



**STANDING COMMITTEE
OF
TYNWALD COURT
OFFICIAL REPORT**

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**Constitutional and Legal Affairs
and Justice Committee**

Chief Constable's Annual Report

HANSARD

Douglas, Monday, 3rd December 2018

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Members Present:

Chairman: Mrs J P Mrs Poole-Wilson MLC
Mr L L Hooper MHK
Mr C R Robertshaw MHK

Clerk:

Mr R I S Phillips

Assistant Clerk:

Miss F Gale

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Standing Committee of Tynwald on Constitutional and Legal Affairs and Justice

Chief Constable's Annual Report

*The Committee sat in public at 2.30 p.m.
in the Legislative Council Chamber,
Legislative Buildings, Douglas*

[MRS POOLE-WILSON *in the Chair*]

Procedural

The Chairman (Mrs Poole-Wilson): Good afternoon and welcome to this public meeting of
5 the Constitutional and Legal Affairs and Justice Committee.

I am Jane Poole Wilson MLC and I chair this Committee. With me are the other members of
the Committee, Mr Lawrie Hooper MHK and Mr Chris Robertshaw MHK.

Today we will be hearing from the Chief Constable on the topic of his Annual Report, the
most recent of which was laid before Tynwald in November.

10 Before we begin, could I please ask everyone to ensure that any mobile phones are switched
off or on silent, so that we do not have any interruptions; for the purposes of *Hansard* I will also
be ensuring that we do not have two people speaking at once.

EVIDENCE OF Mr Gary Roberts, Chief Constable, Isle of Man Constabulary

Q1. The Chairman: Thank you for attending today. For the record, could you please state
15 your name and the capacity in which you are appearing here today.

The Chief Constable: Gary Roberts, Chief Constable.

Q2. The Chairman: Thank you very much.

20 If we could start then with this year's Annual Report, please. We notice that the format of
this year's Report changed quite considerably from your previous reports and I wondered if you
could tell us a little a bit about why you decided to change the format and length of this year's
Report?

25 **The Chief Constable:** It is simple really. I think in the age we live in the attention span that
people have is much less than it once was. There is a tendency amongst people, particularly
younger people, not to read detailed reports. And I often got the impression when I was
speaking to people in other agencies, and indeed some politicians, that they did not read all of it;

they read the bits that interested them. So I have tried to simplify it and make it more user-friendly, which I think I did.

I read the *Hansard* of the debate on my Report and Mr Robertshaw wondered whether I was fed up or I had given up on you. No, I had not given up on you. I just thought I would try to see how it worked if I did it in a simpler format.

Q3. The Chairman: Okay, thank you.

In terms of, I suppose then your engagement with politicians, with the Government and with Tynwald, can you tell us a little bit about how well that works for you, so what response you get from the Government, from Tynwald Members, to the issues that you raise?

The Chief Constable: If I describe how it is done, I will then come on to how I think it is.

I meet the Minister for Home Affairs about once a month and talk about things like strategy and performance. If I have something that is of particular importance he may well ask me to come to a departmental meeting, but that might happen once or twice a year. So generally I would go to a Department meeting if I were producing a new strategy, the Road Safety Strategy is an example. I went to the Department with the new draft Road Safety Strategy before it found its way to Council of Ministers. And I will have contact with individual Members as and when the need arises, albeit I sit on some committees that are politically chaired so, for example, the Substance Misuse Committee is politically chaired. So I will see politicians and members of the Council of Ministers will see me if ever I ask, and so fairly recently I had very constructive dialogue with the Treasury Minister so that we could understand each other's priorities and positions, and that was very useful and that does happen from time to time.

Whether there is an appropriate level of scrutiny of the Constabulary by politicians is another matter, and I am not convinced there is. So in other places in the UK there were police authorities in 41 of the 43 police areas where there was constant scrutiny of what the Police did, police and crime commissioners fill that position in 41 of the 43 police force areas, the Metropolitan Police, the City of London Police are different. At the moment the scrutiny that I have either comes from committees like this or from specific select committees or from the Minister for Home Affairs, but whether that is the best way of doing it I am not convinced.

Q4. Mr Robertshaw: How would you see it working better?

The Chief Constable: I think there should be a broader scrutiny of the Police in terms of performance and strategy and whether that comes from a political committee or not or whether that comes from a committee that may well involve ordinary members of the public or people who represent discrete parts of the community is a moot point.

But scrutiny is a good thing and scrutiny should not be left to chance.

Mr Robertshaw: That is very interesting.

Q5. Mrs Poole-Wilson: You said you would tell us what happens and then you said you would tell us how it is working so was there anything more ... I got the impression you might have wanted to add.

The Chief Constable: No, I think in both my current capacity and when I was the Deputy Chief Constable I worked with a series of Ministers who all did things their own way.

One of the things that you have to get right at the start of a relationship with a Minister is for them to understand where their responsibilities begin and end and where my responsibilities begin and end, and that is not always easy and occasionally there will be a rigorous debate. I have had it on a couple of occasions with Ministers where they have to understand what my constitutional responsibilities are and what theirs are, and we generally get that right.

It is a small jurisdiction and there can be a desire for politicians, and Ministers in particular, to know lots of things about operational matters; well, I will decide whether I tell them or not.

85 **Q6. Mr Robertshaw:** I would like, if I may, just to read a section of your Report and ask you to expand on it, Chief Constable, if you would. It is under 'The biggest issue', and it reads:

Where we sometimes still struggle is in dealing with some of the structural aspects of our budget and in trying to tackle problems that cut across various public service bodies and therefore various ...

It goes on; I will leave it at that. Could you expand on that? The concept of 'aspects of our budget and trying to tackle problems that cut across various public service bodies'.

