

**REPORT OF PROCEEDINGS OF  
HOUSE OF KEYS  
(LEGISLATION AND OTHER MATTERS)**

**Douglas, Tuesday, 7th May 2002  
at 10.00 a.m.**

Present:

The Speaker (the Hon J A Brown) (Castletown); Mr D M Anderson (Glenfaba); Hon A R Bell and Mr L I Singer (Ramsey); Mr R E Quine OBE (Ayre); Mr J D Q Canna (Michael); Mrs H Hannan (Peel); Hon S C Rodan (Garff); Mr P Karran, Hon R K Corkill and Mr A J Earnshaw (Onchan); Mr G M Quayle (Middle); Messrs J R Houghton and R W Henderson (Douglas North); Hon D C Cretney and Mr A C Duggan (Douglas South); Hon R P Braidwood and Mrs B J Cannell (Douglas East); Hon A F Downie and Hon J P Shimmin (Douglas West); Mr D J Gelling (Malew and Santon); Mr Q B Gill and Hon Mrs P M Crowe (Rushen); with Mr M Cornwell-Kelly, Secretary of the House.

*The Chaplain took the prayers.*

**Apologies for Absence — Expressions of Condolence**

**The Speaker:** Hon. members, I have granted leave of absence to the hon. member for Rushen, Mr Rimington, and I am sure that the House extends its condolences to him and his family at this difficult time at the loss of his father. I have also granted leave of absence to Mr Rodan from 12.15 this morning, the hon. member for Garff and I would also, I am sure on the behalf of the House, extend our condolences to the hon. member for Douglas East, Mrs Cannell and her husband on the death of Mrs Cannell's father-in-law.

*Questions were taken at this point and concluded at 10.50 a.m. They are published separately.*

**Bill for First Reading**

We now move on to item 3, which is a Bill for first reading, and I call on the Secretary to the House.

**The Secretary:** Mr Speaker, the Bill for first reading is the Agriculture (Miscellaneous Provisions) Bill, introduced by the hon. member for Rushen, Mr John Rimington.

**Transfer of Deemsters' Functions Bill — Second Reading Approved**

**The Speaker:** Right, hon. members, we now go on to item 4, which is a Bill for second reading, and I call on the hon. member for Onchan, Mr Earnshaw.

**Mr Earnshaw:** Thank you, Mr Speaker. This Bill is the result of deliberations by the Constitutional and External Relations Committee of the Council of Ministers. During 2001 the committee considered whether the deemsters were the appropriate authority to make orders setting fees for such functions as witness allowances, coroners' fees, et cetera. Whilst the committee considered that there was no case for divesting the deemsters of their legislative functions in general, it recommended that their powers to fix fees, rates of interest and other financial amounts should be transferred to the Treasury. These are all powers that have been in existence for many years before the Treasury was created in 1985 and were presumably given to the deemsters as no other suitable authority existed. The recommendations of the Constitutional and External Relations Committee were accepted and this Bill puts them into effect.

It is not expected that the Bill will have any effect on public expenditure, revenue or personnel. Mr Speaker, I beg to move the second reading.

**The Speaker:** I call on the hon. member for Onchan, Mr Corkill.

**Mr Corkill:** I beg to second and reserve my remarks, Mr Speaker.

**The Speaker:** Hon. member for Onchan, Mr Karran.

**Mr Karran:** Vainstyr Loayreyder, I am a little bit concerned about this piece of legislation. Firstly, what concerns me is the issue of the executive making the rates of pay, especially for the likes of bankruptcy, having recently written to the UK's bankruptcy association for their views on this subject. I am concerned about the eight per cent, and I am glad to see that the second explanatory memorandum on this piece of legislation has changed the rates in that document to what was printed in the Bill itself so that they are the same now, but I am concerned, quite frankly, that in the likes of bankruptcy the last thing you need is an unrealistic rate of interest being levied. I believe that the issue of whether the executive or the judiciary should do it will stop the flexibility where there is a genuine case of bankruptcy, where there should be virtually nil interest on that genuine case because all you are doing is forcing that individual into further debt and into a hole that will be even harder for them to get out of in order to become again a productive member of society.

Now, at the present time, with the judiciary addressing that issue, they can see where it has been used as a move to defraud legitimate creditors that are using the bankruptcy system. What I am concerned about is the fact that, if it is left to the executive, there can be no flexibility, so the rogues who use our bankruptcy law and who manipulate around it and are known for their actions will be treated on the same basis of somebody who has genuinely, through misfortunate times, got themselves into financial difficulties, and that is something that I am very concerned about with this piece of legislation.

I do think, hon. members, when we look at the clauses, that we should be considering whether we should be supporting this, because whilst it sounds quite reasonable that Treasury should be doing this, on one point the issue is that if we have a one-bottom line rate of interest on this issue, that means that you will throw everybody who falls into this piece of legislation into the one bucket and that is what concerns me mainly with this piece of legislation.

The other issue that concerns me is the issue of the greying of the areas of the edges between the judiciary, the executive and this parliament, and I do feel that the hon. mover needs to give a very good reason why we need to change it. I have spoken to some of the judiciary about it; I have also spoken to people in the legal fraternity on the Island about the issue as well.

Now, whilst the judiciary seem to be very happy with the proposals under this piece of legislation, there are a number of people in the legal fraternity who express concerns that it will actually create a lack of flexibility and will be a step backwards, and I would like to know the views of the hon. mover of this piece of legislation on this subject.

I would also like to know whether anybody has been in touch with any of these organisations for the likes of bankruptcy in this. We have seen in this Question Time about trying to turn delinquents and young offenders back into productive members of society, and what I do not want in this piece of legislation is a situation where we have another section where someone fails with a genuine business venture and ends up permanently in the bucket of despair of never being able to climb out of it, and that is why I just think that there has not been enough thought process being put into this piece of legislation. I do hope that we will not see a situation where it is just nodded through because it has just come from the executive; it does concern me. That is the main issue in this piece of legislation, but I would like to know who the hon. mover has consulted with as far as this piece of legislation is concerned. That is the important thing because I believe that the right people have not been consulted.

**The Speaker:** Hon. member for Onchan, Mr Corkill.

**Mr Corkill:** Thank you, Mr Speaker. I am very pleased that the hon. member, my colleague for Onchan, Mr Earnshaw, is taking this Bill through. It is a government Bill and, just by way of explanation, I would like to say to hon. members how the Bill has come about.

In a former life when I was Treasury minister, I was in another place moving an order on behalf of the deemsters to do with these issues that are contained in this Bill, when the then Clerk of Tynwald, subsequent to my having moved the order, suggested that it might be an idea if government reviewed these particular functions because, in his professional opinion, it would seem that the situation had become out of date, and that is why, subsequent to that, the matter was referred to the Constitutional and External Relations Committee of the Council of Ministers to have a look at that issue. It seemed that some of these functions had existed a long time from a time before Treasury existed in the way that it exists today.

It also seemed that in fact the Minister for the Treasury of the day was moving this order effectively on behalf of the deemsters, so the deemsters were consulting with Treasury and so what I am trying to say is that when this Bill, if it becomes law, comes into place, there will apparently be very little actually changing for members to consider, because each aspect of whether it is interest rates or other fees will come to Tynwald for a vote as they always have done.

So the hon. member Mr Karran, who talks about flexibility on the rate of interest - I think we have to be aware that flexibility is not there now. The rate is set by order of Tynwald and cannot be made flexible for individuals, so Treasury will obviously review that percentage from time to time as orders come to Tynwald for Tynwald approval. There is absolutely no desire on the part of government to take away any judicial rights that the deemsters have in this area; it is purely a housekeeping exercise of how the figures are set, how they are reviewed and how they are taken to Tynwald for approval.

So I just wanted to say to hon. members how this Bill had actually come about: it was actually on advice of the then Clerk of Tynwald to have a look at the situation, and it is an updating exercise.

**The Speaker:** Hon. member for Douglas East, Mrs Cannell.

**Mrs Cannell:** Thank you, Mr Speaker. I shall just be very brief. I have had one or two queries made to me from constituents in respect of this piece of legislation, and it really lies within the first part of the Bill in that the Treasury shall, by order, prescribe the fees and percentages to be charged for or in respect of proceedings in bankruptcy subject to order being approved by Tynwald.

The concern that has been expressed to me is that when somebody goes through the process of bankruptcy and the deemsters or a deemster has dealt with it, then therefore the deemster is perhaps familiar with the circumstances around the bankruptcy situation. That is not to say that at present that particular deemster who dealt with it will be able to deal with the setting of the fees; of course, he or she would not, but nevertheless the view and the expression has been made to me that the deemsters are familiar with the circumstances around these situations whereas it has been removed from the deemsters and it is going to what is described to me as 'faceless bureaucrats' - in other words, it is going to officers who have no idea of the circumstances around that particular case and may as a consequence, when considering the fees and the commission et cetera, set them at such a rate perhaps that a deemster who had been familiar with the circumstances would not set them at such a rate, and that is the one thing that has been expressed to me.

So I would merely ask the member who is moving the legislation whether or not, with this move from the deemsters' consideration to officers of the Treasury, those officers will familiarise themselves with the circumstances surrounding any bankruptcy case in particular, or

will they merely just judge on the finding and then look at the fees to be set or the commission to be charged et cetera? Will they, in fact, spend time looking into the circumstances before they arrive at a decision? Thank you.

**The Speaker:** Hon. member for Peel, Mrs Hannan.

**Mrs Hannan:** Thank you, Vainstyr Loayreyder. I wonder, could the mover comment on this ability: after the deemsters have listened to the evidence placed before them - because this is what a court is there for - are these commissions and whatever able to be taken into account, or is there just a set figure? I accept that initially the fees would have to come to Tynwald for approval, but it is a bit like the 'faceless bureaucrats' that have been talked about: they set the fees, they seem reasonable at the time, they are approved by Tynwald, but can the deemsters, when they are considering these issues, take into account different circumstances? It seems to me that we are afraid - and I share that as well - that some of the flexibility within the court, actually being there, listening to the case, listening to what has happened, is not being able to be taken into account. It is just a yes or no situation, and I think it is that particular area that concerns me.

Also, I think that we have had this Bill for some period but it is surprising that it is the Constitutional and External Relations Committee of the Council of Ministers that has considered this, and yet it has just come to us just like this. I know we have briefings from the Chief Minister from time to time, but I think in those briefings it would be nice to go into some detail with some of the reasons for this legislation and how the actual intricacies of it are going to work prior to us discussing it here and in a fortnight, obviously, when it comes back to us in committee to consider the clauses, but I think it would be nice to know at this particular time how it is going to work when it actually gets into Court after it has been approved by Tynwald. Thank you, Vainstyr Loayreyder.

