



**STANDING COMMITTEE
OF
TYNWALD COURT
OFFICIAL REPORT**

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DAALTYN**

**SOCIAL AFFAIRS
POLICY REVIEW COMMITTEE**

DEPARTMENT OF HOME AFFAIRS

HANSARD

Douglas, Friday, 11th October 2019

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Members Present:

Acting Chairman: Mr M J Perkins MHK
Ms J M Edge MHK

Clerk:

Mr J D C King

Assistant Clerk:

Ms I Perry

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Standing Committee of Tynwald on Social Affairs Policy Review

Home Affairs

*The Committee sat in public at 1.30 p.m.
in the Legislative Council Chamber,
Legislative Buildings, Douglas*

[MR PERKINS *in the Chair*]

Procedural

The Acting Chairman (Mr Perkins): Welcome to this public meeting of the Social Affairs Policy Review Committee. It is a Standing Committee of Tynwald.

I am Martyn Perkins, MHK for Garff, and I am chairing the meeting today in the absence of Mr David Cretney MLC, who sends his apologies. With me are Ms Julie Edge, MHK for Onchan,
5 and Mr Jonathan King, Deputy Clerk of Tynwald.

Please can we all ensure our mobile phones are switched off or on silent so we do not have any interruptions, and for the purposes of *Hansard* I will be ensuring that two people do not speak at once, for clarity.

10 The remit of the Social Affairs Policy Review Committee is to scrutinise established but not emergent policies as deemed necessary by the Committee. We scrutinise the Department of Health and Social Care, the Department of Education, Sport and Culture, and also, as today, the Department of Home Affairs.

15 Today we welcome the Minister for Home Affairs, Mr Malarkey, who was last before the Committee in December 2018. He is accompanied by the Chief Constable, Mr Gary Roberts; the Prison Governor, Mr Bob McColm; and Mr Dan Davies, the Chief Executive.

20 Before we get proceedings under way, I would like to ask Mr Malarkey if he would convey the Committee's thanks to the Department's services that were involved in the recent flooding, and not just in Laxey but the Island as a whole – the Police, the Fire Service, Civil Defence, the Coastguard and also the RNLI lifeboat crew. Although they are independent bodies, they teamed up and worked with the other emergency services really well. And I must not forget the Control Room, who were absolutely key in the whole operation. I am sure that but for the actions of all the emergency services we would have been looking at a much different outcome, much more serious.

EVIDENCE OF

**Hon. Bill Malarkey MHK, Minister, and
Mr Dan Davies, Interim Chief Executive Officer, Department of Home Affairs;
Mr Bob McColm, Prison Governor;
Mr Gary Roberts, Chief Constable**

25 **Q1. The Acting Chairman:** So, on with business. May we start with Mr Davies? Looking back at last year's meeting, I noticed that you were just the interim CEO at that time. Have you now been fully appointed?

The Chief Executive (Mr Davies): No. That position remains. My contract was extended and I remain interim.

30 **Q2. The Acting Chairman:** Has the post been advertised? What is the situation?

Mr Davies: No. The appointment was made for a period of 12 months while the strategic review is under way. The strategic review is ongoing to a certain extent. CoMin have had an initial report which they are considering at this time, so my post has been extended and under public service regulations it does not need to be advertised at this stage.

The Acting Chairman: Thank you.

40 **Q3. Ms Edge:** Can I ask how long it has been extended for?

Mr Davies: Until 31st October this year.

Q4. The Acting Chairman: You said to us last year that you had a report that you prepared before you came to the post. (**Mr Davies:** Yes.) Have you had a chance to implement some of the things? You actually promised to send us a copy, which we have not had.

Mr Davies: I did, and Mr King did email me. The report formed the basis of the review that went into the Council of Ministers, and as it was in essence emergent policy in the way that the report was framed, it seemed inappropriate at the time to send the outcome of the review.

