

So things in the past were different – different in the wrong way.

715 **Q127. Ms Edge:** Can I just ask, when you had access to the Museum files, was it purely just cross-referencing names that you had had, to be able to make contact, or did you see anything further into those files?

**Mr Roberts:** No, as I said, we looked at the files but they had nothing of evidential value and the point I made about that earlier in my address was that Marshall controlled the files, so he is not going to write down things that were even implicit that there was abuse going on.

720 So we did look at them for evidence: there was no evidence, but they were useful in terms of names.

725 **Q128. Ms Edge:** And whenever you were trying to gather your evidence you then cross checked with medical records for every case?

**Mr Roberts:** You can only cross check with medical records with consent. So where there were extracts from medical records or where there were comments from medical practitioners within the files that were held at the Museum then that was fine, but we cannot go to medical records without express consent.

730

**Q129. The Chairman:** In paragraph 50 of your original commentary to us, Chief Constable, you referred to the files and at the end of the paragraph, it says:

There is no sinister explanation for this, but it is indicative of the chaotic nature of record-keeping that was undertaken several decades ago.

I just wonder: how did you reach the conclusion that there was nothing sinister about it?

735 **Mr Roberts:** Well, maybe that is clumsy, there appeared to be nothing sinister, but the records were a shambles.

You may need to ask the people from the Children's Centre about how they managed the records. I saw what Kerry Sharpe said, but the records were hopeless, really.

740 **Q130. The Chairman:** Which follows on nicely: she mentioned that the Constabulary regularly destroys files at set periods. Do you want to comment on that? Because you have said already that –

**Mr Roberts:** I think I have covered that.

745 The advent of the General Data Protection Regulations caused us to review again this policy and if it is fit for purpose. There are some aspects of it that we would happily publish. There are some aspects of it that we would not publish, but generally it should be published. So if there were an FOI request, for example, we would redact bits that are around secret stuff but publish the rest of it.

750 **Q131. The Clerk:** Sorry, I know you have covered this, but I am still not totally clear. I think you said that under Chief Constable Oake the decision was made that files of the kinds of offence we are talking about today should be kept indefinitely, but then you also said they are kept for 100 years.

755 **Mr Roberts:** Yes, it is a minimum of 100 years.

**Q132. The Clerk:** A minimum of 100 years.  
And you also said they are reviewed every –

760 **Mr Roberts:** Sorry to interrupt you, that is because it now ties in with the Bichard Report from 2004 which effectively set protocol for police forces in England and Wales, which we have copied.

765 **Q133. The Clerk:** Right, so 100 years at least. And then the ten-year review is ... I do not understand, if they are going to be kept for 100 years at least and you look at them after 10 years, what are you looking for? Not to decide whether to keep them.

**Mr Roberts:** No but if, for argument's sake, the perpetrator were dead then the file would go.

770 **Q134. The Clerk:** It would be destroyed?

**Mr Roberts:** More likely than not. Some evidence from the file would go if they were dead. We receive information every week to say who has died and our records are weeded, unless there is a link to ...

775 So if there was something tied to several different people then no, that file would remain. But if somebody who 40 years ago had stabbed someone in a pub, there is no purpose in us keeping that file once all the parties are dead. If, however there was –

I am not explaining this very well.

780 If a matter has not been detected, so if a woman comes along and says, 'On the way home last night I was raped' and we do not find the offender, that will be subject to a review in terms of the record keeping, so that our obligations under keeping proper records and data protection. But it will be periodically reviewed on what we call a cold case basis to see whether there is other information, whether there is evidence from another investigation or even whether forensic samples that we have taken can be subjected to new techniques. So we periodically  
785 send samples from cases in the 1990s away to laboratories to check whether techniques have moved on sufficiently to allow us to identify offenders.

**Q135. The Clerk:** So with alleged sexual offences, you do not destroy the files just because are too old, but you might destroy them because everyone referred to them has died.

790 **Mr Roberts:** Yes.

**The Clerk:** Thank you.

795 **Mr Roberts:** Although there is as a test we apply on that as well, which is whether it is in the public interest to keep them, in which case they fall under the Public Records Act and they eventually find their way to the Museum.

**The Clerk:** Right, thank you.

800

**Q136. The Chairman:** I am going to take the opportunity to ask you a question which has nothing to do with today's proceedings. You have just mentioned about rape allegations made by females. Has the policy of the Police changed under your Chief Constable's role in relation to the advice that used to be from one of your predecessors that females should not walk home late at night.