**The Speaker:** Hon. member for Onchan, Mr Earnshaw, to reply.

**Mr Earnshaw:** Thank you, Mr Speaker, and I thank hon. members for their comments this morning. The hon. Chief Minister who seconded the Bill - I thank him for his support and his helpful guidance on this subject.

I think the hon. member, my colleague for Onchan, Mr Karran, is possibly reading a little bit too much into this Bill. Basically I see it as a simple exercise although I can appreciate some of the concerns; fundamentally it is just a transfer of responsibilities, and I think its drive is really a piece of common-sense legislation and a tidying-up exercise of something which has been of a historical nature. It has rested in the hands of the deemsters in the past and it is felt that the Treasury would be a better vehicle for handling these aspects now.

I think one important aspect we should bear in mind is that this has been produced after consultation with the deemsters, and I am sure that their concurrence has been given to the various responsibilities being transferred out of their hands into others'.

I thank Mrs Cannell, the hon. member for East Douglas, for her comments about bankruptcy, but I would think that any 'faceless bureaucrats', as she describes them, will no doubt receive some guidance from the deemsters where it is felt to be appropriate.

The hon. member for Peel, Mrs Hannan, has referred to the figures that have been set and I think, as far as I am aware, the figures are set already by the deemsters, but I think that mechanics are available to vary them in the future. I think that concludes all I have got to say, Mr Speaker. Thank you.

**The Speaker:** Right, hon. members, the motion before us is that the Transfer of Deemsters' Functions Bill be now read a second time. All those in favour say aye; against, no. The ayes have it. The ayes have it.

## Isle of Man Police Consultative Forum — Report Received

Item 5. The hon. member for Ayre (Mr Quine) to move:

*That the Isle of Man Police Consultative Forum Report 2001 be received.*

**The Speaker:** Hon. members, we move on to our next item, which is in the name of the hon. member Mr Quine, and I call on the hon. member.

**Mr Quine:** Thank you, Mr Speaker. I have taken the opportunity to place this motion on the order paper essentially for three reasons. Firstly, to focus attention on the valuable work being done by the Police Consultative Forum, secondly to provide an opportunity to consider the future remit of this body - because I think that comes through in a number of ways - and thirdly, to facilitate debate on a number of key issues identified by the PCF through their consultative processes.

It has been held out for more than 50 years that if a high standard of public orders to be achieved, a viable partnership must be forged between the public, government - and for today's purpose I will bracket the police as part of government - and the legislature. Now, whether it has been achieved is questionable, but I would like to think that this cardinal principle is more pronounced today and is being said today with greater sincerity. As I say, to what extent we have achieved the viability of the partnership is another matter; that is something for us to judge.

The PCF is unquestionably helping to forge this partnership by forming a bridge between the public and government and indirectly between the public and the legislature. Through the PCF exercises there are a number of important matters being highlighted requiring serious consideration by government and/or police and the legislature, perhaps, in due course. This is not to say that the police, government or the legislature must act on all these matters; that is a matter for valued judgement. They need evaluation against a broader backdrop and certainly in relation to the broader public interest. We cannot just take them at face value because they have been put forward on a more limited perspective, so they have to be judged against a broader backdrop, but they most certainly do call for early consideration and they do call for a proper response. That is the least that the members of the PCF, and indeed the public who put them forward to the PCF, can expect.

Now, the matters raised by the PCF must be viewed against the remit of this body, which is to obtain the views of the people of the Island about policing and the prevention of crime, and looking at some of the recommendations perhaps there is a question mark as to whether the interpretation of that has gone a little wider than perhaps was envisaged by the legislature when it was set down. As pointed out by the PCF, there are some problems which the police cannot resolve on their own, and that is self-evident, but that does not in itself make a case for broadening the remit and the membership of the officials and the officials who may be in attendance. It may well call for strengthening the corporate approach in government's dealing with the PCF; that is a matter for the Chief Minister, for it is unacceptable that the sterling efforts of the PCF should be devalued for want of a holistic approach within government, but the PCF has a statutory base and, unless and until the legislature see fit to change it, then quite clearly it must be honoured.

Any consideration of a change in the PCF remit must be viewed in relation to the duties and responsibilities of local authorities. It may be that the success of the PCF is indicative of past, if not present, inadequacies of local government. A void has been left which perhaps is now being filled by the PCF, and full marks to the PCF if they are doing that, but it does raise a question of whether or not local government should be filling this rôle that is currently being provided by the PCF. We have had, of course, claims made in this House and in another place that we get quangos, other bodies, self-appointed interest groups being created, creating themselves, and that they are cutting across government, cutting across local government. I think while there may

be some substance in that, it is normally the product of the fact that we leave a gap to be filled by central government, more often than not a gap that should be filled by local government.

That said, sir, some of the illustrations in the PCF report demonstrate the need for a stronger corporate approach and raise, I feel, some interesting questions. For example, do existing departmental parameters represent the optimum packaging of governmental duties and responsibilities - if you look at the recommendations and see how a subject straddles two, three or four departments? Secondly, where elements of government policy and activity fall to two or more departments or agencies, are such policies and activities being developed in concert or have we a situation where individual departments are developing policies, setting priorities in relation to their specific duties for that matter without the appropriate interface with other departments who are charged with another part of that? In terms of human resource allocation to deal with problems, are subject areas being dealt with in a holistic way? Therefore some of the illustrations that are in this report I find very interesting, because they go beyond the simple policing matter and they do tend to point a finger at other matters which perhaps government should be looking at.

I concur with the views proffered in the report that over the last four years there has been progress in developing meaningful public consultation in regard to policing matters. There has been structural and cultural change within the police force. I am not suggesting that that is entirely as a consequence of the PCF and its good work; I think a lot of it has flowed from perhaps a culture change within the senior management of the police force but, be that as it may, I have no doubt the PCF have contributed to that.

Not all police officers have fully played their part, a point made, of course, by the Chief Constable on more than one occasion. I believe there is increased professionalism in the force and almost certainly greater productivity, but this must not be undermined for the want of courtesy by the police in dealing with the public, and this is a point that has been made to me on several occasions. I understand the problem if you have a relatively young force; it is not always easy to get that message across, but so much good work can be undermined if it is not executed by police officers who are extending courtesy, albeit they may be suspects, they may be offenders.

The report makes the point, sir, that for two many recommendations from the 2000-2001 report too many of those remain outstanding. These relate to - and I will just summarise them because I believe I do need to get the subject matters before this hon. House today - considered and constructive responses from certain departments and agencies being difficult to achieve, particularly where responsibilities are split between departments; the need for additional resources to ensure that a co-ordinated consultative strategy can be introduced - and we are referring, I think, primarily to the PCF process; the need to expand the neighbourhood watch system which, it is asserted by the PCF, is essentially a matter of additional resources; the need for relaxation of the capping of the police establishment and/or relaxation in terms of the way in which the force can use its available funding - I suppose that is a matter which in some ways impacts upon all departments; the need to review the rôle of the special constabulary, a matter which perhaps I will return to, sir, a little later - I think that is an important matter and I am not inferring in any way that the Special Constabulary are not doing a good job, but it is a question of looking at the present-day needs and saying, 'Is the special constabulary in its present form and structure appropriate to present-day needs?'; the need to expand and, I would suggest, to rationalise and produce a rationalised policy for the use of CCTV as an aid to policing, a matter which has been somewhat left in the air.

Then, turning to this year's recommendations, while they are fewer in number, they are of, I would consider, equal if not of more import: the form and manner in which departments and agencies communicate with the public - that really comes back, perhaps in large part, to what I

was saying about courtesy being exhibited when you are dealing with the public. Courtesy costs nothing, and that is the message which we and the force - indeed, all government servants - should be putting across. 'Explaining to the public changes in policy and methodology for the recording of crime' brought a slight smile to my face; my experience of trying to restructure statistics, not least crime statistics, is that you are on a hiding to nothing (**Mr Houghton:** Hear, hear.) because as soon as you start a change of base, it is almost inevitable that people will suspect there is a reason for you changing the base. But if there is good reason it has to be done, but it is a very hazardous exercise. 'A strategic review of all aspects of penal policy.' - I believe that this is one of the most important matters to come out of this report. (**Mr Houghton:** Hear, hear.) It is not something that has just been raised in this report; it has been raised several times and I would certainly like to revert to that when I sum up, but I do strongly support the recommendation inherent in that exercise. 'The rôle for community policing officers and their career development' is another very important matter. 'A comprehensive review of road safety' - again a matter which I am strongly in favour of and which at the moment tends to cut across at least four departments. 'A study of youth facility initiatives' - a matter of great import unquestionably needed, but again, it is only part of the problem; it is not something to be seen in isolation. 'All-Island prohibition order for the consumption of alcohol in public places' - a matter, I think, for value judgement but it is a point well-made and properly made by the Police Consultative Forum.

One final matter, sir, before I give way to hon. members: the PCF make the point it has been unsuccessful - they are quite candid about this - in harnessing the view of only some sections of society and it candidly admits it has fallen short in respect of the under-30 years of age group. I admire their candid admission on that point, but it should be a matter of concern to us because, quite frankly, it is the under-30 age group where we want to enhance and strengthen the police relations, government's relations and indeed our relations. That is the area that is the most critical to the whole matter of public order. The PCF itself wishes to develop further to a point where it can ascertain the views of all sections of society, and it goes on - and this is not absolutely clear what they have in mind - to say that it needs to be assisted in developing alternative methods to make this possible. Well, perhaps the Minister for Home Affairs can put some meat on the bone there.

But related to that - and I just make this point here before I finish - I will say that I am not convinced that it can ever become a totally independent body, which is one of the points made. I think if that was to be the case, I can see all sorts of difficulties, not least in relation to local government, also national government, and other bodies who have statutory obligations. That was certainly not the intent, and I am sure the Chief Minister will be able to put some light on that because, if I remember rightly, the Chief Minister was involved in the 1996 Bill where that section came into play. So I have reservations about how far you can develop the PCF to make it from being a, largely autonomous body to on that will come in as an independent entity.

These are matters which have been properly raised by the PCF and they are matters which should be properly aired, and it is because of matters such as this that I felt obligated to bring them before the House and let them have an opportunity to debate them. The motion itself is fairly straightforward - just to receive this report; it was just to provide a foundation on which we can provide members the opportunity to comment on these various issues which have been very properly raised by PCF.

Mr Speaker, I beg to move the motion and I look forward to hon. members' views on the content of this PCF report.