90 **The Chief Constable:** We budget down silos to a considerable degree. So the Government Departments and bodies like mine will have a budget that delivers what we intend to do. But where we talk about things like social issues, where we might need to spend money to try to come up with something new, constructive and different, then it is very difficult to commission services because joint commissioning does not yet work.

95 We have talked a lot as a public service, for several years, about the concept of joint commissioning and the need for joint commissioning. It is still in its infancy and I am not yet convinced it works properly.

Q7. Mr Robertshaw: I think it is more than several years, isn't it?

100 **The Chief Constable:** It is a long time, but I understand the reasons we are structured in the way we are and I understand the difficulties that the Treasury have. It is not at all easy.

Q8. Mr Robertshaw: Okay.

105 One of the areas that you put your finger on as absolutely crucial is – if we have interpreted your Report correctly, and if I am wrong please put me right – you want to go right back down into the issue of experience of children that have suffered particularly traumatic or family circumstances which are very difficult. Could you expand on your thoughts there and how you see that working with particular regard to the point you have just made about the difficulty we have working cross-departmentally. What is your vision, Chief Constable?

110

The Chief Constable: I would see entirely joined-up services that identify people most in need and then services together deliver the response that it is necessary.

115 So we are talking about adverse childhood experiences. The work on that came out of an American health company originally and is now backed up by a number of academic studies from around the world. What that says is, in broad terms, there are 11 different types of experience that if a child suffers or experiences in their formative years can have a significantly adverse effect on their later life. So these 11 include things like seeing domestic abuse, seeing drug abuse, seeing alcohol misuse, not being loved – and if four of those are present in the early formative years of a child, unless there is intervention, perhaps intervention from the state,
120 there will be, or there is likely to be, a permanent and long-lasting effect on that child. And those long-lasting effects are: they will live a shorter life, they are more likely to kill themselves, they are more likely to suffer from poor mental health, they are more likely to abuse their partners, they are more likely to be abused by their partners, they are more likely to commit crime, they are more likely to be victims of crime.

125

In the simplistic world I live in, the state *must* have a duty to do something about that because otherwise services consistently spend money fixing things when they could have prevented things very early on.

130 There is one interesting outcome: one of the adverse childhood experiences can lead to greater obesity. Now, we have got a population that is increasingly obese so the ramifications of addressing these adverse childhood experiences properly will be significant over a long period of time and this is not something that you could tackle very quickly but over 10, 20, 30 years you will start to see changes.

135 What is interesting is the Welsh government, which has limited powers compared to the other devolved administrations, is majoring on adverse childhood experiences and it is basing a lot of its social policy work around these things and the leading academic in the country on adverse childhood experience is from a university in Wales. So you can see it starting to filter through social policy.

140 The Scottish Government has looked at it and I know that in Merseyside there are a number of trial teams being set up with local councils and Merseyside Police where they are looking at how they identify children most at risk.

So to go back to your question, I think it is early identification of the people and families who need support. So I am not talking about criminal justice intervention – *support* – and then local services designed to provide that support.

145 **Q9. Mr Robertshaw:** I was surprised, very recently to discover, that the Isle of Man I think is now the last place in Britain that does not have a pupil premium in schools, where funds migrate to areas of particular concern that becomes obvious in those schools. It would seem to me, and I do not know whether you want to comment on this, that the lack of the pupil premium right at the get-go is a problem for us.

150 And then above that we have recently had, as you discuss in your Report about youth justice. Could you talk to us a little bit about your concerns about youth justice and where you think it is going and how you are going to interpret it in the future and work with others?

155 **The Chief Constable:** Okay. On adverse childhood experiences if we were to say to health visitors or midwives, ‘Tell us a child that will not thrive or tell us a child that will have a very difficult life,’ they would be able to do so, with almost complete accuracy. The consequences of people like that not being asked the questions are significant in the long-term. So in policing terms, if we have not got police officers in neighbourhoods who understand the community, then the Police cannot properly identify the people at risk.

160 And then, in the youth justice world, the young people who start to offend where they offend at 9, 10, 11, 12, they are not born to offend, or very few of them appear to be born to offend. Something happens to make them offend. So there should be very early identification of the young people who are at risk of offending. Often it is a learned behaviour; there are third generation offenders now. I have been in the Police 35 years almost, and the grandchildren of the people I dealt with when I was a young constable are now coming in through our cells.

165 Youth justice, to me, is a narrow part of a bigger problem. And as budgets have shrunk, and for reasons I fully understand, some services have retreated to barracks, and by that I mean they have concentrated on their statutory responsibilities and done what the law says they have to do. I understand that, but in the longer-term that is short-sighted because we should do what is right, and what is right is the public service joining together to stop people offending or being offended against or having poor mental health, if we can, or abusing their partners, that sort of thing. The youth justice system – we have stripped it back to its basics and it is now solely Police at the moment, but it will become the Police and the Prison and Probation Service. The third sector have spoken to us recently about things that they can do and a number of charities are already beginning to work with us. So the youth justice approach that we have got will build up again over the next six or nine months, but it has been very difficult.

175 **Q10. Mr Robertshaw:** Last question then, Chairman, and I will let somebody else have a go.

180 In your Report you do in a number of places indicate the interaction that exists between wellbeing and health. You mention the Kaiser Permanente and the Centres for Disease Control etc. How would you like to see, in the future, the Police Service able to work with a health service which is clearly desirous of migrating to a much greater emphasis to primary care in the community and the public health dynamic? How would you want to see the interaction between the Police service and community-based primary care, if we can achieve that?

185 **The Chief Constable:** In an ideal world, I would create multi-disciplinary teams in places like Peel, Ramsey and Castletown. They would have police officers, they would have social workers, they would have health professionals, they would have education workers there and they would identify those most in need and those most at risk and put in whatever interventions were right for that individual or for that family. I think that is achievable in a small place, I really think we could do that.

Mr Robertshaw: Thank you.