50 **The Minister for Home Affairs (Mr Malarkey):** I basically blocked it because it was an ongoing report that was going to the Council of Ministers and it would be wrong for it to go out at that stage – so you will blame me.

55 **Q5. The Acting Chairman:** Right. We are very private within this Committee and it would not –

The Minister: It goes out publicly, doesn't it, so we have to be careful? If something is in the hands of the Council of Ministers and is being discussed in there, that is where it has to stay until it becomes policy or is brought before Tynwald.

The Acting Chairman: Okay. Thank you for that.

65 **Q6. Ms Edge:** Emerging policy can be discussed at Committee, can it, Mr King?

The Clerk: The Standing Order, as Mr Perkins read out, refers to 'established but not emergent' policy, that is correct, but I think in this case Mr Davies undertook to send something and then was not able to. So he has answered the question.

70 **Ms Edge:** Thank you.

Q7. The Acting Chairman: We have had a draft copy of the new Sexual Offences and Obscene Publications Bill. Has there been any feedback on that?

75 **The Minister:** It has been out for consultation. It has just finished its last consultation. Who got it?

80 **Mr Davies:** The Sexual Offences and Obscene Publications Bill is due for Second Reading in the Keys. The Domestic Abuse Bill went out to secondary consultation, but the Sexual Offences and Obscene Publications Bill has had its First Reading in the Keys and is due for its Second Reading in the middle of October, I think.

The Minister: I apologise – we have three Bills on the go at the moment.

85 **Mr Davies:** Very significant Bills.

The Minister: Very significant Bills.

90 **Q8. The Acting Chairman:** So quite a lot on your plate then, really, one way and another?

The Minister: Yes. Luckily I have some good Members who are taking some of them through for me.

95 **Q9. Ms Edge:** Just interested because you have got these Bills that are coming through and you said your appointment was only extended until 31st October, which is only two weeks away: have there been any discussions around the continuation?

100 **Mr Davies:** I am sure the Chief Secretary has been in discussion on that point. I cannot comment at this stage; I do not know.

Q10. Ms Edge: Okay. It is just difficult if there is legislation coming through and in two weeks' time you might have a different –

105 **The Minister:** I am hopeful it will be extended again because, as I said, the review is with the Council of Ministers, so until that has been resolved I need a Chief Executive, basically.

Q11. The Acting Chairman: Thank you.

110 Mr McColm, Prison Governor, welcome to the Committee for the first time. As it is your first time, would you like to give us a little bit about your background in the UK and tell us how long you have been in post here?

115 **The Prison Governor (Mr McColm):** I have been in post here just over four years. My background in the UK was that I started at Albany Prison on the Isle of Wight, then moved through 17 different postings. I have governed six prisons in the UK, one of them a private prison for G4S. I am as senior a prison governor as you can get.

120 It has been an interesting time here. Clearly the service across has had a very difficult time – which was all wholly predictable, I am afraid to say – and it was at that time that I decided I did not want to work there anymore. The cuts were inevitably going to lead to issues of control and order, and sadly that is true, and then if you put new psychoactive substances on top of that, which no one really predicted – the synthetic drugs – it is really difficult. But I am enjoying what I am doing here.

125 **Q12. The Acting Chairman:** I am glad to hear it. Thank you for that. For the record, and I do not want to drag out the documentary business, how many episodes were there of it?

Mr McColm: Six episodes viewed by 3.6 million pretty much throughout.

Q13. The Acting Chairman: And feedback from the public generally?

130 **Mr McColm:** Completely mixed, but the feedback was there before it was even broadcast.
Prison polarises people. Some people think we should beat them; some people think everything
is too soft.

The fact is we run something which is very much based on rehabilitation. The taster video
which was shared quite widely promised more than I think we got from the documentary, but
135 we had no direct control over that and I think they were seduced by a few 'characters', as they
would see them. I know what my views would be, but overall it certainly showcased the Island. I
would have liked it to have shown more of what we actually do – but beyond my control.