**The Speaker:** Hon. member for Douglas South, Mr Duggan.

**Mr Duggan:** Thank you, Mr Speaker. I will be pleased to second the report before the Court, but there are one or two points I would like to raise regarding section 4, which is a low crime

rate in the Isle of Man. I would disagree with that. Years ago the likes of Mrs Cannell could go to a venue and she could walk home at night. It is not the case now; you are not as safe on Douglas promenade as you used to be, hon. members. I can mention a case of an elderly lady who was broken into at 2 o'clock in the morning and robbed, her telephone wires ripped out - we never had that years ago. Then after that, as Mr Cretney behind knows, the lady was vandalised, there were people in the garden at all hours at night throwing eggs. This is what some of the old people have to put up with. You call the police and they can take up to half an hour to arrive. Recently we have had another spate in Pulrose, as Mr Cretney, my colleague, is well aware, of throwing stones at cars. I believe one taxi driver had his window broken and his taxi was off the road for a week. So this is a concern and I think we need more police actually out in the community, because we do not seem to have the back-up. I am not criticising the police in any way but we do not seem to have the troops out there (**Mr Houghton:** Hear, hear.) because when you make a call you can wait a considerable time before 631212 gets answered at the police station and even then you can wait up to half an hour before the police arrive, so the whole policing issue needs to be investigated and we need more back-up for the troops.

**Mr Houghton:** Hear, hear.

**The Speaker:** Hon. member for Douglas North, Mr Henderson.

**Mr Henderson:** Thank you, Mr Speaker. I support the laying before the hon. House of this report because I too feel there are some important issues here.

I feel that the Police Consultative Forum in general is a very good and worthwhile exercise, and it is a committee that undoubtedly works hard and the folk that are there do a good job to the best of their ability, so I would like to place that on record, and certainly any comments that I make this morning are directed at policies and issues that that committee have highlighted rather than at themselves.

What I would like to find out from the home affairs minister is, once the Police Consultative Forum have made recommendations, where those recommendations go to, and are they incorporated into the Isle of Man policing plan as a matter of procedure?

I am also concerned that, although it supports community policing and so on here and hints at resourcing, we do know that the Isle of Man Chief Constable is on record as saying that there are 80 extra police officers required for our police force to carry out its duties, and I would like to hear what the home affairs minister has got to say about that in relation to the community initiative ideas that are drawn up in this report at page 5.

Having said that, Mr Speaker, what I would also like to know is what kind of weight the recommendations of the report carry. If this important forum which is a conduit from our community, collect ideas from community meetings and so on and they are able to evaluate those ideas and formulate recommendations, surely they must carry some considerable weight, and I would like to know exactly where we are with those recommendations when they land on the Chief Constable's desk.

As I say, Mr Speaker, after all this is a community health check and I think we need to do more than pay possible lip service to a report of this standing. If that is the case, if the hon. home affairs minister can give me some assurances on that, then I will be well satisfied with that.

Moving to some of the individual items highlighted in the report, we look at the impact of recidivism and so on, and another recommendation for that is a strategic review and I feel that we need to be doing more direct and positive actions here and really speeding along the antisocial behaviour order legislation and curfew orders here. Having reviews and further assessments is just going to mean we will be having this conversation in a year or two's time again (**Mr Houghton:** Hear, hear.). We need a multielement approach to these kinds of things

with immediate, medium and long-term solutions running in parallel together, not trying to implement a strategic idea in the first place as the first response, because then the immediate and short-term issues have been forgotten about or at least not been addressed as well as they could be, and there needs to be some sort of parallel here.

The issue on the community policing that is highlighted in the report on page 5 is something that I fully support and have seen how well it can work, and certainly I am very fortunate in my constituency and that of my hon. colleague, Mr Houghton, to have felt the full benefit of community policing initiatives. One thing I would say, though, is the point I alluded to in relation to the Chief Constable's staffing problems that he seems to be having at the minute: that that does have an impact on the community policing initiative (**Mr Houghton:** Hear, hear.) because quite often now what we see is things that started as excellent initiatives and obviously do work, such as a community police station, can be closed or can be starved of staff trying to plug the gaps in other areas, and that is something we do really need to try and avoid because these initiatives do work, they are excellent and they are well appreciated by members of the community and certainly our members of the community in North Douglas. It falls flat sometimes - and it is hard to explain away - when somebody goes running up to the police station and finds it shut or there is only a secretary on duty and there is no chance of getting any officers to attend a particular scene that has been highlighted, so we need to do more there.

Traffic issues have been highlighted and one disagreement I would have with the report here - and it is a pity, really, because they mention the various ideas put from the floor of the meetings; it would be nice to see an appendix to see what the ideas were and then the committee should make some sort of a statement that they would see about evaluating those ideas put forward from the floor and not just saying, 'Oh, well, that was fair enough and we are going to have ADCC Neil Kinrade to go out and liaise.' Liaison is part of the solution process but I think we need some more ideas generated and a bit more immediate direct action than just referring to assessments all the time.

We also touch, on page 6, on young offenders, and my hon. colleague from Ayre has also spoken about this and, in particular, youth facilities and so on in evening times. I think this is something that a joint initiative from all members of our community needs to be looking at and moving forward on. It is difficult enough for young people in the evening times and boredom and things to do, and initiatives for them to take part in are few and far between at times.

Turning to actual young offenders, then I think we need to be doing more in the antisocial behaviour order front and also on curfew orders, and I think more needs to come from the recommendations that they have made here. I am disappointed at page 7 with CCTV because there is no recommendation under section 9 here, and I am a strong advocate of CCTV forming part of the multielement strategy that is required to combat crime. Just this weekend we have seen a disgusting situation in Peel where windows were smashed and so on - that was on the news this morning - and the commissioners are crying out for CCTV, and then we have got the disgusting situation in Douglas, which I think is an absolute shame and it is an indictment on the management of the local authority in Douglas, whereby they will not enter into joint agreements to try to come up with suitable CCTV systems which do help and have been proven to help in crime prevention and crime detection after something has happened because the tapes can be rerun. What we have in Douglas are cameras that have broken down at times and other things that make the system inoperable, which is a shame because, run correctly with joint initiatives in commitments, I feel it would work as part of the crime solution to the problems that we are having. Having said that, the report is light on looking at community initiatives where really what I would have liked to have seen in there is a promotion of the situation where at the minute we have closing an eye or a curtain to something for fear of any comeback. That must become a thing of the past and we need to return to better values and ideals by promoting safer neighbourhoods and I think the Police Consultative Forum could do that. This is one area where

they could do really well in, and I think more could be done from their good officers on that. A community working together, properly supported and encouraged by police and other agencies with a dedicated community police unit for this specific purpose, will be far less attractive for the criminal and the vandal alike, people will feel safe and want to report anything suspicious, and I think everyone has the right to feel safe and be safe, Mr Speaker, therefore I support my hon. colleague for Ayre in this matter.

**The Speaker:** Hon. member for Ramsey, Mr Singer.

**Mr Singer:** Thank you, Mr Speaker. I think the Police Consultative Forum does a good job. I think that those members of the public who are interested and do go along find it very useful to be able to speak directly to the people involved and hope that somebody is listening to them, but it does concern me to a certain extent that the lists are so long as a general point and certainly that from previous years there are still serious items that have to be tackled, but I think, whilst these problems have been identified, has been said, the police cannot solve these by themselves; they need the direct co-operation of government departments, the government itself and particularly parents.

I think a lot of the problems that we talk about and we are concerned about at night in the towns are problems that parents should be taking on. I, as an example, had to go into Ramsey a couple of weeks ago on a Friday night; as it happened, the window of our shop had been broken, and I went down there at three o'clock in the morning and I was absolutely amazed: the hon. member for Douglas South has talked about Douglas - I went into Ramsey and it was crowded with people. The particular person who had thrown this bottle through the window was a 16-year-old - he had been identified - drunk. The question has got to be, first of all, where do the parents think that child is at that time of the morning? You looked round at the people who were in the street and you thought, 'These are parents. Who is looking after their children at three o'clock in the morning?'

When I talk about co-operation of departments I think the department of local government, in particular the Planning Committee, need to be carefully looking at permissions they give for takeaways and the hours they give for takeaways. We are trying to encourage people to come back to live in the towns, so they come back to live in the towns, where we asked them to come back to, and they cannot get any sleep.

I think that we need to have much stricter controls on the hours and I think this is going to help the police in reducing the amount of trouble within the areas generally, not just Ramsey but all over the Island.

Now we do need - and one of the comments that is continually coming back and nothing has yet been done is to ensure, which has also been mentioned - police stations to be open much greater hours. I think, everybody accepts that the police cannot be in two places at once and the police are stretched, but it is important that the police station door is open at the hours that I am talking about, two, three, four o'clock in the morning. If somebody needs a policeman it is no good going to the door and finding it shut with a notice on, 'Use this telephone and ring Douglas' when there is nobody there. It needs much better organisation by the police so that when the policemen are out of the police station, there is somebody there, whether it is a special constable or a volunteer or whatever, because a lot of people treat the police station almost as a sanctuary. If they need help they need it immediately. It is no good standing outside if they are in trouble, ringing the telephone, and waiting for somebody to arrive.

The traffic issues, here again, are items that the police themselves cannot necessarily tackle. The local authorities have responsibilities here and so does the Department of Transport because many of these items are ongoing items - I think particularly of the need for parking controllers, untaxed vehicles et cetera; these are things that need a great co-operation of other

departments. If we look at accidents generally and drugs et cetera, I think the statistics now say that one in five people involved in an accident are under the influence of drugs and this is a very, very serious matter.

If I can just briefly go onto the alcohol and drug abuse situation which is mentioned here, taking into account the Chief Minister's five-year strategy, the question has got to be asked, are things getting better? I am not sure that they are. I do not think there seems to be, at this stage, an awful lot of progress in reducing the amount of drugs that are being taken on this Island or alcohol. I think it probably is getting worse, and I would say to the hon. minister that I hope he will take very great care in not moving as they are across to legalising drugs because the police cannot cope, so they are saying, 'We cannot cope so we will make things easier.' I think this is the wrong way. If we need 80 more police officers, as has been stated, then I would say that one of the things that we should not be doing is turning a blind eye to drugs. That is not the way that we should be reducing the police load. That is sending out the wrong message.

So finally, Mr Speaker, I would say, yes, the Police Consultative Forum is doing a good job. I think the public appreciate it and they can make their comments, but I think that the Police Consultative Forum and the police need much greater co-operation from a lot of different areas, particularly government.

**The Speaker:** Hon. member for Douglas North, Mr Houghton.

**Mr Houghton:** Thank you, Mr Speaker. I would like to support all the previous speakers thus far in all their important points and I would also like to take the opportunity of congratulating the authors of this report. It is an excellent document and it does point the direction in certain important areas.

However, I am a little miffed to say that the forums that are operated now actually reduced in number. There is no longer a North Douglas forum held at Willaston and I am quite concerned about that, because, Douglas being a bigger area, rather than having just one meeting in the whole of the Douglas area there should be those split meetings in those various places and I do think that they had benefits. A number of hon. members have spoken already about police officers and the lack of patrolling, uniformed police officers in the Island, which is one of the main points that is in the report and it is very much in the minds of hon. members. Many people have heard my comments before about it, but I would like to make a suggestion notwithstanding whether there is going to be an increase in the actual establishment of police officers, but I note that to continue with officers in other areas of the constabulary such as the Financial Crime Unit, the numbers those officers in there are ring-fenced.