195 **Q11. Mrs Poole-Wilson:** Just building on that, what do you think is stopping us doing that? Because you are right, it should be achievable in a small community, so what are the barriers currently that are stopping what you talk about – a blueprint that is fit for the 21st century, combining trusted and visible offices into local communities with different ways of tackling community problems? What do you think we fundamentally have to do to start to make that a reality?

The Chief Constable: I have to be careful here because this is where I could really stray into politics. The thing that must drive that is political, so it is political leadership that drives that. But it is just a different way of thinking.

205 I say in my Report about what has got to where we are now will not get us to where we need to go. By that I mean, we are, in the Constabulary, structured in our thinking for a long time: it has been very much the way it has been for 50 years, and the world is different than it was five years ago. So if you look at the demand profile the Constabulary has got, it is significantly different than it was even five years ago. The issues that we deal with are largely social issues.

210 I think we simply have to have senior professionals and politicians who are able to look beyond the next two or three years. That is the critical thing; and that is why I have to be careful not to stray into politics because the thinking that I and some of my colleagues in some of the Government Departments have got is quite long-term, but that is not necessarily always the case with politicians, without criticising politicians.

215 **Q12. Mrs Poole-Wilson:** So some of it is the ability to have the vision and plan for the long-term. Anything else in terms of structure, ways of working, other things that you have experienced that you think, if we make some changes, will make it easier to achieve these things?

220 **The Chief Constable:** Some professionals are scared of sharing information and that is a critical issue. So when they see people who are in need or at risk of harm, how do they share that safely and without having to look over their shoulders all the time? I understand the sanctity, if you like, of personal data but the fear that some professionals have has to be taken away.

225 But I think the vision has to be around outcomes. So if the outcome that we are seeking is a healthy, safe, thriving community, then how do we get there and do we get there with the current structures?

230 If suddenly 80,000 people arrived on this Island to live, it was a barren island and 80,000
people arrived here, what would the public services look like, how would you design them from
scratch? They would not be designed in the way they are now.

Q13. Mr Robertshaw: Are you following with any interest the moves in our fellow Crown
Dependencies where they are separating operational from strategic, and by definition strategic
235 minds removed from operational silos are creating an opportunity to do exactly as I think you
have just said, which is to create longer-term thinking which stretches beyond the five-year
periods of office that we sit in.

The Chief Constable: Yes, I have done a lot of work with my counterparts in Jersey, Guernsey
240 and Gibraltar. We have now a formal partnership: we have all signed up to a thing called the
Small Islands Forum, which is an excellent piece of work and I lead for us on training,
development and people issues.

So I am very well aware, particularly in Jersey, the things that are happening in Jersey, and I
speak a lot to my senior colleagues there who are wrestling with some difficulties because their
245 budgetary position is fairly bleak. The States of Jersey Police are facing a big reduction in budget
so they are redesigning their service because of budget constraints, as much as the political
imperative, I think.

Mr Robertshaw: Right.

250 **Q14. Mr Hooper:** I feel I should probably step in here before Mr Robertshaw builds up a head
of steam on his favourite subject! *(Laughter)* **(Mr Robertshaw:** God forbid!)

You talk quite a lot about the need for joint commissioning and the ability to work across and
between Departments and quite often that necessitates being able to go out and say, 'Actually
255 we are going to need to put something in place that we do not currently have. That is going to
cost money, we need to go and ask for some resources for projects or for these kind of
multidisciplinary teams.'

You do mention in your Report that the Constabulary has not sought any additional resources
for several years, which to my mind really does reflect a lot of short-termism and we are seeing
260 the results of some of that now come through in your Report as well, with some of the statistics
around youth offending, for example, we are seeing that hit. But you do comment that that was
as a result of Government policy, so it was a decision that was made somewhere that says
actually we are going to take a very short-term approach and the Constabulary is just going to
have to lump it and live with it, really. Can you just expand on that a little bit?

265 **The Chief Constable:** Yes, where that has come from is Home Affairs Ministers would ... This
is how I read it, Treasury would say, 'We do not want any bids for fresh funding', so it came from
Treasury. The last Chief Executive of the Department of Home Affairs for a number of years was
very clear that the Department of Home Affairs would play by the rules and would not submit
270 business cases and, me being a copper, I play by the rules. So once we were told and the Fire
Chief and the Head of the Prison Service were the same, we did not make cases.

Mr Malarkey, several months ago, said that he was so concerned at some of the things that
he could see within the services that he wanted to test the water, if you like, and he asked us to
275 produce business cases.

Q15. Mr Hooper: So that position is completely reversed now then, we are out of that kind of
short term ...?

280 **The Chief Constable:** We are out of it, I think. And for the first time – I have been the Chief Constable for six years now – I have found myself in front of a Treasury board talking about funding, which was a new experience really.

Q16. Mr Hooper: One I am sure you will care not to repeat!

285 **The Chief Constable:** No, it was very amicable and positive, I think. We will see in February I suppose.

290 **Q17. Mr Hooper:** One of the other comments that you made just now was that a lot of the information that you gather stems from having experienced officers in the neighbourhoods who actually get to know the people and the communities that they live in and work in. But it is quite interesting to see that the Policing Plan that has been tabled for next week's Tynwald actually does not identify neighbourhood policing as one of the priorities for next year's Policing Plan. I am just wondering why that might be, do you think?

295 **The Chief Constable:** I am not sure why that might be. The Policing Plan has come in late; it has only got a life of a few months. I would expect the Policing Plan from 1st April to look different again.

I have to be careful how I phrase this, because I have not yet had the full dialogue within the Constabulary, but I want to reinvent neighbourhood policing so that officers in places like Peel are not responding to road traffic collisions or are not looking for people who are missing from home and have gone off to harm themselves; they are doing proper neighbourhood policing – they are working with the community to stop problems, they are working with the community to prevent things from happening and that they have the time and freedom and the space to do that, and then there is an appropriately resourced response that can go to things. So we have officers who respond and go to things and deal with things or enforce road traffic law. But we have these specialist officers in the towns of the Island who do get to know the community, who are known by the community, who spend their time in the schools, in the youth clubs, with elderly people, with victims of domestic abuse, that sort of thing.