805

**Mr Roberts:** That was idiotic.

**The Chairman:** Yes, good.

810

**Mr Roberts:** Everybody has a right to be safe. Everybody has a right to live their lives as they want to live them. And we should not be saying to women, 'Careful how you dress because you will be a target for rape'. That is obscene, to be honest.

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**The Chairman:** Yes, good. That was my view at the time, thank you.

**Q137. Ms Edge:** Can I just go back on your record keeping and if somebody has passed away: with historical cases, the person might have passed away, but if the manager or whoever has not maybe carried out their role correctly, something could come forward in the future. I am just wondering how you make that decision?

820

**Mr Roberts:** It has to be objective. So since that 1992 inquiry into Knottfield, nothing regarding Marshall will be destroyed, nothing will be.

So an assessment is made all the time: is there a purpose for keeping this, could there be a purpose for keeping it? If there is not, then it has to go. We are not allowed to keep data that we should not keep.

825

**Ms Edge:** It is changing, isn't it?

830

**Q138. The Chairman:** We have written evidence from the Museum to the effect that additional client files 1939 to 1979 were received in early September 2017. Have you seen these?

**Mr Roberts:** Yes, we have seen all the files that are now in existence, including those that were on the point of being destroyed.

835

**Q139. The Chairman:** Okay.

Mrs Sharp, in her evidence, asked if there had been a thorough investigation into whether there was a paedophile ring operating in the Island in the 1970s and whether it extended to the UK. Obviously, you have referred to the vicar as well as Mr Marshall. Is there anything else you would like to ...?

840

**Mr Roberts:** There are two important aspects with the UK. So Marshall and his wife came to the Isle of Man from Kent, where they had been involved in the care of children for a number of years. We had dialogue with the Kent County Constabulary and he was unknown to them.

845

850 Towards the end of the last century, and I think it was from 1997 to about 2002, Greater Manchester Police ran an operation called Operation Cleopatra, which looked at abuse in children's homes in the North West, particularly in Greater Manchester. We shared information with them. There was nothing more that came from that – so in other words, there were no links with the UK in that one.

We have an information-sharing agreement with the Metropolitan Police Service for their long-running investigations that have been into non-recent abuse and no information has come from that that would suggest that Marshall or others offended.

855 I indulged in speculation and applied hindsight in my opening address. I know exactly what Ms Sharpe is saying, but I do not know is the answer. I do not know whether there was and at this far distance removed, without admissions from people, it is very hard to see. In the world we are in now, people keep records on their mobile phones and on their computers. We are talking about the 1970s which seems like forever ago, really, doesn't it?

860 **Q140. Ms Edge:** Can I just ask, because within your opening statement you commented that when Marshall was brought before the Constabulary, he had the support of the then Director of Education. Has anything been looked at around that? Because for a Department like the Department of Education, who were party to sending children to the Children's Home ... Was anything looked around that?

865 **Mr Roberts:** There was a social worker called Dave Evans, who I think would have been key to a lot of this, because I think he knew or suspected what was happening, but he had died by the time of the 1992 investigation. I think he was held in decent regard by the boys who were in Knottfield. Mr Davies is dead, so we do not investigate people who are dead.

870 The remit of the Police is not to investigate the policy decisions made by people in other Departments, that is not ours. But the comments that are in the 1992 file, and I wrote the 1992 file, relate to things that were told to us by former professionals who had worked in that environment.

875 **Q141. Ms Edge:** Maybe I was not clear enough but where I am coming from is: have any of the education records being looked at with regard to the children when they were in education, that might have pointed towards you looking at anything differently?

880 **Mr Roberts:** No, not in those terms, no.

**Q142. Ms Edge:** So they have not been looked at?

**Mr Roberts:** No.

885 **Ms Edge:** Okay.

**Q143. The Chairman:** As part of your investigations have you at any time spoken to the people who were trustees of the Children's Home in the 1960s, 1970s and 1980s or on the Children's Home Committee?

890 **Mr Roberts:** I do not know, to be honest.  
In 1992 we did not. I do not know the full detail of the people spoken to, but I suspect not.

895 **Q144. The Chairman:** This is one that was referred to as well and has caused much upset. Some of the residents have said they think their personal effects have been lost or hidden by the Children's Centre. Do you want to make any comment about that?

900 **Mr Roberts:** Certainly in the more recent inquiries, victims have said that. We simply do not know. We really do not know and that is not something we have been able to find any facts about.