What I think urgently needs to be brought forward - and I would ask the hon. Minister for Home Affairs to seriously consider this - is that he makes what I would call, and in fact I would like to bring forward in the future, the equivalent of a statutory minimum level of uniformed officers on patrol. Now, officers need in this day and age to be doubled up in their numbers for health and safety reasons if nothing more, but certainly also for collaborative reasons also. CID officers are always and have always operated in twos simply to collaborate each other in their evidence when they are investigating matters, but also officers now I do feel need to be doubled up. Now, that could also be a police officer, a regular police officer, with a special, but they must go round in twos, and I do have concerns about female police officers walking the streets of Douglas late at night alone. I appreciate they get paid the same and so on, but I do feel that it is asking rather too much to see those officers, who do a wonderful job, being allowed out alone. They should be doubled up with at least an officer of the opposite gender.

So my suggestion would be that for the eastern area of the Island in total - that would include Willaston, Pulrose, Farmhill, Braddan, Onchan and the Douglas area - there should be at least 20 uniformed patrolling officers on duty at any one time, the more the better, but at least

20 to cover all of that area. Now, these are operational police officers, not officers behind the scenes in custody and in the reception area, in the control room, et cetera, and the only time when those 20 patrolling officers would not be actually out on patrol walking or in vehicles or what have you would be when they are actually dealing with reports in headquarters, so there are available officers to go out, not to include the complement of back-up officers in police headquarters.

To complement that, Mr Speaker, I would turn towards the Special Constabulary. Now, the Special Constabulary currently have an establishment and a strength of 50 officers but I do know that the Special Constabulary are turning very, very few officers out on evenings and weekends and I do know the reason why, but one of the reasons I would like to state in this is that they are still not properly insured, and when they find that out, they do err in coming forward in their numbers. This insurance issue needs to be urgently addressed for the Special Constabulary. Now, at the moment their time is voluntary or remunerated at 10 pence an hour, but because they are remunerated they should be properly insured and they are not. Now, that is one issue, and I would ask the Home Affairs minister to urgently deal with for those officers.

Also, I know they are working parties in the UK to consider whether Special Constabulary officers should be remunerated in some way or at least pay a decent allowance for turning out, because when they are on duty they are professional officers doing a professional job and they are valued by all in the community and, in so being, because they require that financial support plus that support should they be injured on duty, I do feel that that would be an enticement to increase their numbers. However, I would say, out of those 50 establishments in the Douglas eastern area of the Island, there should be at least 12 Special Constabulary officers, a minimum of 12 on duty on those evenings. Sometimes officers now work during the daytime and that is to be congratulated, but especially in the evenings when they are most needed and, of course, when they are most available to do so.

One other issue that seriously concerns me from my moles in the constabulary, as we now know, (*Laughter*) is that there is, Minister for Home Affairs, an increasing, alarming number of what I would call meaningless committee meetings going on in headquarters during the daytime. There are officers called to those committee meetings who give up their shift time - they do not come in on extra time - from evening patrols and so on to actually facilitate in those committees. Now, committee meetings, one committee reporting to another, and, as we heard from the hon. Minister for Home Affairs in the argument that I had with the question that I put down with regard to one committee supplying the other committee with information, in a very small constabulary set-up like this, a very small organisation, do we need so many committees who are taking officers off their intended process who, in my opinion, should be out on patrol or any of those other CID remits? Officers are coming out, taken off those duties, to facilitate in those committees. So that wants to be reduced in a tiny force like this.

Turning to the summary of recommendations, I would like to congratulate, again, the Police Consultative Forum for their layout of excellent recommendations. As the hon. mover has already stated, they are, reduced in number but there they are and I would like to turn hon. members' attention to recommendation 11. I will just read it out: 'A system of monitoring should be introduced in order to guard against progressive decline in the range of clubs and activities presently available to the Manx community resulting from any decline in the availability of voluntary helpers and co-ordinators.' Now, this is a very serious recommendation here. It is possibly outside the remit of the Police Consultative Forum but, indeed, they flagged it up. Now, hon. members, one serious thing that is happening and eroding our community is the setting up and continuance of voluntary clubs and societies. Now, I have run a number of these myself and still run one, and it gives an awful lot of support to children of young ages and they work their way up into adulthood after enjoying a lot of sport; indeed, my daughters this weekend had a big badminton course - that was excellent - with visiting teams from the United Kingdom.

But I do warn hon. members this is reducing in its entirety, and one of the reasons which I have made clear to the hon. Minister for Tourism and I am looking to discuss more with him on this is difficulties these days for insurance. There are a lot of organisations now, for one reason or another, starting to close down or consider their circumstances, and then others not being set up simply because of insurance difficulties. If a child you are teaching whatever sport to gets harmed, there is one issue: you must continue your insurance in that particular club until that child is 21 before you relinquish your insurance if you ended your club or organisation today, simply because that child, especially if it is in a sporting organisation and that child, in stretching or warming up, got some sort of an injury and was able to prove that was in your particular corner all those years before - you must be insured for all of these and, of course, in this litigious society that we have today this issue does not help, and I do intend to see if we can discuss this further with the Department of Tourism and Leisure. Although it is not the department's sole responsibility for operating all these clubs and organisations throughout the Island, it is there for voluntary purposes, but, hon. members, you must look in your own constituencies and perhaps when you speak to others in your constituency and ask, 'Where is the Mothers' Union general meeting these days? Why was that not held? What about all those church clubs that used to be set up in villages?', they have eroded and many, many others, and what can be done? I think that we need to look and establish some principles in this hon. House to see what we can do to stop or to avert and avoid the circumstances where insurance circumstances and litigation are going to take a leading position in harming the encouragement of sports clubs and associations.

Finally, I would like to turn to the recommendations to number 12 which I think was already alluded to by one previous hon. member - I think it was the hon. mover - that there should be a review of the feasibility of providing an all-Island prohibition order for the consumption of alcohol in public places. Hon. members will recall that I tried to move this amendment doing exactly this with the Department of Home Affairs on the Licensing (Amendment) Bill only last year, and I failed to get the support of this House to get this on the statute book. Members will recall the purpose for this, which would be that obviously people could drink in public places and enjoy themselves while they are behaving, but a police officer would then warn them, if they were becoming a nuisance, not to continue drinking in that particular place. Then action could be taken if they failed so to do, and so it was simply a police officer's discretion. I see it turns up at recommendation number 12 here and we have already let the community down by not supporting that particular amendment that I had set down and which was dismissed by this hon. House.

Finally, Mr Speaker, I am aware that, in addition to all of this, certain local authorities are looking at the circumstances of bringing on wardens simply to patrol the areas of local authority districts to simply assist with the lawlessness that is going on in the streets, especially with youngsters and street crime et cetera, and I would invite the Minister for Home Affairs to see if he could possibly give this hon. House his input into that as to whether he would support it or not, because if local authorities are certainly looking at this, they are most concerned about circumstances in their area, would legislation be required for this? I think it would, and would he support that they have the powers of a constable whilst on duty? There are such things as wardens in the United Kingdom, again operated on a voluntary basis by many local authorities but, in the case of the Isle of Man, could it actually be done without legislation? Would we need legislation? Would he support it? I would be willing to discuss that particular interested local authority with bringing that forward should he so wish later, sir. Thank you.

**The Speaker:** Hon. member for Peel, Mrs Hannan.

**Mrs Hannan:** Thank you, Vainstyr Loayreyder. It is true that over the weekend windows were broken in Peel. It is most unfortunate because it was a large number of windows (**Mr Henderson:** Disgraceful!) in one particular street. There was also a case of arson but I do not

think that that necessarily relates to what happens every night of the week in my area, and I know the police are involved and the fire brigade have also been involved with the arson and will no doubt be advising what should happen in the future.

Comment was made on that with regard to CCTV and how this should be approached and set up, and this would be looked at. I have to say that CCTV is all very well. We can go and put a video camera out that would scan the streets, but it is useless unless it can actually identify who is doing it, and that means it is going to be extremely expensive. I think one of the members for Douglas suggested that Douglas should actually be upgrading their CCTV, keeping the cameras working and all the rest of it. The actual expensive of doing that is absolutely incredible. If it has to be done, it has to be of a good quality to be able to identify people to use it, and I accept that if we had money coming out of our ears, which we do not, that might be a good use to control things. There are other things, I believe, that we can do, and the speaker that has just resumed his seat spoke about not allowing people to drink in public. Well, the majority of people who actually drink in public is very small in relation to the people who had quite a lot to drink wandering the streets either making lots of noise or breaking windows or whatever, and I believe this happened in Peel at four o' clock in the morning so there might have been places open because we changed the law, (**A Member:** Yes.) haven't we, to allow public houses to be open whatever hour, and therefore that is going to have an knock-on effect on the community in which we live, and not necessarily in my area because I am not near the area where there are lots of public houses, but some people have people passing from public house to public house and it can be very, very annoying, especially when they rap on windows as they go along and I know it has happened; it is not just something that has happened today, it is something that has happened since we have had public houses. So we should not be under the illusion that this is just something that has happened.

However, I would like to bring members back to what this is. This forum is about looking at policing and crime prevention. I have been to a number of the police forums and, in a way, I see it as deflecting - I should not call it blame, but deflecting responsibility of the police by moving it onto someone else, and I would be much happier if the police would say, 'Well, we are not everywhere, we would like to improve it, but we haven't got enough personnel.' We know that there is more personnel in the Isle of Man police force than there is in most police forces in the whole of the British Isles. So somebody has to look at this particular issue - the Minister for Home Affairs maybe - and say, 'Are there too many communities to actually be serviced by the police force?' I do not know.

The other day I had someone come to me, they had a brick through their window in a different area; it had happened on a number of occasions; they felt that they were being harassed. The police could not do anything about it and the police, once they had been informed, said that they would arrive to look at the situation and they did not.

Now, I am only using one case, similar to the member for Douglas South, but when the police sergeant called to see me to reassure me that he had been to have a look at the situation, he was not really supposed to have been on duty that day. The officer that was on was doing reports, so from the whole of the west of the Island we did not have an awful lot of coverage and I will be communicating that to the Chief Constable.

But I go back to trying to deflect responsibility. You have only got to look at this, and I am not sure who it was but I think the member for Ramsey stated about parking controllers and about untaxed cars and this was the Department of Transport. I would take issue with him. Parking controllers are the Department of Home Affairs. Untaxed cars on the roadway are the responsibility of the police force. In a private car park or a car park under the responsibility of someone else, be it the local authority or a private car park, is the responsibility of the people

who operate that car park. So this is again deflecting responsibility onto somebody else when it is actually the police that should be dealing with these areas.