310 **Q18. Mrs Poole-Wilson:** Just on the Policing Plan, can you talk to us about the dialogue process that happens because it is interesting you say it has come late, but when you read it as against your Report it is noticeable that things like mental health and neighbourhood policing, which you say are significant issues that the Constabulary wants to address, do not feature in the priorities list. So could you tell us a little bit about the dialogue process that will happen before the April Policing Plan comes forward?

320 **The Chief Constable:** I am meeting the Minister for Home Affairs and the Chief Executive next week to talk about 1st April onwards, so I would expect there to be decent dialogue. It is doubly important because this is not a statutory responsibility, but the Constabulary has done it for nearly 20 years now. We have a four-year strategy, and the four-year strategy sets our organisational ambition and the current strategy expires in March. So I have already drafted what I think is a new strategy for the four years from 1st April. But the Police Act requires the Department to set the strategic priorities. So I have drafted what I think they ought to be and the Minister and the Chief Executive will then give me their view on it next week.

325

Mrs Poole-Wilson: Okay, thank you.

330 **Q19. Mr Hooper:** We are still talking broadly about resourcing issues. One of the biggest challenges you identify in your Annual Report is about training and about the training budgets and how you are having challenges there, especially with the College of Policing in the UK. They

want start charging a surcharge for Crown Dependencies. My question on that is have you had any dialogue or engagement with the Cabinet Office or with the Department about actually approaching the Ministry of Justice in the UK to say, look this really is not fair and equitable, how do we get ourselves a level playing field?

335

The Chief Constable: Yes I have. I have spoken both to the Department and to the Cabinet Office, and the Cabinet Office were willing to take that on if I wanted them to.

340

As I said before, I have now taken on the portfolio lead, if you like, for people-related stuff, including the College of Policing, for all of the Crown Dependencies and I am meeting a director at the College of Policing early in the New Year to try to find a way forward. I am more optimistic than I once was because there is a new head of the College of Policing and he is sending out much more positive signals than his predecessor did.

345

Mr Robertshaw: Shall we move on?

Mrs Poole-Wilson: Yes.

Q20. Mr Robertshaw: Yes, okay.

350

I think the Committee would be interested to hear your views on where we should go on cannabis at various levels. There is a strong view developing that cannabis should be, as it were, much more available from a medical perspective. What is the current policing position?

355

I think it was this Committee, when we together – I will be corrected here if I am wrong – sat in on a legal case in the courts here that hung around a small amount of cannabis and I thought to myself at the time, goodness me, the cost of this court and the whole panoply was focused on a very small item associated with a personal use of cannabis, and I just wonder whether that was actually the right way to spend public money?

Is this question a bit too challenging or uncomfortable or would – ?

360

The Chief Constable: Part of it is, but if I just talk about how someone gets to court for a small amount cannabis. They are never first-time offenders, so they have gone through the system before, and the system is around diverting people so people found for the first time with a small amount of cannabis will either simply be cautioned or required to go on a drug arrest referral scheme where they get educational input about drugs and if they successfully complete that they are cautioned. So if they are daft enough to keep offending, then they go to court, no matter how small the amount.

365

It is an uncomfortable question for me because I would be happy to share my view in private on cannabis, but I think me sharing a view publicly would potentially skew the debate.

370

Q21. Mr Robertshaw: Okay, thank you.

Would you not want to comment on the medical use, which is outwith ...?

The Chief Constable: Yes, I think I support that. I think that is okay for me to say.

375

I sit on the Substance Misuse Strategy Board, as I say. I also sit on the Advisory Council on the Misuse of Drugs and that has recommended a significant change, which would allow cannabis to be used for medicinal purposes in the Island, and so we have recommended changing the legal framework to allow that to happen.

380

What I can say safely is the debate on cannabis is actually quite complicated, because it is not as easy as saying legalise it or not – it is about the strength of cannabis, it is about the regulation of the market. It is a very complicated question which on the face of it looks simple but is devilishly difficult.

Mr Robertshaw: Well, thank you for that anyway.

385 **Q22. Mr Hooper:** If I could ask on that subject: when it comes down to it, looking at some of
the figures around the drug and alcohol referral scheme or the actual seizures, cannabis is by far
the largest drug issue we have on the Isle of Man. So from a resourcing perspective I would
imagine it does take up a considerable amount of police time and resourcing to deal with that. I
know that you cannot really comment on the broader issue of whether or not we should be
looking at decriminalising or legalising it, but purely from a police resourcing perspective actually
it does make sense to do something because the current approach is not really doing anything
390 except taking up a lot of police time.

The Chief Constable: Policing should be, with constrained resources, about the prevention of
harm or tackling harm and that is how we should focus our service.

395 Drugs offences account, in the last year, for about 15% of crime, but in the year from 1st April
they are about 17% of crime. One of the big concerns is the impact that getting a criminal record
for a drug possession or supply offence can have on very young people. We have now got very
young people who have been convicted of drug trafficking offences, so possession with intent to
supply is a drug-trafficking offence, they are being convicted at the age of 16, and the
implications for them for the rest of their lives are considerable because of that.

400

Q23. Mrs Poole-Wilson: On the question of diverting behaviour, obviously there is legislation
in the pipeline to look at the wider issue of sentencing and diversion. How involved has the
Constabulary been in putting into the thinking around the legislation there?

405 **The Chief Constable:** One of the benefits of reporting into a Department, if you like, is that
we can have early access to legislation. We have early sight, we are involved in discussions with
the Department's drafting team but also on some of the big Bills that are about to come to
Tynwald, we have spoken to the drafters as well.