905 But I take you back to the chaotic nature of the record keeping. The whole thing was chaotic and if you look, I found a reference actually this morning when I was reading my own files on it, to there being an inspector's report into the home in about 1976 or 1977 I think, off the top of my head, which had talked about the filthy state of it, the bad way that it was being looked after and therefore the bad way that the young people who were in there were being treated. It talked about the inadequate clothing that some of them had, the inadequate footwear that they had for school, so that helps paint this picture of this awful place.

910 **Q145. The Chairman:** It is just really unfortunate. Mr Guest, when he spoke to us, had by his side a picture of his mum, and I just think whoever disposed of their personal effects is callous, to say the least.

915 **Mr Roberts:** I will just refer you again to the last paragraph of my opening address, where I said: 'I believe that any society should be judged on how it treats the most vulnerable people. The young people who were resident in Knottfield were amongst the most vulnerable members of this community. When they should have been safe, many of them were instead exposed to vile abuse.' Just simply how they were treated – it was shameful, the whole thing.

920 I read Mr Guest's submission about life chances and how he wants to do the right thing for his son, and I admire him for that. (**The Chairman:** Absolutely.) It is shameful that young people who were in the care of the state were treated like this.

**Q146. The Chairman:** Something that has come up fairly recently: the Children's Centre are selling Knottfield. Have you got any comments?

925 **Mr Roberts:** I understand that building has been sold and will be converted into a private dwelling.

**Q147. The Clerk:** Did you say it has been sold?

930 **Mr Roberts:** It has been sold.

**The Clerk:** Thank you.

935 **Mr Roberts:** We have had contact with the Isle of Man Children's Centre this week and it has been sold.

Mention has been made both to you and once in one of our previous investigations that the children who have been in there believed that it was theirs, that survivors of all of this believed it belonged to them. We can see no evidence of that, but that is something I think you will have to ask the trustees about.

940 **Q148. The Chairman:** Okay, thank you.

We will move on to current procedures now. Can you outline the role of the Police in today's safeguarding arrangements?

945 **Mr Roberts:** The current arrangements, if you like, flowed out of the deaths in care of Samantha Barton and George Green.

There was a fundamental reappraisal. There was the Everall Public Inquiry, the recommendations of the Everall Public Inquiry even today are only just being implemented, so placing the Safeguarding Children Board on a statutory footing is only just happening.

950        However, the regime is so different than it was in the past. I sit on the Safeguarding Children Board. I cannot believe for one second that anything like the abuse or the regime that Marshall ran would not be picked up really early.

955        Most abuse happens in the home – in people’s own homes. So children actually where they should be the most safe are the least safe in some cases. What is important and what has changed most is the constant training that professionals get to recognise the signs of abuse. And that applies to teachers; it applies to social workers; it applies to police officers. It applies to anyone in the public service who has dealings with children and that training is constant and the awareness is constant. There is an established regime for sharing information and raising concerns.

960        Where there is a vulnerability around modern safeguarding arrangements is actually in the caution that professionals sometimes feel in terms of sharing information. Recent changes to data protection will potentially make that more difficult and there is a training programme in place to give people the confidence to share information. Protecting children should be at the heart of everything that the state does.

965        So the current processes I think are good. Investigations that take place are either single-agency investigations, so my agency investigates or social services investigate, or they are joint investigations. Those investigations are rigorous and are scrutinised and where partner agencies do not agree there is an escalation process, but at the heart of it is the need to think about what is needed for that child, how we are going to protect that child.

970        We have come a long way, and I have seen the submission made to you by Paul Burnett, who is the retiring Chairman of the Safeguarding Children Board. I think he captures pretty well the position we are in, notwithstanding the Tynwald inquiry into some cases that social services dealt with which did raise concerns and those are being dealt with.

975        **Q149. The Chairman:** I am sorry, I am going to just nip back for a moment to ... Again, I promised to ask a question on behalf of Mr Guest, who sadly has left but I am still going to ask the question.

980        Do the Police have any information as to the death and location of the late Ian Strange? One victim has inquired on several occasions and has been informed the request has been forwarded to Special Branch for investigation to help on this matter. He says for several months countless emails have been sent to the Police requesting this information.

**Mr Roberts:** Yes, let me answer that.

985        We had information at some point during the latest inquiry that Mr Strange had died. And that information was shared with Mr Guest because he had been a friend of his. As recently as this morning we have had information that suggests that that might not be the case. So our efforts are progressing to find him.