Now, if I go back to when I first joined the Department of Transport, there was, at a high level, discussions to do with transport and highway issues between an inspector from the police headquarters. After a time that then ceased and then the Department of Transport had to meet with local authorities in areas, so they did four areas. Now, that then gets the discussion down to a lower level. It also brought in the local authorities, but the police also continued to work with the local authorities in a separate way, so in actual fact, instead of having one meeting at a high level and that going out to their three areas, they now have to have these different meetings, and at the last forum that we had I was approached by somebody to say it was the Department of Transport that was at fault for not working with the police force. Well, I had to assure the now Deputy Chief Constable that it was not the Department of Transport that failed to work with them but it was the police force who had changed their way of operating, and I am no longer on the Department of Transport so I do not know whether that has changed at all. I would hope from my discussions with the police that it has changed.

There are political issues that are raised and I would have thought that the forum should quite clearly say that these are issues which should be taken up with political members either at government or at local levels. I do think that the forum serves a useful purpose, but it is as this report says on page 18 that although the public forum process, along with that of the public perception survey, has been successful in providing a means by which the public can express their views on policing, it has not managed to procure the views of persons outside the age of 30-plus age group who are generally from a middle-class background. 'The forum membership was unanimous in its views that the process needs to be developed further and that the means by which it obtains its views should include a number of alternative methods. This would ensure that the recommendations that are made to the police are based on public opinion as a whole rather than those expressed by a vocal minority.' And that is the problem of the forum. They are meeting the same people each time. Some people that expressed concerns to me about policing, about yellow lines, about cars parking on yellow lines, yellow lines not being enforced and those sort of issues - when I encourage them to come to the police forum they did not come and I know this is a whole issue which needs to be discussed.

Just before I finish, Vainstyr Loayreyder, if I could add that I came back on Sunday from being out, cars were parked on both sides of Peel Promenade because it was a beautiful day, people were on the shore taking all that in, Peel was very, very active but parked on yellow lines. Now, if the yellow lines are going to be ignored, then I think the police should be discussing with the relevant bodies and saying to them, 'Look, we don't think these yellow lines should remain there.' I do not see the point in wasting public money putting yellow lines down when they are not going to be policed, so I think there needs to be a huge amount of discussion and input from local people, from the local authorities, from government and from the police in relation to some of these niggly issues. One of the recommendations is that there should be diagonal parking on Grosvenor Road and Kensington Road. That is a crime issue, a police issue? I do not really think so. I think that some of the issues that are raised do not need to be repeated in the forum, and if the forum cannot differentiate between what is policing and what is some other body or that the police should actually be taking responsibility for some of the concerns that are expressed, then I do not really think that the forum is in actual fact working.

So, Vainstyr Loayreyder, I am happy to receive the report because that means it is just received and nothing happens to it. I had hoped to see the police forum membership here in their droves to listen to what we have got to say and we are the representatives of the people; they are not here.

**A Member:** They are working. (*Interjections*)

**Mrs Hannan:** I have got another one - politicians always do this, don't they? But comment was made about drugs and not relaxing the attitude towards drugs, but drugs are getting in some way or other. They are either coming in in the briefcase through Ronaldsway and in the nicely dressed executive. We always stop people with long hair or who look a bit oriental or carry duffel bags or whatever (*Laughter*), but it is not the people with the briefcase that just wander through on a day, so I would hope if we are going to continue to lay down the law on drugs then I think we should be helping people to come off drugs once they are on, we should be much more proactive and we should also be looking at ways of stopping drugs coming in. Thank you, Vainstyr Loayreyder.

**The Speaker:** Hon. member for Douglas West, Mr Shimmin.

**Mr Shimmin:** Thank you, Mr Speaker. I am very supportive, as most members are, regarding this report and the committee and the work they have done. Having been on Home Affairs when it was established, I congratulate the former minister, Mr Bell, for the way in which he attempted to set up a body where the consultation would take place and we knew at that time that it was evolving.

When these meetings first began, there was a clear wish of the members involved who volunteered their services that it would be looking at policing issues. I think all of us who went through the election process in November are aware that there were many issues of concern to the public with regard to quality of life and road and traffic issues, and I think that is something which has been learnt by the consultative forum over the period of time it has been there: that rather than dealing purely with policing issues that might have been originally thought of, the public have started to raise a number of issues which cut across governmental areas of responsibility and, indeed, charitable areas.

I think that there is a genuine need for people to be able to put forward their views, and we used to think of that as being local authorities, and I do agree with the mover of the motion that local authorities at times complain they have not got enough work to do but there is nothing to stop them actually absorbing this type of approach in order to allow the public in their areas to come forward with the concerns that they have that they can then communicate to various government departments.

But I do think one of the lessons of the consultative forum is that there is a greater need for focusing on how we deal with the representations that have been made and how we as government departments, if tasked with responsibility, respond to it. I do not wish to take up all morning but, as an example of where I think we could be missing the mark here, taking up the comment of the member for North Douglas, Mr Houghton, that the recommendation on drinking in public places were failing the public, certainly there is a view that that is the case. There is also the differing opposite view, and certainly at times for the Easter Festival, in the summer and during TT periods, when you have people drinking in public places, a silent number of people may well actually welcome that, so we have to evaluate the comments that are being made and I think that this body has raised some issues that we can all subscribe to such as the youth initiatives, the community initiatives, they have broadened their remit and it is now up to government to see how well it actually deals with it. From the comments, I believe that the hon. member for North Douglas fully agrees that he is not trying to say that that is a way we should go forward, but it is one that needs to be looked at.

The issues on Department of Transport and all of the meetings that I have attended have taken a disproportionate amount of time at these forums, when there were not at that time members of the Department of Transport there to maybe raise those issues or to respond to those issues, but the consultation that takes place afterwards is considerable, and I agree entirely with the hon. member for Peel, Mrs Hannan, where the duplication and triplication of some of the committees and work that is being done is not maybe the best way going forward. I

have already had conversations with the chief inspector of the constabulary to try to see if we can speed this process up rather than allowing this forum to report to a next committee, to a next committee and maybe that accounts for some of the meetings mentioned by the hon. members for North Douglas where officers are brought in because it has to be discussed. So I think we can learn by better co-operation, a means of actually getting the information satisfactorily identified, evaluated and communicated. So we have got things to learn and the Police Consultative Forum, I believe, are well aware that they are raising issues that they cannot solve in isolation. We have to remember that these people are volunteers.

Other issues that have been raised are some suggestions: what should we do about youth initiatives? We are the politicians. The issue is one that we can all subscribe to, but if it was easy, it would have been done. The same issue regarding staffing levels; we would all ideally love to have more nurses, teachers, doctors, police officers, probation officers and every other public service element. We have to prioritise. We have to be seen to be efficient in what we have and, if there are shortcomings, then we have to try to resolve that issue. I do not believe it is reasonable to expect this forum of volunteers to be tasked with providing the solutions. They have raised an issue and it is up to others such as ourselves to pick that up and, depending on its merit, take some action. I certainly believe that there are many issues which overlap between the Department of Transport and the police in order to try and retain that overwhelming desire of ours to maintain and improve the quality of life, but the idea of having extra traffic wardens, special constables, more police officers, is one which we have to balance within the resources each government area is allowed to actually employ and, indeed, where are these people that we would employ? We realise that we have no unemployment to speak of, therefore any expansion of a service is at what expense? Financially we can argue that we could afford it but where do we physically get the bodies to do the work that we would like them to in an ideal world?

I look forward to working with the hon. mover of this motion to try and come forward with ways in which the Department of Transport may be able to liaise better with the police, possibly looking at absorbing some of the current responsibilities for the policing of these traffic offences, but that is one which will need to actually be considered as to how we achieve that within the existing resource or whether we make a case to get a greater resource. We are all frustrated frequently with the misuse of double yellow lines, of parking illegally, of parking in permit areas, and if we cannot adequately police it then we do have to look at the hon. member for Peel's suggestion about whether they are in the right place?' I was also in Peel yesterday and it was gorgeous and it was great to see so many people milling about. Do we want to restrict the ability of these villages and towns and cities to actually take people coming to visit their areas? It is one where we have an inadequate amount of parking in the areas where people wish to park. That is a Department of Transport problem. There is no easy solution. If we were to reinforce those areas of yellow lines, we could go down a route that has been investigated and still is, which is red routes, where nobody is allowed to park. What would have happened in Peel yesterday? All those people, like myself, who found it difficult to find a parking space, might have had to drive through and go out of Peel -

**Mr Cannan:** Go to Kirk Michael. *(Laughter)*

**Mr Shimmin:** - and I can assure everybody that I did not - and I am extremely careful particularly these days *(Laughter)* - but the whole issue of red routes, double yellow lines, single yellow lines - everybody likes the facility of having a vehicle and driving directly to where they wish to go, but there are too many vehicles and there is insufficient space available. The department will be looking at issues such as multistorey car parks. I do not think anybody really likes the idea of multistorey car parks or other traffic issues such as traffic calming ramps, but the fact is that we cannot continue without taking some forms of action and I think that this forum, along with the election, highlighted to us that people are more prepared to accept things

now as a least bad option than they would have been five or ten years ago, when the problem was still developing.

So I look forward to working closely with the police, working closely with any other bodies. I do think that the Police Consultative Forum under the Home Affairs Department needs to be looking at its purpose. If we can remove some of the workload within these forums from traffic issues, then that may allow them to focus on those areas of crime which take the greatest headlines. So I welcome the report; I think we should commend the amount of work these volunteers do and I think that the ability to actually increase the scope of the work will mean we will either have to get more volunteers to cover some of the areas that require greater attention or we will have to find some more formalised mechanism of reflecting the amount of work that we actually task these people with doing.

I think it was the hon. member for Peel, but certainly somebody mentioned the meetings that already do go on, and I am concerned about the fact that the Department of Transport currently meets with local authorities in the belief that that is the representative body of that area. I am loath to consider that we should now absorb merely an extra forum; that to me is duplication, so that is where the political consultation needs to take place between the Minister of Home Affairs, myself and others to try and say, 'Let us give the Police Consultative Forum parameters under which they should operate and we should all easily be able to communicate.' If it is a policing matter of highways enforcement, that is clear and everybody understands. To the greatest extent, everything I do in the Department of Transport will be road safety and to me that will be the overriding responsibility of all decisions taken by the Department of Transport and that inevitably will lead to, at times, discussion, but I do believe that that should underpin every law that we make and every action we take with regard to the highways.