410 We have to be at arm's length from that process, but we can also advise at an early stage on
whether the legislation as proposed is practical. And so, yes, we are well informed and well
positioned, I think.

Mrs Poole-Wilson: Thank you.

415 **Q24. Mr Hooper:** When it comes to legislation, before we move on from that, are there any
key pieces of legislation that, from the Police's perspective, we desperately need to fix? I know
there are a few in the pipeline but is there anything that you think, 'You know what, this one is a
big issue for us' – on licensing, for example? Is there anything ... ?

420 **The Chief Constable:** Yes, the Licensing Bill is actually overdue and I think because of Brexit
that the Government has had to reprioritise things and the Licensing Bill has slipped down the
table, I understand that. But the licensing legislation that we have is hopelessly out of date, it is
from 1961 and the world has changed a lot since then. It is complicated and I think the
Department wants to take a root-and-branch reform of licensing as the starting point, which I
425 think is a good idea.

Q25. Mr Robertshaw: Okay.

430 I think we should say, Chief Constable, so that you are not under any misapprehension that
we are ignoring something, because it would be wrong for us to do so, but the FIU and the ECU
are, as it were, being moved to the Economic Policy Review Committee because they sit in
conjunction with the Gambling Supervision Commission and the FSA etc. So we are not
questioning you today in detail on it because the Economic Policy Review Committee will be
inviting you to talk to us about that.

435 But taking this in a very broad context, to what degree is that sort of work, where it is
appropriately under your jurisdiction, and other workloads – and we are going to talk very
broadly here about historical sexual crimes etc. – how much is that creating new workloads? You
touch on it in your Report.

440 **The Chief Constable:** The Economic Crime Unit, which does belong to me, is exceptionally
busy. Treasury have been very supportive in the last couple of years. When we first decided the
direction we wanted to take on economic crime, which was just before the Moneyval
assessment, Treasury were very open to dialogue around premises and around extra people and
so that that team is as well-resourced as I think we can afford it to be at the moment.

445 One of the business cases we submitted was for some extra IT which would make a huge deal
a difference and I hope that goes through. But the demands on the economic crime world are
relentless and they are not going to go away. So we have to have one eye on external scrutiny,
so we have to have one eye on things like IMF, OECD and Moneyval. But we also have to make
sure that we are effective in delivering value for money. It is difficult; some of the inquiries we
have got there are very big in scale and scope. There is one that has been running now for a
450 decade and is a huge inquiry across many jurisdictions, and we have got several like that.

I am proud of the work that they do in there, they do really good work.

455 **Q26. Mr Robertshaw:** And in broader terms, the comment you make about historical sexual
offences, is that sucking a lot of officer time?

The Chief Constable: It can do. At our peak we had about 40 non-recent inquiries.

Mr Robertshaw: Forty!

460 **The Chief Constable:** Forty and that is a team of half a dozen people.

The numbers have fallen in the last sort of six weeks, we have come through a fairly quiet
patch, but at any one time there are usually around 20 active inquiries. And non-recent we say is
something that is over a year old.

465 **Q27. Mr Robertshaw:** Thank you.

On training – and I cannot find it but I am anxious to try to drill down into this a little bit, so
perhaps you will help me. Somewhere in your Report you talk about training issues and
ownership of elements of it now lying with the UK in a way that was not there before. Does that
make sense?

470 **The Chief Constable:** What that means is the doctrine for policing in England and Wales is
being set by the College of Policing, so policing is on a journey to become a profession like
nursing and midwifery and so on. And the College of Policing, I suppose, will ultimately get Royal
College status. So police officers will effectively have a licence to practise. In fact, that has
475 already started, because officers who operate in the world of child protection effectively have to
be licensed to practice in that world.

Q28. Mr Robertshaw: So specialist areas they will be licensed for?

480 **The Chief Constable:** Yes, but ultimately there will be a register of police officers and that is
already creeping in too, because if I were to dismiss someone for gross misconduct, I could put
their name on a register in the UK to stop them being re-employed somewhere else.

485 But the journey towards Royal College status and the professionalisation of policing means
that doctrine is step by the college and we, to a considerable degree, despite our distance from
the UK and despite the Island's autonomy, have to stay in step with them, because the

standards that my officers are tested against, particularly in the courtroom environment, are the standards that apply in the UK.

So if the College of Policing says the standard for a police firearms officer is at this height, then I cannot choose to set my bar lower; I have to set it at the same height.

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Q29. Mr Robertshaw: From memory, I got the impression that you see that as something of a challenge. Did I misinterpret or misunderstood?

495

The Chief Constable: It is a big challenge, it is a financial challenge but it is also a challenge in a number of other ways because training that requires me to follow curriculums or a curriculum that are set by the UK is expensive. Then I have difficulties, because of the way we are deployed and the number we have, of taking people from their day jobs to do training. It takes eight weeks to train a new firearms officer, for example, so for the last eight weeks I have had eight officers plus their instructors training full-time. That is quite a significant number in a small force. And then last week and this week I have got other teams, existing teams of firearms officers, for example, in the classroom training again.

500

So training is a drain but it is a necessary one because if we do not train properly ... I think when I was before the Public Accounts Committee I said if we are not careful there will be a slow decline towards mediocrity, and that is a consequence of not being able to train people properly.

505

Mr Robertshaw: Thank you.

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Q30. Mrs Poole-Wilson: Does it also impact on recruitment and movement between jurisdictions if you are recruiting from England and Wales?

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The Chief Constable: It can do. For the last four years we have almost had a 50/50 split between recruits we have taken from the UK and local people and I am determined to keep recruiting local people. However, in the last three years we have lost a third of the young local people who have joined within their first two years, they have gone. Whereas the people we have taken from the UK, almost all of them have stayed.