Q14. The Acting Chairman: Okay, thank you. Was any advice sought from the Attorney
140 General beforehand?

The Minister: It was discussed in the Council of Ministers in the presence of the Attorney
General. Obviously I authorised it. It was not something that was just thrown together. They
were on the Island for some considerable time, and as Bob said, there was a taster put out at the
145 start.

I was very keen to push the rehabilitation and in all interviews that I did with the media I kept
emphasising the rehabilitation because we have got extremely good figures to back that up.
Unfortunately, even the local press were not interested in the rehabilitation. They wanted to
come from a completely different angle, which is unfortunate.

150 I think the figures on rehabilitation speak for themselves, that we have got it right, we are
doing it right. We are down to something like 12%, against the UK, which is over 50%. So I am
very pleased with what Bob is doing up at the Prison.

The Acting Chairman: Thank you.
155

Mr Davies: I think it is interesting – if you look, there are a couple of prison programmes on
the TV again at the moment, one focusing on HMP Winchester, and the contrast between the
Isle of Man Prison and HMP Winchester could not be more stark. The prison is dangerous, it is
dirty, it is a very thin line between who controls parts of the jail in terms of the prisoners or the
160 staff, the staff are under threat constantly and they are under resourced.

If you look at what we have here in the Isle of Man, I think we were proud that we showed a
Prison that was clean, that was safe and that was well run, and hopefully people looking at both
HMP Winchester and the Isle of Man will look at that comparison and realise how lucky we are
to have what we have here.
165

Q15. The Acting Chairman: I think you are right and also the lady governor's wish list
appeared to be exactly what we are doing on the Isle of Man, which was interesting.

The Minister: You must wonder whether human rights over there are being broken, really,
170 with the way there are so many in cells and they have not got toilets in the cells, etc. I think
what we have over here helps with rehabilitation.

Q16. Ms Edge: I am just interested to ask Bob, the Prison Governor: you said you had worked
for private – G4S – and you had worked for state operations. Obviously you have come to the
175 Isle of Man and it is a state operation. When you talk about us being well resourced and that,
what do you think the advantage to the individual is of it being state run?

Mr McColm: I think you are not looking at the bottom line all the time. I have to say that I
thought I would get more freedom when I went to the private sector, but prisons were just
180 another commodity, I am afraid. It was an interesting time and you certainly are not bound by

some of the bureaucracy and rules that you get from a government, but that is really one of the reasons why I have come here: I can actually influence legislation.

When you talk about the governor of Winchester, it is no secret what works. We have not come up with something really magical. What we have not done is cut it. If your jail is not secure and safe – or if any community is not safe – people will not come out and engage, and that could be a community on the Isle of Man; they will not come out of their doors.

The fundamentals are safe, decent, secure. It is a very clean jail. I absolutely abhor graffiti, and the number of television programmes ... It is a thing I notice as soon as the cell opens, and it tells you a lot about how people care about their environment. This is everyone's well-being. This is staff and prisoners.

I believe we have the right platform to then work with offenders to get them to change their ways. We know what works, and that is education, that is work, that is cognitive-based therapy, dialectical-based therapy, our interventions actually having prisoners working in the community earning money for their discharge. These are all things that had been in the UK but have been drastically cut, often on a political whim when things go wrong.

Q17. Ms Edge: And from your own point of view, some of those strategies have come into place since you have been there? And has the uptake with the prisoners – I believe it is a choice as to whether they go on a training course – been a bigger increase since you have –?

Mr McColm: Certainly on intervention. We set targets for them but everything we do incentivises those targets. So, while on the programme they showed them spending money, if you do not engage then you get, actually, pretty much nothing. You will not be able to spend much, you will get the minimum visits, the minimum time out of cell – a couple of hours a day at most – and you will not get any other benefits in life. If you engage, then you get more time on association, more visits, you can spend more and you can earn the right to actually go out of the jail.