I am sorry to have taken so much time, Mr Speaker; I realise it is a policing issue, but it does seem that that is what has happened in this forum. When you have public consultations it does tend to get hijacked into issues very important to people's quality of life, but I think possibly overstating the priorities of the police at this time. Thank you.

**The Speaker:** Hon. member for Middle, Mr Quayle.

**Mr Quayle:** Thank you, Mr Speaker. I would congratulate the Police Consultative Forum for the sterling work that they do and would mention that I have met with the Chief Constable, the commissioners for Braddan, Marown, the various inspectors and sergeants that control the Sheading of Middle to discuss the various issues of concern not just to my constituents but indeed looking to the various concerns of electors around the whole of the Island that affect everybody.

I would strongly urge the Minister of Home Affairs to undertake a review of proceedings, bureaucracy and any red tape that burdens our police in the hope that the heavy burden of paperwork could be lightened, which would enable more police to have a public presence. (**A Member:** Hear, hear.) We have a quantity of police officers that compares more than favourably per capita, I understand, to those parts of the United Kingdom, so I would simply question if there are sufficient clerical officers to give sufficient support to our police.

Finally, Mr Speaker, I strongly support the recent introduction of the community-oriented problem-solving initiative, and believe that if this is adopted around the Island we will begin to tackle the root of crime rather than just dealing with its effects. I do have great pleasure in giving my support to the motion.

**The Speaker:** Hon. member for Douglas East, Mr Braidwood.

**Mr Braidwood:** Thank you, Mr Speaker. First of all, I would like to endorse the sentiments which have been expressed, I think, by every speaker this morning in congratulating the Police Consultative Forum on the excellent work they have done. It is a very wide-ranging report and

probably is broader than the mandate for the Department of Home Affairs and incorporates the Department of Transport, Department of Education and the Department of Health and Social Security.

I thought I was going to be a hiding to nothing this morning but I do not think that is the case! If I went through all the people who have spoken I would summarise for the hon. member for Ayre, Mr Quine, but I will try to and pick out some of the views which members have picked up appertaining to the police.

It has already been mentioned that the Police Consultative Forum was set up as a statutory body by the Department of Home Affairs for the purpose of obtaining the views of the people of the Island about the policing of the Island and the prevention of crime, and I think it has already been alluded to by a couple of members that they have not been able to get the view of those under 30 years of age, and I think on the first page of the report it says that 'as a part of the quest to broaden and deepen the consultation process, the forum is considering ways in which it can obtain the views of other sectors of society. As a first step the forum has decided to take the process of consultation to the secondary schools and the Isle of Man College and arrange informal meetings on site. The youth of the Island is a significant sector of our society and they deserve the opportunity to have their views listened to.' One meeting has already taken place at the QEII School in Peel and it says one of the tasks the forum has set itself for the coming year is to consider ways in which other sectors of our society can be reached and consulted on policing and crime on the Isle of Man.

It has also been mentioned by the hon. member for Ayre on the policing plan which I have in front of me for 2002-2003, and this was something that the Chief Constable has initiated. I think one of the problems in the Isle of Man is that the community in the Isle of Man only look to crime statistics, and even the Chief Constable says in his report, 'Understandably people often judge the force by the level of crime. In April 2001 we introduced a new crime-recording process known as "ethical crime recording". This meant that we aim to record as crime anything told to us by the public that on the balance of probabilities seemed to be a crime. Inevitably this has increased the level of reported crime. In the year ahead we will strive to reduce crime, but at the same time we will change from a paper-based recording system to a more accurate one driven by new technology. This means that the level of recorded crime rather than the true level of crime might increase still further.'

Now, if I can just mention about the hon. member for Middle who has just spoken, I think he mentioned, Mr Quayle, the review of procedures, the percentage of police officers in the police force and the setting up of Cops. This again was initiated by the Chief Constable and the community-orientated policing, as he was quite right in mentioning. These initiatives are the fundamental basis for the modern Isle of Man Constabulary and they are based on similar schemes in the UK.

The principle behind them is that policing is about solving problems within society. In the past, policing activity has in the majority been in the reactive resource. These schemes and the modern efforts of their ethos are that policing should proactive - that is, identify potential problems and attempt to resolve them in advance. Percentage-wise on population it may be high, but in other police forces they do not have the financial crimes unit; they do not have the amount of custody sergeants; they do not have a drug and alcohol squad, so we have to look - it is a different scenario in the Isle of Man. Yes, of course, I would like to see more operational police officers out on the streets, that is what the public require, and one way we can do it is by trying to take the burden off a lot of police officers by bringing in more civilians. (**Members:** Hear, hear.) The ratio of civilians in the Isle of Man force is a lot lower than that of other forces. In the UK it is 1:2; in the Channel Islands it is 1:3; on the Isle of Man it is about 1:6, so if we can increase the number of civilians, then we will release police officers, but again we hit a problem

with establishment and personnel. I think it has been mentioned in the Police Consultative Forum, particularly on the recommendations of 2000-2001, about devolved financial management to the Chief Constable, but I do not think that is the way forward in the Isle of Man, particularly looking at the Treasury minister over there who used to be the Minister of Home Affairs. Also, I think the Department of Home Affairs does listen to the Police Consultative Forum. The police now have a strategy and I have met Mr Jeavons already when he initiated this report, I am meeting him again at the end of May. Hopefully a lot of the recommendations - I do not want to go through them all, it is in the report - the last 33 have been acted on and are still outstanding and which have come through again in the 12 recommendations which are in front of us in the Police Consultative Forum report today.

Now, I will try to go through some of the points which were raised concerning the police. The hon. member for North Douglas, Mr Henderson, asked 'Would this report carry any weight?' Yes, the recommendations will come through to the Department of Home Affairs. We have it now. We will go out to other bodies of the department; we have multiagency systems set up now, particularly with the Children and Young Persons Strategy Committee. We have the Chief Minister's Drug and Alcohol Strategy Committee; these are all multiagency teams working together.

He also mentioned different types of penal policy. We are looking at that. In the Criminal Justice Act 2001, we are talking about curfew orders, electronic tagging; that is coming through, and in there as well there are attendance orders, which have not been enacted yet, but these are different ways we can look at policy.

CCTV has been brought up, and I think the hon. member for Peel was quite right: you can have a CCTV system with video recordings, but you cannot identify the person. The only way you can have a proper CCTV system is such as they have in, say, London in Oxford Street where it is monitored all the time and where the cameras can magnify the culprits. That is the only way and it is a very, very expensive system. I believe the police looked at this about eight years ago and for the promenade they were talking about £1/2 million then. So if we look at the system in Oxford Street, the money is contributed by the stores; if we put one in Douglas, are people going to put money forward if we have want a proper system? A very, very expensive option.

Mr Singer mentioned about drug abuse and the legalising of drugs. Legalising of drugs is not happening in the UK. They are looking at declassification of cannabis from a class B to a class C, but it will still be a criminal offence to supply, although if it is declassified from B to C it means that it is not an arrestable offence unless you are supplying. It is still criminal; we are not decriminalising it in the UK.

Now, Mr Houghton mentioned - and this is for the Police Consultative Forum - that they met in the eastern division. I can have a word with Mr Jeavons; I have no problem to seeing if we can have two meetings in the eastern division; I think that would be quite helpful. He also mentioned about the Special Constabulary and an establishment of 50 officers. He was quite right. Out of that 50 there are probably only about 20, if that, who are operational, who go out, and the police are looking at that to try to strengthen the Special Constabulary so they will be going out and supplementing the police officers.

I do not want to go through all the recommendations; I think that has already been done and people have the report in front of them. I think I have mentioned Mrs Hannan's on the CCTV. She said they were looking on now you can drink 24 hours a day, but that has not happened. Also the level of alcohol-related crime has decreased because people now, when they are leaving a public house, tend to drift away, they do not all go out at one time when there were problems.

Also I think it was mentioned about drinking in public places. It is entirely, at the present time, up to the local authority to approach the Department of Home Affairs if they want to designate an area in their town, and it will be for the Department of Home Affairs to come through to Tynwald with that designated place. It has worked quite well over the last four years - Port Erin, Peel, Castletown, Onchan and Douglas just to name a few.

That is about all. I hope members have read the report and the hard work that has gone into it, and I have no problem in receiving the report. Thank you, Mr Speaker.

**The Speaker:** Hon. member for Onchan, Mr Karran.

**Mr Karran:** Vainstyr Loayreyder, my concern with this item on the agenda today is that I believe that it would have been far better to have seen it in another forum where it should have been. Unless the hon. member was doing this to lead up to some sort of primary legislation move to change the laws of the Island, that is where I think it should have been placed. It alarms me when I hear government ministers complain about being stuck here this morning when the first important rôle of any member of the House of Keys is being a member of this hon. House and that is the priority (**Mr Henderson:** Hear, hear.) and I see the problem is the blurring of issues with the likes of this item on the agenda being here today - no problem with having it on the agenda but I would have liked to see some practical legislative proposals coming from the mover in his reply in this debate. I believe that this was done and it is better than nothing, but as a political sop.

The real issue that should be addressed is the issue of a police authority where we have people from different sections of the community represented on a police authority rather than the situation we have with the Department of Home Affairs, where it is basically the mushroom factor and it has been for years. It was when I was a member of that department before my departure from that department. I do not really believe that the politicians really have a grip of what really are the problems regarding the police, and the MHKs in this hon. House. I think it is too simplistic to argue for more and more police, as we heard from the member for North Douglas. The issue has to be better management; the management is the problem, and I must say that I have actually written to this organisation about a proper police authority. That is what we are desperately lacking; that is what we were desperately lacking when I was a member of the Home Affairs Department when I was under the minister, Mr Callin, and I believe that nothing has changed today as far as that is concerned. I would have preferred to see the mover come up with something more constructive than just put this sort of rudderless debate down today.

I do not want to detract from the members of the forum. I have been very, very pleased with the support from one of the eastern members, Mrs Corkill, who has always been supportive of us with our café facility up in Onchan, and I am glad to see that the Minister of Education has provided us with a full-time youth leader in Onchan which is long overdue. So I believe that whilst this body has helped in many ways, the core thing with the report is that it really is a bland authority which is all things to all people and can be like jelly - try to pin it down on things and it sort of oozes out under your armpits or between your legs or somewhere else - so we never find out really how far this thing can go.

I find it amusing when we hear more and more that we have got to ban all drinking in public places when the fundamental issue is, in my opinion, the free-for-all as far as the licensing laws are concerned. That is the lunacy within this House in my opinion; that is where I disagree. I respect the member for Ramsey and in many things I agree with the hon. member but I do not agree with him on this, and I believe that the statistical information on our law and order is what they say: there are lies, damned lies and statistics, and I think that the idea that somehow things are getting better in the Island regarding our quality of life and keeping the fear of crime away from our constituents is not the case. I believe there is more concern now than there has ever

been over that. And all right, we sometimes can do things that do not help the situation; that this sort of self-congratulatory stance that we see too often in this House does not help the situation.