520

There are a number of issues: one is about the state of the employment market in the Isle of Man which, as you know, is difficult because it is full. It is also about the starting salary, which is £20,000, so without being disparaging to people like school caretakers, they earn more money than probation constables. And the job is really difficult: most of the people who leave in that first two-year period say, 'I did not realise it was such a difficult job.'

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Q31. Mrs Poole-Wilson: What are you doing to try and, I suppose, better raise awareness and preparedness for that difficulty in your new recruits?

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The Chief Constable: We are trying to recruit differently so, as I speak, there are eight young people in our training centre and they were all special constables to begin with. So they have worked with us as volunteers, they have got some understanding of the difficulties they will face and we think, from past experience, people who have been special constables tend to stay. So we will see if this works, and this might be a route that we increasingly take.

535

We have even converted some of our cadets into special constables with a view to them ultimately joining, so these are young people who have been with us from the age of 15 to 18. Some have gone to university but when they are back home on holiday they will work as special constables and then ultimately when they have done their degree they will come to us and we think that is a route that gives us some hope for the future.

But, and this again is a College of Policing issue, the College of Policing and the National Police Chiefs' Council, which I am part of, have decided that there should be different routes into

540 policing. So the generic route that we generally use will disappear in the UK in the next couple of years, with a view to all entrants to the Police Service in two or three years' time being graduates. I disagree with that and so I will maintain a separate route on the Island.

545 **Q32. Mr Robertshaw:** That is interesting because I was involved with the Health Service when Project 2000 came in, and looking back now, they are trying to backfill, if I have interpreted this correctly, so you are anxious that the same sort of thing does not happen with the Police?

The Chief Constable: Yes. **(Mr Robertshaw: Okay.)**

550 And some of the best police officers I have ever worked with have been people like bricklayers and plumbers and if I close off that route, I will close off those sorts of people. I will potentially close off single parents, and I have got some great young officers who are single parents, who are trying to balance having a baby at the age of 20 or 21 with a full-time job, but they manage it, but they make such a difference when they work in policing.

555 **Q33. Mr Robertshaw:** Yes.

In your Report you touch on – and please correct me if I am not correct because I am not looking at exactly what words you used – but you suggest that there are perhaps more weapons around in the Isle of Man than used to be the case. Could you expand on that or correct me if – ?

560 **The Chief Constable:** No, I think you are right. The seizure of knives and other offensive weapons by police officers has doubled during the quarter. It was only low numbers –

Q34. Mr Robertshaw: Doubled when?

565 **The Chief Constable:** Doubled in the year to the end of March 2018, it went from 16 to 32.

Q35. Mr Robertshaw: Are we talking about knives?

The Chief Constable: Yes, usually knives.

570 So what we have to really try very hard to do is avoid going down the route that the UK has gone down where young people think the right thing to do is to carry a knife.

I was in Liverpool at the weekend and there is a fantastic piece of sculpture now outside the Anglican Cathedral which has been constructed from knives.

575 **Mr Robertshaw:** I have seen it, it is extraordinary.

The Chief Constable: It is extraordinary, it almost takes your breath away when you look at it. And we have to do all we can to avoid young people using knives.

580 **Q36. Mrs Poole-Wilson:** But is that back to what you were talking about before, the neighbourhood policing, the early intervention, awareness raising?

The Chief Constable: It is exactly that, that is the key to it.

585 And without being critical of people in very big places like London, it is no coincidence that the almost collapse of neighbourhood policing in some parts has suddenly turned into violence, knife-carrying and really some terrible offending. There must be a link, in the simple world that I live in.

Q37. Mrs Poole-Wilson: We were talking about staff from the recruitment perspective but I think the other thing that you highlight in your Report is sickness in the workforce, particularly

590 from long-term stress related absence, but you also talk about a programme being introduced to
really try and help with mental health wellbeing. I wondered if you could tell us (1) what you
think is driving the high levels of stress-related absence, in particular; what you think is
changing? And then (2) what is going on with efforts to try and improve mental health and
wellbeing in the workforce?

595

The Chief Constable: In some parts of the Constabulary, when we reduced our numbers in
neighbourhoods, the workload for some officers went up by 40% overnight. That has had
consequences for the mental health of some of them. I have a view, and it might not be a
popular one, but I think some of the younger people we see now are less resilient than people
600 who have gone before them. Now, I do not know why that is.

Q38. Mr Robertshaw: Police recruits or the general public?

The Chief Constable: Police recruits. We have got many very good recruits but many of those
605 who have left simply did not have the resilience that we would expect. But, as I say, the job is
difficult and they see some very unpleasant things and my officers do some great
work, I am so proud of them. But the job is difficult and so whether we sell that difficulty well
enough at the start of the recruitment stage and whether we train them enough is an issue.

We are putting into place programmes that help people identify mental health issues in their
610 peers and in their colleagues. We train supervisors in understanding mental health issues and
we make access to counselling and support much easier than it has been before. We have joined
in with an initiative that is being run by Lancashire Constabulary, who are the lead force in
England and Wales for mental health amongst officers, and we are riding on the back of some of
the initiatives that they are producing because we can access it for nothing.

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Q39. Mrs Poole-Wilson: And in terms of tackling all of that, that has got resource
implications again, so is that something that you need to try and address within your existing
budgetary constraints or are you looking for the funding to support those interventions?

The Chief Constable: No, we have enough funding for that, I think. It is more about culture,
620 support and how we manage sickness than the financial issue.

But keeping people well is so important because if you are not careful you enter a spiral: if
the work is hard and demands are high and people start to become ill and disappear from the
workplace, the people who are left behind carry even more work, so it is a really important
625 issue.

Our involvement in mental health issues in the community, as my Report says, continues to
grow and there is an issue about mental health across the community, and police officers simply
reflect the community.

Q40. Mrs Poole-Wilson: And how are you hoping to measure and monitor the success of
630 these interventions?