The other thing we have here is that parole is discretionary whereas in the UK a lot of it is automatic, so you can imagine some offenders just do not engage at all over there because if they do or they do not they will get out and they know when. We actually make sure they have to earn it. After the Karran inquiry we basically reviewed everything right through – with our colleagues in the Police – the multi-agency public protection arrangements, trying to make sure that when someone goes out they are less of a risk than when they came in.

And yes, the take-up is very high. Most of them, I guess, just behave like human beings: they want the good things in life.

Q18. The Acting Chairman: Has there been any feedback from an inquiry in the DfE and the DHA on the value to the Island of the documentary?

Mr McColm: I am not aware of any.

The Minister: I think it is a bit early to say. Obviously we have got the adverts now running for the Isle of Man. It was discussed in depth beforehand whether we should do some advertising with the series or let the series run and then put the adverts in afterwards, which is what they decided to do but we are not going to know what the effects are.

We can give you an instance of the visitors that were caught outside the Prison on the bank holiday weekend taking photographs. They had seen the programme, got on the boat that weekend and actually come over to the Island just to see the Prison and take photographs. So it has had some influence on quite a lot of people.

Q19. The Acting Chairman: Did you offer them accommodation, or not?

235 **The Minister:** A lot of people did not know where the Isle of Man was; they thought it was the Isle of Wight. I think what you have to realise here is the programme went out nationally. It was not just the North West; this was a national programme. I have got figures here that show that the viewing figures were 3.6 million to watch the programme. Other programmes were getting one million and 1.2 million, so we were topping it every time. And look how it showed the Isle of Man, with the races and the scenery and all the rest of it. I personally think it was a great tourist opportunity for the Island, which would have cost us a fortune had we gone out and paid for it.

245 **Q20. The Acting Chairman:** I think we are very open compared to the Winchester documentary. I think we gave the TV crew total access, which perhaps was not given in the Winchester one. Would you agree with that?

250 **Mr McCalm:** Yes. I think it is the only way you can do it. You cannot script it, just like you cannot get staff or offenders to say what you would like them to say, a lot of positive things – every interview I did ... and I have repeated in fact when the Chief Minister visited – about what we are trying to do and how it joins up, and I think the frustration is that not enough of that came out through the programme, but it was said.

Q21. The Acting Chairman: Have you had any feedback from the victims – adverse feedback?

255 **Mr McCalm:** Through Mr Moorhouse, and that was not direct from it too. We contacted every identifiable victim of the 30 offenders in there. Most of them did not have direct victims. That is not to say there are not victims. Most of them are drug dealing, which is a higher sort of piece of business anyway. Where there were direct ones, we made contact and once again we worked with the Constabulary and with the family liaison officers to contact. We went through Victim Support and shared it too.

260 We got the feedback that there were a couple of victims who did not feel they were contacted. The Minister made the offer that if they wanted to get back in touch we have victim support services, a victim liaison officer and Probation, or the Minister said that he would deal with it himself. We have not heard anything.

265 **The Minister:** Nothing back from it. There were only six of the 30 that actually had victims involved with them. We were very careful that the victims came first before anything else was put out. That was, I think, number one, the key priority for all of us.

270 **Mr McCalm:** To set this in context too – because Probation were filmed as well but did not feature – we have done more in the last year around victims, with the victims' code of practice being published, with our colleagues right across the Criminal Justice Board, the Police, the Registries and the prosecutors. We have a victim liaison officer appointed in Probation now so that there is a seamlessness to the support for victims. Also, as part of the Karran inquiry the victims are able to make a statement to the Parole Committee about the offenders. So I think we have probably done more in the last year, through the Criminal Justice Board, for victims than at any other time.

The Acting Chairman: Excellent, thank you.