I believe that if we want to deal with the issues of drinking we in this House, as the hon. member for West Douglas said, are the ones who address the policy issues, and I personally feel it is an absolute scandal when I have several of my poor constituents with severe drink problems who have to go down a row in the Co-op or in every supermarket and have drink jumping out trying to get them to buy it, and it is all right us laughing about that but that is how it is to an alcoholic. It is terrible. It is just like an ex-cocaine-taker having someone offering it in front of them; it is a phenomenal thing, and I do think that we need to stop talking with double tongue about the licensing laws and these dreadful young people today when we have a situation where it is actually cheaper today to drink alcohol than it was in my day, it is more accessible today than it has ever been to young people and there is more peer pressure on them today in many ways than in my day in many respects.

I believe with this debate today that the contents of the document are very good but the real issue that needs to be addressed. . . and I would have liked to see in this legislative forum the mover of the motion saying, 'I am not happy with the way things are going'. We want to see a legislative package of measures, and if that legislative package of measures would have included a police authority which was not just on the basis of delegated responsibility from one man or one woman who happens to be the minister of that department. I believe the police force is far more fundamental in this Island and it is about ownership of it. Law and order is not just the responsibility of the police, it is the responsibility of every citizen, and I believe that the only way you are going to get that is to have a police authority that has real teeth, who have real representation from all sections of the community. I hope that the hon. mover will consider that issue. I would just say that, on the issue of the drug situation, I totally agree with what was said by the member for Peel on the drug situation. It is amazing that here we are, an Island well-resourced and, surprise, surprise, we cannot get to grips with the real issue of the drug situation on the Island today. I believe that if we had the right management, the right priorities. . . I believe the priorities have improved from when I was on the Department of Home Affairs; it was an absolute scandal what went on in the Home Affairs when I was there, and that we had no backbone in the Council of Ministers to stand up for what should have been done, where funds were misappropriated or diverted for political wind for the police force instead of the priorities that they should have been left where they were supposed to go in order to deal with the issues of law and order, and if you had had an accountable management at the top of the police force that would not have happened but, because it was not accountable, it was allowed.

So I do hope that the mover of the debate today comes back with some meaningful input into this debate of what he wants to see done about this, because it is an important issue, but the fundamental issue of police authority needs to be addressed.

**The Speaker:** Hon. members, before I call on the mover to respond, I would just make the point in relation to comments made by the last speaker that one of the privileges of being a member of this House is that you have the right under standing orders to move a motion on any subject within this House. Whether you do it here or in another place (**Mr Henderson:** Hear, hear.) is totally irrelevant. That is the choice of the member and it is a matter then for the House whether or not it permits a debate; it is then a choice for each individual member whether or not they wish to take part. Criticism of that right is not really necessary. Hon. member for Ayre, Mr Quine.

**Mr Quine:** Thank you, Mr Speaker. I thank you for your comments in respect of the right that members have to place before this House what are essentially policy issues. Obviously the hon. member for Onchan does not agree with that; that is entirely up to him. I believe this is the correct place to put it; perhaps the majority of this House do not. The make-up of this House

represents those who have been to the hustings and have been popularly elected (**Members:** Hear, hear.) and that, I believe, is the beginning and the end of the matter. I am perfectly happy to put forward matters in Tynwald and play my part in Tynwald, whatever I may think about the make-up of Tynwald, but if I have a choice on policy issues, it is my belief that I would rather put it before those who are popularly elected. Before I did so, I took cognisance of the fact that at this juncture it is not pushing any legislation off the order paper. Although there may be one or two here who would like to be away by one o'clock, that is not the issue. The issue is this House is a proper place to consider it and this House, I believe, has a greater responsibility to respond to these matters than you take Tynwald as a whole. I am not asking the hon. member for Douglas to agree with me, that is my position, and it was in the confines of the rules and regulations, which Mr Speaker has spelt out.

If I just finish with Mr Karran before I revert to the other matter (*Interjection and laughter*) - I would not want to forget anything - he said he would like to see some legislative proposals coming forward from me. He may be quite happy to learn that I have no doubt he will be getting some legislative proposals from me, and if he would care to look at at least two policy documents - one that I issued personally at the time of the last general election and one which I issued collectively with my APG colleagues - and if he takes the trouble to read them, he would have a good idea what those proposals will be, so I think he is not going to be disappointed on that score. But I spelt out when I stood up here this morning the three reasons why I was bringing forward this debate today, and I am not at all disappointed in respect of the response I have had from the members of this hon. House here today. I think there has been probably greater participation in today's debate than we get in the great majority of items that go before that other place, so I am pleased with the response, even if I do not agree with all the individual contributions.

Hon. member for Onchan, Mr Karran, said that he believes we should have had a police authority. Well, of course, he is speaking to the converted, because hon. members will recollect that when the 1996 Bill went through - Mr Corkill, I think, took the Bill, if I remember right - I moved an amendment to do just that, to put in place a police authority, because in the Bill we had, in effect, a mechanism which was essentially a consultative body. The decision was taken by this hon. House not to support my proposal for a police authority but to go on the basis of a consultative body, which is essentially what the Police Consultative Forum is, created under section 18 of the 1996 Act.

My view remains as it was then: I believe we do need a police authority, I do believe that we need a representative body which is going to have input and say into policies and priorities within the police force, quite apart from what the department may do because there is a question of the public participation into that policy-making forum, and my proposal was that that should be the statutory element within the 1996 Bill and the administrative element should be the consultative forum. We have got it the other way round and, in my view, wrongly so. The important body would have been the police authority based on statute and the consultative element could have been run on an administrative basis, the same as we do for numerous subject matters. That was the proposal you should be looking at me because that it is not in being; that was a matter that was put before this hon. House, put before the branches and it was decided to go along the route which we have now, got but I am realistic enough to know, and prepared to recognise, that the Police Consultative Forum, I believe, are filling a useful r<sup>TM</sup>le. I am happy to support that position without saying that we do not need a police authority - we do need a police authority.

The hon. member says that some of the comments this morning about the inadequacy of the police establishment have at least been too simplistic and that the underlying need is for better management. I think the truth is somewhere in the middle there. I have no doubt that the police force could beneficially use a greater police establishment; I have no doubt that they

could use a stronger civilian element within that establishment - I think these are fairly self-evident. There are, of course, from the management point of view, from the Chief Constable's point of view, issues which do not jump out at us here because we are not going into that sort of depth, but when you have a small force and that force cannot be instantly reinforced by police from across another county slipping in to reinforce you, he has to take into account the uniform complement and its adequacy to deal with immediate action; that has got to be foremost in his mind. And so for us just to say that we manage things better and he could make better use of his resources, and if he had more civilians he could put the police out on the streets - in truth, running a police force against the responsibilities that the Chief Constable has is not as simplistic as that. But I do not believe that we here today are in a position to pass judgement on that. That is a matter which has got to be looked at in great detail and worked at, the case made and it is from there that we move forward and, no doubt, the force will in due course be strengthened to some extent.

So I do not believe this statement of the comments of the hon. member for Onchan, Mr Karran; I do not believe we have had a pointless debate; I do not believe we have had a rudderless debate, and certainly if he is concerned about the actual issue that is before him in the motion, it was open, of course, to him to move an amendment here this morning. If he wanted to do something with it, he has had the opportunity, he could have moved his amendment and made it a debate perhaps with a little more rudder, but he has seen fit not to do that, and so it is up to members to pass judgement as to why he has said what he has said in that fashion.

If I could now revert to the principal points of the debate, the first thing I would like to say is that it would have been helpful, when members received this report, to have had a memorandum attached to it offering a government synopsis of where we are on these recommendations - what has been progressed and what has not been progressed and what has been accepted and what has been rejected. The Minister for Home Affairs has very helpfully intimated to us this morning some of the matters that are under consideration but it would have, I think, rounded off this report if we had received it along with a memorandum providing a government view on where we are with these various recommendations, and it may be that government, in attaching that memorandum, would have to enter into a significant amount of realism. They might have to say to the PCF that some matters are outwith its remit, some matters, simply because of the broad backcloth cannot be addressed or cannot be addressed at this time, but at least we, as the elected representatives, would have an opportunity to get a full understanding of what had been suggested by the PCF, and secondly, how those matters stood with government, what they are doing, what they are not doing, what they are accepting, what they are not accepting; that would have been very, very helpful.

The issues such as capping of establishment - and I am just dealing with these two points generally because I do not want to cover each and every individual member - I accept that within any organisation there has to be some control over the totality of your resource; you cannot go on, and even a public organisation cannot go on forever throwing more and more resources into an organisation without coming to terms with certain basics. I accept that, but I do believe that the present capping system, whatever currency it may have had when it was brought in - and we are going back now a good number of years - whatever currency, whatever relevance it may have had I think it has outlived, because we have reached a point now where this capping is honoured in the breach. We have a situation now where we are buying in services, we are engaging consultants simply because the manpower is not attainable within the capping. Now, that to me I do not think makes sense, because at the end of the day we are probably expending more funds (**Mr Karran:** Hear, hear.), more money in this piecemeal approach to try and keep our heads above water than if we took a more realistic and modern approach to this constraint on total resources - not a matter, I am sure, that we could decide here today, but it is a matter

which I would recommend to the Chief Minister be revisited; in fact, I know it is being revisited. (Mr Houghton: Hear, hear.) But the system as it was devised several years ago is frankly unacceptable here today.

Mr Duggan said he questioned the crime rate. Crime rates have been forever questioned, because you are in the hands of the percentage of crime which is reported, and the percentage of crime reported depends upon the nature of the crime. If you have got very serious crime or where it is tied up with you having to report the crime to invoke your insurance, then those crimes are going to be reported almost one for one, but crime victimisation studies have established that in respect of the minor crimes, only one in ten of those are reported and some of the studies have indicated that the norm would be about one in five, so I do not think we need to get hung up too much about the crime rate as such. The problem arises when you start changing the methodology for constructing your crime figures, because then you are not able to compare like with like. As I say, perhaps this has to be done on occasions, but that does create a particular problem and that problem will be with you for several years after you have made those changes because, to a certain extent, people can legitimately point at you and say you are not comparing like with like. So I understand the feeling that is abroad on the matter, I understand the question marks that are put over crime rates, but I do not think it is as simple as that.