990        From what we know, Mr Strange is someone who travels a lot. So officers today are renewing their efforts to see whether they can find him, but there is a distinct chance that he has not died, and the information we have that he died, we have not yet corroborated. So there are signs that he is still with us and I hope he is.

995        I deliberately did not mention this, but now we have just jumped back into that part, I want to just touch on the death of Chris Glover. I deliberately have not covered that because that is subject to a Coroner’s Inquest. The Coroner’s Inquest will take place on 28th June. It is a terrible, terrible event and I am really sorry for Mr Glover’s family. The facts are not anywhere near as simple as they were made out in the submissions to you at your last public hearing, and they will come out during the inquest.

1000        **Q150. Ms Edge:** Can I just ask you a question on safeguarding: we have had the DHSC in with regard to this inquiry and they did say that there was only one night officer sometimes present

in the homes, which they did not think was right, but I am wondering if that has come up regarding safeguarding.

1005 One other question that I have concerns with: are you confident that when somebody is employed in any of these roles – bearing in mind, and I think it is still called a CRB check, that we have only signed up to check people within the United Kingdom, Ireland and Scotland, we have not signed up with anywhere else and it has to then go on a reference or on actually getting evidence from an embassy or something – are you confident that that happens in every case?

**Mr Roberts:** No, I am not confident.

1010 I think the safeguarding regime in terms of checking people is pretty sophisticated now.

If you go back to what I said in the opening address, people who want to abuse children put themselves in a position where they can control children and they can abuse. So the job of us and others should be to stop them from getting in those positions in the first place. The regime is pretty effective now, I think, at stopping people who are like that from getting in the system, but it is only a number of years ago that we arrested a young man who was unknown to us, who was horribly abusing tiny little children at a nursery. If they are not known, they are not known.

1015 You are right that there are gaps in terms of how agencies share information and access information for people outside the British Isles. The Isle of Man is not a party to the Europol Treaty, our exchange of information in terms of criminal records is through the United Kingdom. The government in the UK needs to be very careful that Brexit does not have an adverse impact on how information is obtained.

1020 **Q151. Ms Edge:** Do you think we should be party to the Europol Treaty or do you think it works well going via the UK?

1025 **Mr Roberts:** Well, it would be pointless now because –

**Q152. Ms Edge:** Yes, we do not know what is going to happen, do we?

1030 **Mr Roberts:** The UK will come out of it in a year or two's time.

**Q153. Ms Edge:** Are you representing in any way around that? Is there anything within – ?

1035 **Mr Roberts:** No, there is nothing we can do. And it was a policy decision made by Government 15 or 20 years ago.

**Q154. The Chairman:** What message would you like to give to anyone contemplating disclosing historical abuse, not just the ones we are talking about now, but any others?

1040 **Mr Roberts:** I feel sad that a possible outcome of this inquiry, or a possible outcome of social media comment on this inquiry, will deter people from coming forward.

I have got some absolutely fantastic officers who want to do their best for victims of abuse. They do some wonderful stuff. I have got an award ceremony next week and I know some people think the Police awarding themselves and patting themselves on the back is not a good thing, but there is a victim of horrible, sustained systemic abuse coming to sit in the audience for that, because he wants to be there to see the person who transformed his life being recognised.

1045 So we will get things wrong, we will make mistakes but we are so well-intentioned.

**Q155. The Chairman:** At least one of the people we have spoken to, I think, has felt that for her that us believing what she had to say was the first time that she felt that was the case.

1050 A lot of them have a concern about authority figures, and that includes politicians as well.

1055 **Mr Roberts:** Well, the first authority figure many of them were exposed to was the man who abused them and continued to abuse them and some of the boys, in particular, he abused them every single day. It is almost hard to imagine. So I do not wonder that they do not like authority, I do not wonder that they do not like people like me who wear a uniform.

1060 The Constabulary now and the Constabulary from the 1970s are just unrecognisable, they are completely different. And while I am still around – and I am getting a bit old and coming towards the end of my time now – fundamentally we have to be here for the people of Isle of Man. That is fundamentally what we have to do, and we have to be decent, straightforward and honest.

I understand how people like that feel. I do not know how I would feel if I had gone through that, but I can imagine.

1065 **Q156. Ms Edge:** Can I just add this one in? This was another question that we were asked to ask. I am not sure if you have listened to all the witness evidence but obviously there were some suggestions in there that the victims that have come forward recently were not perhaps treated correctly by the officers. I am not sure if you have looked into that or are you intending on looking into that in any way?