280 **Q22. Ms Edge:** Can I just extend on that with regard to victim support? Everybody talks about the victim, but some of the contact I had after the programme was from families of the individual who had committed the crime. They could be viewed as a victim of the situation and I just wonder are you going to come up with a strategy that involves ...? It is a question that I did ask Victim Support – a family member who feels they are a victim of the person committing the

285 crime – and there is no support mechanism in place. Is that something that could be looked at in
the future, that the person who is the victim of the crime ... there is also extended family of that
victim?

Mr McCollm: Yes. We have set up a victims' forum where we are actually dealing directly with
290 victims – some quite influential, notable victims too – and we are looking at wider strategies
than this too. But some of it is very difficult to follow through on. When someone is harmed, it
often is wider than just an individual. It is not straightforward.

Q23. Ms Edge: And on the other side of that, the criminal could have people who are victims
295 of the person who has committed the criminal behaviour on their family side. I think there is a
big gap there as well, that the criminal is in front of the courts but there are also family members
who want to support that criminal but they feel they could be a victim.

The Minister: We have now appointed a victim liaison officer, which is a major step. It will
300 help in the future with just these sorts of situations.

Mr Davies: I would say that the Department also pays a grant each year and we are looking
at the terms of that at the moment with Victim Support. They provide services for victims and
they would certainly provide those services to the families of people who commit crimes if they
305 are seen as victims. I do not think they turn anybody away.

Q24. Ms Edge: As an extension of their service?

Mr Davies: Yes.
310

Ms Edge: Thank you.

Q25. The Acting Chairman: On the prisoners who have been released, has their 'street cred'
315 increased within the criminal fraternity, or not?

Mr McCollm: I do not know.

Q26. The Acting Chairman: Chief Constable, would you like to comment on that? Have you
320 come across anything?

The Chief Constable (Mr Roberts): We have had one unfortunate individual who was arrested
by officers, who made a big fuss about having been on television, but that is probably more to
do with his character than the television, I think.

The Acting Chairman: Okay, thank you.
325

Mr McCollm: And we know who that is.

Q27. The Acting Chairman: Just coming on to other things, why is the weight and height of
330 prisoners recorded only on arrival and not when they depart?

Mr McCollm: It is a medical thing and it is historical. It is not to see whether they actually lose
weight, or indeed lose height, during their sentence. We need to know in case someone goes on
a hunger strike, so we actually have a benchmark against it. But equally, in an escape pack we
335 need to tell our colleagues in the Police it is a 6' 4", Polish, 20-stone person. It is done exactly the
same way in the UK. It certainly is not to judge whether we feed them well, or not.

Mr Davies: We do not capture weight or height when they leave because it is not necessarily material at the present time.

340 **The Minister:** Why would you want to? Certainly I cannot see any reason why you would want to do the same thing when they left.

The Acting Chairman: Well, just to make sure they are in good condition, presumably.

345 **Q28. Ms Edge:** Continued welfare if they are going to be a success in the future in the community?

350 **Mr McColm:** I think if they have taken advantage of the gymnasium, their well-being generally is very good. We will refer them to their GP; that will be seamless too. And once again, because we are a compact jurisdiction, the follow-up, particularly on supervision, is something that we do keep tabs on.

355 **Mr Davies:** I would also say that because of the nature of the Prison, the way it is run and the small size of it, if there are health concerns, officers will pick that up very quickly. That is certainly my experience. So the capturing of their weight when they leave –

The Acting Chairman: Would be just another intrusion, right. Okay, thank you for that.

360 **Q29. Ms Edge:** So, if somebody goes in and they just decide to not get involved in anything – they go in and they just do the bare minimum from start to finish – there is no intervention?