The Chief Constable: We are putting a lot of effort into individuals. There are one or two
635 individuals, I think, who are on the cusp of returning to work who I think even a year ago would
not have done. So I think the effort we put in and the care that we try to give to people – and it
does not work in every case – but I think we are now starting to see a difference.

Mrs Poole-Wilson: Okay.

Q41. Mr Hooper: You touched there on mental health issues in the community. I note from
640 your Report there was a statistic in there that talked about something like 25 incidents involving

645 mental health issues every week, and just like you are trying to deal with early intervention and youth offending through a multidisciplinary approach, I am just wondering what measures really are in place or are being put in place in order to try and address that kind of increase in the Police having to deal with mental health issues with people really.

650 **The Chief Constable:** After the end of the reporting period, we began a trial with the Department of Health and Social Care which has seen mental health workers become based in the Police Station in Douglas and being able to advise officers and even go to incidents as they happen.

655 Initially for a three-month period, we had one worker. The success was so obvious that we got two and we are now in dialogue with our partners about getting three. And this is about having that vision and the will, because the senior civil servant responsible for this, Angela Murray, simply did it. She is an exemplary public servant and she has vision. I do not care really whether the savings accrue to the Department of Health or whether they accrue to my service, so long as it makes a difference – and I can see it already making a difference.

660 **Q42. Mr Hooper:** Do you see us running the same risk here that we ran with the Youth Justice Team in that the resource is being provided by another Department and you are relying on political leadership being shown across the piece, and that actually if they come to difficult times in the future that other Department might decide to pull that resource even though it is quite an effective solution?

665 **The Chief Constable:** There is always that danger and that is where the political leadership is important. So officers might have one view, but if the politicians can see the importance of that, and I think proving the importance is maybe the important bit and is a bit of a challenge. But that particular part of the Department of Health and Social Care is working so closely with us because we have got that issue; we have got the issue being led by them as well on sexual assault services; we have also got them looking at how we provide care to people in our custody and to people in the Prison. There are some significant pieces of work that the Department of Health and Social Care has picked up and is running with and we are delighted with the support we get from them.

675 **Q43. Mrs Poole-Wilson:** How are we capturing the data on the benefits of this? I think, going back to the idea that funding gets withdrawn or things fall by the wayside, depending on who is in post at any one time, one of the things that could provide the compelling evidence that we should not lose these things is the data that shows the difference between before and after.

680 **The Chief Constable:** There is a number of levels to that and the data is not all there yet and people are working on that data. We had discussions within the Constabulary last week about, 'How hard-edged can we show this and to what degree?', but the number of times the Police have used their enforcement powers, their powers to deprive people of their liberty, has already reduced. So that is a positive outcome, I think.

685 **Q44. Mr Robertshaw:** Following the Chairman's point, is there any broader evidence anywhere that we could capture or go to which shows that, following the profoundly early intervention across the piece, which you are arguing very passionately for ... ? Is there any evidence to show what the cost can be if that intervention does not happen and that young person ends up in the wrong place and becomes a cost to society, to the public purse right the way through their lives, be it prison, be it drug addiction, be it health issues?

690 Can you send us anywhere to look at the cost of that when we do not get it right?

695 **The Chief Constable:** I think there is data on that and I think the Chief Executive of the Department of Home Affairs is currently writing a paper for the Social Policy Committee of the Council of Ministers on adverse childhood experiences, so that I think presents an opportunity for things to move on.

Mr Robertshaw: I look forward to reading that, thank you.

700 **Q45. Mrs Poole-Wilson:** Just one area, we touched on domestic abuse and sexual abuse crimes, and I think you have said at some point there is an interesting challenge for the Police when dealing with the victims of abuse and quite what the Police's role is and how far the Police can go in actually supporting victims and when they should signpost to other services – perhaps it has not always been done as well as it might, perhaps it is not as clear as it might. I think you
705 also mentioned the idea of a victims' commissioner as something that would be helpful. I just wondered if you could tell us what you are thinking of and how you would see something like that working in the Isle of Man?

The Chief Constable: For sexual assault victims, the service they get should be the service
710 that they want. So if they want to come in and tell professionals, 'I was raped yesterday, I just simply want to talk to someone about it,' then that should be the service they get. If they say, 'I want it to be investigated and I want to be forensically examined,' that is the service they get. But if they want to go in and say, 'At the moment I am not sure but I am happy to be examined and park it, and when I feel stronger I would like the Police to revisit it,' that is also okay. So that
715 service almost needs to be bespoke and that is the direction of travel for us, with the Department of Health. So ultimately we will have a sexual assault referral centre where people can come in off the street and access those services and that will make a significant difference.

So Jersey has one. The Director of Public Health and one of my senior colleagues has just
720 been to Jersey to look at it and they have brought a lot of material back and we think we can do it differently and better, without being disparaging again about Jersey because I think they have got a very good facility, but it is a police facility; it is not a multi-agency facility.

So victims should have a say and the judiciary here have been receptive to victims having a
725 say. How you place victims at the centre of the justice system is important but difficult, because the system is a justice system and it has to be balanced and it has to be open and it has to be fair. But I think there is a role for someone to be the advocate for victims, and victims sometimes do not have the voice.

And then, and I know the Department of Home Affairs is aware of this, how you properly
commission services for victims is a tricky question.

730 **Q46. Mrs Poole-Wilson:** Can you tell us a bit more about what you see the challenges are there?

The Chief Constable: The challenges are at the moment the service is a third sector service. I
735 am not convinced the commissioning of it is as good as it ought to be. You can have a different model where the public service provides a service and it is an employed service. I think there are two extremes and there may be a compromise in the middle somewhere. But we have never properly commissioned those services, we have never actually said, 'Well, what do we want from that service and how we do we want it to look?'

740 **Mrs Poole-Wilson:** Okay.