1070 **Mr Roberts:** What happened in the last investigation was affected in a good way by what John Guest had said. We made early contact with the Mental Health Service. We spoke there to a man called Ross Bailey, who has appeared before this Committee and he is an excellent public servant. We worked out with him a plan to put in place to support people who needed support.

1075 Now, not everybody wants support and not everybody else is in the place where they can ask for it. That support, I think for just about every victim, worked but –

1080 **Q157. Ms Edge:** I think it was more about, perhaps the people that came forward felt they were not treated correctly by the police officers, so has any investigation taken place with regard to the police officers?

1085 **Mr Roberts:** If you remember in my opening address, I said that what we do now is not what we did two years ago, 25 years ago and certainly not 45 years ago. We have just got to keep getting better and better and better. And if something goes well, we should learn from it; if something goes badly we should learn from it. If that went well, and it appears to have gone well, then that is effectively the template for the future, until we find an even better way of doing it.

1090 But then, you touched on something, and so did Mr Cretney, and I have said it time and time again today: I have always believed the victims of Knottfield. From 1992, every day that Knottfield is mentioned it takes me back and I believe them. All my officers who have worked on these cases since 1992 absolutely and utterly believe those victims.

**Q158. The Chairman:** We will be hearing from the Attorney General and a former trustee of the Children's Centre next week. Is there anything you think we should ask them?

1095 **Mr Roberts:** I do not think it would be right for me to suggest things you should ask the Attorney General.

**The Chairman:** I wondered about that!

1100 **Mr Roberts:** But the issues that are clearly very important to people who were in Knottfield, such as their personal effects and such as the ownership of the property, they clearly need to be explored, I think.

1105 **Q159. The Chairman:** What do you think that the Committee should recommend to Tynwald, other than the value of a victims commissioner?

1110 **Mr Roberts:** I think the way that treat young people probably still is not right, is it? They are out there today, there will still be young people being abused. Raising awareness of abuse and understanding, as a community, the impact that abuse has on people and the damage that it causes to people is fundamentally important.

1115 I told you in my opening address how I speak to new recruits. I do not tell them it is about Knottfield – they will all know now – but I say, ‘I dealt with this young man and this is how he presented to police officers when they dealt with him on the streets. This is the reason he was like that.’ And so trying to gain an understanding amongst professionals and amongst the community of the horrible, insidious long-term impact of abuse I think is critical.

1120 A victims commissioner I think is important as well, and I made reference; I took a line out of my address because I thought I was going too far. I mentioned money laundering and there is an obligation on professionals to report knowledge or suspicion of money laundering. There is nothing like that for child abuse.

**The Chairman:** Yes, I noted that as well.

1125 **Q160. The Clerk:** Is there a particular victims commissioner, another jurisdiction which has got one?

**Mr Roberts:** There are victims commissioners in other jurisdictions.

**Q161. The Clerk:** All of the surrounding jurisdictions?

1130 **Mr Roberts:** I do not think all of the surrounding ones, but there are in other jurisdictions and I think, and I might be wrong, New Zealand might have one.

**The Clerk:** Right, thank you.

1135 **Q162. Ms Edge:** Can I just ask with regard to – obviously a lot of people do not want to come forward. Do you find you ever get any cases coming through your Crimestoppers line? Is that monitored in the UK, is that like an independent or – ?

1140 **Mr Roberts:** Crimestoppers is independent. There is an Isle of Man charity that is part of the Crimestoppers network. That is independent from the Police and provides information to the Police.

Off the top my head, I am not aware of cases like this coming through that route. It is a route, but I am not aware of that.

1145 **Q163. The Chairman:** Is there anything else you would like to say?

1150 **Mr Roberts:** No, thank you. Thank you for ... A times I think you have indulged me because I have gone all over the place, and you certainly indulged me in allowing me to talk for half an hour at the start without you asking questions. But I think it was so important that I said that and some of the things in there, I have thought long and hard about whether I should say them because I am taking myself outside my normal professional operating mode, if you like. But this is really, really important.

1155 **Q164. The Chairman:** We agree and we would like to thank you for being so frank in your presentation and that will certainly be helpful to us in concluding the work we have got before us.

1160 **Mr Roberts:** Thank you and I hope you realise and I said I hope the survivors of this see the sincerity. This is heartfelt stuff I have given you today.

**The Chairman:** I accept that.

Okay, so that brings to a close the public session this morning and I would like to thank everybody for being present.

*The Committee adjourned at 12.53 p.m.*