365 **Mr McColm:** All of them will have a personal officer, called a custody support officer, whose job is to motivate the individual, get to know the individual. Dan was just touching on it, but what I can say is the staff-prisoner relationships in the Isle of Man Prison are the best I have ever seen anywhere. They know their prisoners but they also know their parents – they have gone to school with them. The relationships are entirely different to anywhere else I have been. The fact of the matter is they know them inside out and we do not actually get that scenario of someone just not engaging. We may get the odd protest; they may stop eating. We have had one, in all my time here, dirty protest – although it was not a protest; he did not have any axe to grind. He just wanted to smear excrement, which is pretty unpleasant for staff, but I have had a wing of that in the past – not here.

370 The fact is prison communities work because everyone has got an investment to make it work, to keep it safe for everyone, and the Prison at Jurby is exactly that. You do not go there and ... you are not on edge. You visited, Mr Perkins, and it has a really good atmosphere. One of the things I am going to regret saying – I am going to touch a bit of wood – is that it is quiet. Jails across are noisy, aggressive places, even the good ones. Here we have had lockdown searches where you could drop a pin. Some of the ones now – the Chief Constable knows we are getting more and more offenders from across – are slightly more sophisticated and better connected and I think it is fair to say that we will go down the same route as the UK if we do not anticipate all that.

380 **Q30. The Acting Chairman:** Okay, thank you.
Do you think the Independent Monitoring Board (IMB) report is fair and reasoned?

385 **Mr McColm:** It is independent. Yes, there are elements in that, which I have discussed with them, that I thought could be better projected – because they have no benchmark; it is just the Isle of Man Prison. I can benchmark where we are against other prisons and I know just how clean, purposeful and active in terms of reducing risk we are.

390 That is why I am still doing this. I was retiring when I left the UK, but the chance to actually do
what is right ... Every one of these offenders will go back into our community. Why would we not
want them less risky? Why would we not want to prevent the next victim? That is what we are
doing. So the IMB report, I think, was fair.

395 **The Acting Chairman:** Yes, thank you.

The Minister: If I could add to that, most of the adverse comments that were made by the
IMB – and there were not that many – had been addressed by the time the report was printed.
They had come to us earlier and of course any problems we addressed straight away, so to me it
was a little bit disappointing to see some of them in the report when we had already dealt with
400 things like Tromode House and things like that. We had gone to great trouble to sort that out.

Mr Davies: But we recognise it was done at a point in time. Overall, I think it is fair.

405 **Mr McColm:** And we have a very good relationship with them. Every rota visit – and they visit
every week – they immediately give us a report and we immediately give them a response, and
they highlight more positive issues than solely negative.

410 **Mr Davies:** I think it is fair to say that the IMB do a remarkable job. They are volunteers. They
get paid an attendance allowance for when they meet, but they do not get paid when they turn
up at the Prison, and one of them is on call the whole time. These are just members of our
community and I think they provide a really valuable service.

415 **Q31. Ms Edge:** The last external report that was done on our Prison – and I have not got it in
front of me, or the date – was a considerable time ago. (**Mr McColm:** In 2011.) When is the next
one due?

420 **Mr McColm:** I do not actually agree that we invite different jurisdictions' inspectors to come
and see us when they will not compromise on their standards. They have a set of rules called the
'Expectations' and it will have things about mother and baby units or travellers or things that are
just not relevant to us at all. To pay a large amount of money to be able to be publicly criticised
on things you cannot change is not the best way of actually looking at how our work is assessed.

425 What we are looking to do is have peer inspections with Jersey and Guernsey, who are
smaller jurisdictions, obviously, and understand what it is like to be one prison. We cannot ship
people out. We have to deal with every problem there is.

The Expectations document we use widely where it is appropriate to us, but we have our
own standards with this too and those standards are exceptionally high, and the IMB report
against that.

430 **Mr Davies:** I would certainly say that the Department is considering how to do that external
scrutiny and inspection, which is a really important part of running any facility or any service
with the fundamental powers that the Police operate under, the Prison operates under and even
the Fire and Rescue Service operate under. So the Department is considering how best to have
some form of external scrutiny and inspection that recognises the constraints of operating
within a small jurisdiction but provides effective challenge and scrutiny, because it is important.