Q47. Mr Robertshaw: This is a particularly personal area that I want to delve into for a
second, just to see what sort of response that you are able to offer. When I was Minister of Social Care and was very much aware then, as I am now, the number of times looked-after

745 children end up on the wrong side of the line, as it were, I took the time to go and look at some
of the care homes which I found were functioning well, they were clean, the staff were
conscientious, but I was left with a terrible feeling that nobody loved the child, if you know what
I mean. I think, did you touch on it when you were talking about 11 indicators? It was that that
drove me to want to reduce the number of care homes and get as many kids into foster care as
750 we could. We as politicians carry the corporate responsibility, but we cannot love the kids and I
just wonder whether you can comment on that? Have you seen any evidence where there is a
drive to get children in care to a position where somebody loves them so that they have got that
lift into life in a way that they otherwise would not have?

Sorry to be so personal.

755

The Chief Constable: Many of the young people who find themselves in the care system are
damaged when they go into the care system and they are damaged by the sorts of things that I
talked about: they have been neglected or they have not been loved or they have seen their
mother being beaten up by their father, or one of their parents or both their parents abuses
760 drugs or alcohol. That inevitably has a consequence on the child.

Public service has got very many ... I keep coming across people who just want the best.
Social workers, teachers, they all want to do their best and they all want the best for those
children, but some of those fundamental things like love are so important, and once you get
those kids to a stage where they start to offend, it becomes *very* difficult.

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My colleague who is the head of the Prison and Probation Service has spoken to some very
young people who were at risk of having a lifetime of incarceration ahead of them and he was so
worried at the state of some of them that he said the intervention now, once they get to 12 or
13, is so much more difficult than it would have been when they were three, four or five.

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Mr Robertshaw: Okay, thank you.

Q48. Mrs Poole-Wilson: Just on that theme really, what scope do you think there would be
for partnership with perhaps people who have come through the system, whether looked-after
children who have become adults who have reflected on what happened and would like to
775 support other young people or even people who have been through prison and have been
rehabilitated. Do you see any scope for their more active involvement in joined-up services and
support for vulnerable people?

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The Chief Constable: Some of that goes on, so young people have a say in the system and
there is a scheme called Voices in Participation, where young people who have been in the care
system are advocates for others in the care system. That is a very positive thing and some of
those young people have gone on to do terrific things, really terrific things after a difficult start
in their life. So it can be done and it is important that it is done, I think.

785

And the Prison, in a very quiet way, is doing some excellent work on rehabilitation. The Prison
in the Isle of Man is very good. You hear people calling it the 'Jurby Hilton'. The work that they
are starting to do and have been doing for a little while on rehabilitation is as good as anywhere
and they need credit for that, I think.

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Mrs Poole-Wilson: Thank you.

Q49. Mr Hooper: If we are winding up, I would just like to ask a little bit about road safety, if
that is all right. Obviously that is again another priority identified in the policing plan, we know it
is an issue and you identify in the Report something like 16 collisions a week on the Isle of Man.

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A broad question to sum up, but in your view are the roads generally safe?

The Chief Constable: They are not as safe as they could be. The road safety strategy, once it finally gets its way to Tynwald, will set out an ambitious target to reduce collisions. Collisions came down last year, fatal and serious came down by 6%, I think, and the trend has largely been downward for a number of years.

800 There is an important issue here that people have not yet thought through. One of the main ways of making the roads safer is to have more enforcement of the law; whether people want that is another issue. So they will say, 'We want our roads to be safer,' but I could make the roads safer really quickly if I used speed cameras. The balance in terms of how the public perceive the Police and the relationship we have with the public would change. So we have to be
805 very careful because the road safety strategy will require me to do more enforcement than I currently do. I know over a period of time that will affect driver behaviour, which will make the roads safer.

Q50. Mr Robertshaw: We have asked you loads of questions, Chief Constable. Is there
810 anything you just what to say to us?

The Chief Constable: No, I enjoy coming to these committees. I think the committee system is effective. I have been around a long time and I have spent more time sitting in this seat in the last two years than I have ever done and I think it is really important. I am here again on Friday
815 at another committee.

Going back to where we started really, scrutiny of the Police is critical in a democracy, you have to scrutinise what we do.

Mr Robertshaw: Thank you.
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Q51. Mrs Poole-Wilson: I just had one last question to finish off and that is the Digital Strategy, which is going to make significant difference to the Constabulary. I know there have been delays that you have highlighted in your Report, but do you feel that is now going to be on track, I think from January you said?
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The Chief Constable: It is on track. The track is a bit of a jagged one at times, but it is on track. There will be two big things that happen: one is, and this is what the business case, every operational officer will have an hour's more time in the day, so that is an hour's more time when they are out of police stations and doing things in the community. But with a fair wind, in the
830 spring of 2019 we will take a big step to making the court system paper free, because on a date around about March, the Constabulary will send files to the Attorney General's Chambers electronically. It will send papers then to the courts electronically. That will make such a difference, because in committal proceedings that lead to somebody being sent to the Court of General Gaol Delivery, officers can spend a whole week photocopying paper – a whole week.
835 **(Mr Robertshaw:** Seriously?) Seriously.

I remember when I was a detective sergeant I dealt with quite a complicated fraud and that took me over a week of standing at a photocopier. So we are on the cusp of ending that, which will be a significant step forward.

840 Just before Christmas we are running a digital workshop with prosecutors and with the judiciary to see how that will work in practice.

Q52. Mrs Poole-Wilson: Okay, Yes.
So the investment will have immediate and significant –

845 **The Chief Constable:** It should do. It will not be easy, there will be things that go wrong with it and there will be some difficult months through the early part of 2019, but it will make a big difference when we go digital.

Mrs Poole-Wilson: Thank you.

850 Any other questions? Can we thank you very much, Chief Constable, for your time this afternoon, the Committee will now sit in private.

The Chief Constable: Thank you very much.

The Committee sat in private at 3.31 p.m.