Mr Henderson mentioned the importance of recidivism, and I wholeheartedly agree with him. I think that this is a matter which should be very high in the context of our crime policies and our crime strategies, because if you look at your crime figures - and many countries have analysed this - the great bulk of your crime, certainly serious crime, crime against properties, is being committed by recidivists, so it is logical and sensible to take a view that if recidivism accounts for a large part of your crime, then a large part of your resource, whether it be legislative time on legislation, whether it be time on manpower, should be devoted to attacking that particular element. So I agree with you; I agree recidivism needs to assume a much higher profile than it has so far in the context of the laying down of policies for crime. But it is, of course, inevitably tied up - you cannot get away from the fact - with penal policy, and that is why, when I introduced the motion, I said that I supported the view taken by the Police Consultative Forum that there should be a dedicated study made in relation to penal policy, by my definition including recidivism.

If there is one issue that the man in the street has difficulty reconciling himself to, it is the outcome of some of the cases which pass through the courts, and unless we are sitting in courts we are not well placed to judge these matters; we pick them up from a newspaper report and we may not have all the facts in front of us. I can understand all of that. But on the other hand, it is undeniable that we do not really have a penal policy of our own; we slavishly follow the United Kingdom. There are some reasons why we do that. Obviously, ultimately the line of appeal goes back to the United Kingdom so that is in itself not an unimportant consideration, but it is not a bar in itself either for us having variations in our penal policy which meet our needs. But I am afraid - and the Attorney-General may not be too happy with me making this comment that while we have a system where the Attorney-General is appointed from the other side, he is the law adviser to the government, he is H M Attorney-General, where we have draftsmen who quite naturally follow models that are based on the UK then originality in penal policy is not going to feature very strongly, and I would honestly like to see, in the lifetime of this House, an exercise carried out by this House to sit down and look at penal policy from basics, because in point of fact - and we are taking this in very simplistic terms; I am condemning myself for that immediately - what we have at the moment is - I have this feeling in the same way as the hon. member for South Douglas - about crime statistics - that we have people going into prison who should not or need not go to prison or people who are serving prison sentences who need not do it through a high security prison who could be doing it in a different manner

over a different period of time, which would remove people from our prison and we have other people, quite frankly - and here we come back to recidivists - who should be put away in prison for much longer periods, and I am sure that in expressing those views I am probably expressing the feelings of the great majority of people outside, and I can understand that because there is currency in that argument. Yes, we have to work up alternatives, we have to look at things differently, but I would like to strongly recommend to the Chief Minister today - and I am quite happy to run with the motion on these lines myself, if needs be - that we have a separate exercise conducted through this hon. House to look at penal policy from the grassroots up, and let us have a fresh look at it and to see, 'Are we too slavishly following the UK and its penal policies?'

If you look at some of the endless initiatives that have been mounted as a 'save my neck' reaction by the UK at the moment, there is almost a new initiative coming out of the UK Government every week, if not every month at the moment. Not many of them seem ultimately to get onto statute books, but even they themselves, by raising all these questions about their own penal policy, surely give us a pointer that there must be some cause along the line for us to look at ours (**Mr Houghton:** Hear, hear.) and look at it urgently.

Young offenders, trying to keep young people into more worthwhile pursuits, increasing the facilities for young people - I think there is a consensus in this hon. House about doing that. The question is not whether we should do more, I am sure we should do more, but the question is, could we be doing more? I believe we could be doing more. And the point was made by one hon. member that really I do not think we have got our act together rightly in this. I mean, if you take a football club, which is providing a very valuable recreational facility for well over a 120 young people, they can get, perhaps, a piece of land from the local authority, get that on a lease, but then they have to provide a clubhouse, so where do you go from there? You then start scratching around.

The instance that I am thinking of is where a clubhouse that had a commercial value of £60,000 was eventually built through a large amount of self-help for £30,000-odd but in terms of the money and support we could get for government it did not cover £5,000 of that cost. Now, that is not an indicator of real support for voluntary organisations to provide very valuable facilities for young people, people ranging from 8, 9 10 years right up to those in their middle 30s. The same club today is looking to get an all-weather training pitch, which in this day and age is an absolute minimum, but when you come to look and say, 'Where is the help within government to get this?' it is not available. These voluntary organisations have to go out cap in hand and begging to get the money to do these things but surely, given our financial position, we can do more. I am not saying we can do everything but we can do more to help provide facilities for young people.

Several people commented on CCTV, and I think there were two markers put down as to why perhaps we cannot or should not do more with CCTV. The first was the question of cost and the second was this question of positive identification. Cost - I accept that there is a high cost if you are going to have a refined system of CCTV, but that is perhaps not the way we should be looking at it. If you are looking at a CCTV system that can zoom in and provide you with a close-up photograph which will stand up on evidential terms, yes, you are talking, generally speaking, of quite a costly exercise, but if you are talking about CCTV in the way that at least police forces in my time dealt with it, as an aid to investigation (**Mr Henderson:** Hear, hear.) you can get systems relatively cheaply and very worthwhile. So again, yes, if you want the Rolls Royce it is going to cost you a lot of money, but if you got the Ford Escort you can get a lot of mileage out of that which would be a great help in enhancing the investigation.

**Mr Henderson:** Exactly.

**The Speaker:** Hon. member, could I just interrupt a second? Not wishing to cause any problem in the amount of contribution in the wind-up you wish to do, I would like an indication as this stage, as we are 10 minutes after our normal finishing time, as to how long you think you may be, because if it is more than five minutes I think we should adjourn.

**Mr Quine:** Well, I think I could make it in 10 minutes if I really apply myself, Mr Speaker.

**The Speaker:** If the House is happy, then, I am content to finish then. I understand the importance of the debate but I do wish to have an indication of time considered.

**Mr Quine:** Yes, I noticed that one or two members were shaking their wrist watches; I noticed that. *(Laughter)*

**The Speaker:** If I can just say, I think what is important is, in fairness, if you were going on to half past then I would adjourn this.

**Mr Quine:** Yes, I think I can be. . .

**The Speaker:** So we have got 10 minutes, hon. member, hopefully.

**Mr Quine:** Thank you very much indeed. Right, if I could move on now to this question of the use of Special Constabulary and auxiliaries, I think that is a major point worth making. The Special Constabulary is a very valuable organisation, there is not doubt about that, but the minister has underlined the limitations of that organisation from the point of view that you have got 50, you can get 20 actively participating -

**A Member:** Not that.

**Mr Quine:** 'Not that', is said - well, perhaps that may be the case but as I have put to this hon. House before and I have put to another place before, I think again our community today has outlived in some ways the concept of a Special Constabulary as we know it. I think we should be thinking in terms now of an auxiliary police force, and that is quite different from a special force. With an auxiliary force we would be talking of people who would sign up to a training programme and sign up to provide a limited number of hours each month - they would say 'I can make myself available so many hours each month' - and those hours would have to be specified ahead of time and they would be adequately remunerated for doing those hours.

Now, the difference is quite clear. To a Chief Constable, if you are running the police force and you have got the specials and out of the blue they turn up, they are there, yes, you can slot them into one or two gaps, but generally you are going to have a job getting them into a priority rôle, but if you have got an auxiliary force, then quite clearly it is different because you know what you have got, you know the times available, you know that they have got at least as much training as the specials - I would suggest even more - and you can slot them into duty rosters ahead of time and in that way you can make real use of them, and you are paying for what you get. It is a different concept, and I would honestly like to see the Minister for Home Affairs look at that in greater depth, and although it is about 12 years since I first mooted it here, I see it has been mooted in the UK more recently, in the last three months, in fact.

Now, the objection to it will come from the Police Federation. Well, you know, we live with those situations, those are negotiable situations, but at least they can provide a support which you cannot get from civilians and you cannot get from specials under their present terms of service, so I think we should be looking at this question of an auxiliary police force and what value that has in terms of meeting current-day needs.

If I may just finish on one point, and that is the question of parking enforcement, there is clearly room - I will be charitable - for improvement in the co-ordination of policy in the designation of parking areas; let us put it that way. The suggestion has been that if you have yellow lines and you are not going to strictly enforce it, then you should not have the yellow lines.

Well, of course, if you were to apply that principle to most of the laws we enact, we would not enact them because we do not get 100 per cent enforcement on anything. Taking it at its most basic, at least the double yellow lines are responded to by a significant percentage of our population; they do respond to them, albeit there will be a percentage that do not respond to them. So I do not hold the view that simply because you cannot enforce something you do not do it. Utopia is something that is a little bit above most of us and we have to accept that. There is a value, I think, in putting down your markers, and in some respects, even if you cannot get stringent enforcement of whatever it may be, whether it is double yellow lines or other prescribed or advisory traffic signs, there is a value generally. But there must be a level of enforcement, otherwise, of course, they come into complete disrepute. I think what we perhaps are lacking is enforcement policies which are related to, for example, yellow lines, which allow for discretion and which allow for a variation of priority that says, 'At these hours you most certainly are going to be summonsed', but 'At these hours you can take a lesser view on them.' Now that is not radical; most police forces are doing that already and I would be very surprised if there is not something like that within our force here.

The Minister for Transport spoke about red streets. Well, that is something that is coming after my time, but certainly we always had at least three different categories of street which had different enforcement requirements for parking at different times for different purposes, the bottom line being, of course, the need for fire appliances to get into a street to deal with a fire and, further along the line, whether or not you could get a bus through during the busy hours of the day to carry people from A to B. So perhaps we need to be looking at a more flexible set of enforcement policies, and that is something which perhaps the DoT can discuss with the police, but the idea that we cannot enforce them and you just say 'Well, we are not going to bother,' I do not think is really living in the real world.

One final, final point: it has been explained to us by the minister that this shortfall that the PCF has in getting to the different age groups in our community - to some extent that is going to be filled by the expansion of their consultative process into secondary schools and into the Isle of Man College. Fine, we certainly should be moving into those areas, but it still leaves a very large gap in a very critical area. I believe that the minister should be taking that on as a priority in discussions with the PCF to see what can be done to complete that picture, because the critical people are going to be the 20s to 30s and at the moment that is the group which we are not adequately reaching through the consultative process.

Mr Speaker, having regard to the clock, sir, I think I will rest there. I certainly have no apologies to make for bringing this motion forward to anybody and I believe it has been a very useful debate. I would like to think that a number of members might be minded, on the strength of what has been aired here today, to pick up individual items and put them before this hon. House by way of legislation or, if they are minded to operate in Tynwald, they can go to Tynwald with their policy propositions but at least we have provided, I would hope to the satisfaction of the PCF, an opportunity for their work to be recognised, an opportunity for their recommendations to be considered at least to some extent, and a number of them with a degree of depth, and I believe that would represent to them some encouragement for the splendid work that they are doing. So with that, Mr Speaker, I beg to move.

**The Speaker:** Right, hon. members, the motion before the House is that the Isle of Man Police Consultative Forum Report 2001 be received. All those in favour say aye; against, no. The ayes have it. The ayes have it.

Hon. members, that completes our business for the day. The House will now adjourn until 10.00 a.m. on Tuesday next, 14th May. Thank you, hon. members.

*The House adjourned at 1.20 p.m.*