435

Q32. Ms Edge: There were a number of recommendations in that previous inspection.
(**Mr Davies:** In the 2011 report?) Have they all been implemented?

440 **Mr Davies:** I think the majority of them have. I think one of the main focuses was the amount
of work available for prisoners. Since Bob's arrival there has been the unprecedented step of

445 prisoners who have worked their way through the incentive scheme and have proven themselves to be a low risk to the community, who want to work hard and want to get a job on release and have gone out and work inside the community now. There are some really outstanding examples of that, of people who have earned money to pay for their accommodation on release, who have got a job on release.

450 I think the primary focus was on resettlement. The Governor has created a five-strong resettlement team who work actively with prisoners to make that transition from prison to the outside-world work, making sure that they have got settled accommodation, that they have got jobs, that they have got a family support network in place and that any addictions are going to be addressed. And so I think most of the recommendations in that area have been addressed.

455 **The Minister:** We now have classrooms. They are teaching them and they are coming out with qualifications as well. There are workshops up there that have not been used for years, which we are hoping to make use of in the very near future. There will be more stuff coming online to keep the prisoners busy.

Q33. Ms Edge: I am aware of the workshop. It used to be that people could come out to be trained as electricians and plumbers, and that certainly was stopped. Is that back in now?

460 And just one other comment that you made, Bob, was 'we cannot ship people out'. What if we are full? What is the situation?

Mr McCollm: There is executive release, where the offender who is closest to their discharge date ... This has happened in Victoria Road in the past. It cannot include offences of sexual violence. We have not got to that position.

465 But the shipping out I was talking about really was on behavioural grounds. It is not population; it is as soon as someone gives you a hard time. And offenders know this too. They will engineer it if they do not like the jail they are in and they know they will be shipped.

470 **Q34. Ms Edge:** But within legislation, if there was an issue with a serious ... You did comment that there is a different type of prisoner these days on the Island and we need to keep control of that. Is that a legislation difficulty, that we cannot say 'You are not suitable for our prison'?

475 **Mr McCollm:** We have life-sentence prisoners who are housed across in the high-security estates. We will be looking to bring them back when they are less of a risk and when our programmes can kick in, but the legislation ... I should say if an offender ... It is one of the things that people spoke about in the programme too, that it looks so soft that people want to come here and commit crime. Well, the reality of that is they are far more likely to be caught if they come here because of the work of Gary and the Constabulary. They are likely to get a much heavier sentence because it is actually up to three times the amount, and we will then ship them straight back to the UK if they do not have links with the Island. So, if someone wants to come here and break the rules, they are going to end up with a bigger sentence and go back to the UK.

485 **The Minister:** It is worth noting that we are aware that our figures are getting quite high at the Prison at the moment, so we are going to be introducing tagging, hopefully, with the support of the courts etc., so we will be able to stop a lot of these people on remand.

Q35. Ms Edge: When did that stop? I thought we had tagging.

490 **Mr Davies:** There was a tagging contract in place historically, provided by a third party, but it did not offer particularly good value for money. The range of disposal options was quite limited and it was not taken up particularly – and it cost the Department quite a lot of money.

495 The new Administration of Justice Bill, which goes before the Keys hopefully before Christmas, will introduce a range of disposal options which will allow the judiciary to combine tagging with say a rehabilitation or a restorative justice order. The modern tags also are far more sophisticated. They are GPS, and so you can track. You could set a geo-fence around a particular area and an offender could be either determined to stay within that area or to not go into that area, so it gives us a huge range of flexibility and it is a lot cheaper as well.

500 **The Minister:** So that is what we are looking at, at the moment.

Q36. Ms Edge: Just to pick up on that, obviously the legislation ... You can recommend tagging, but because there is not a contract in place it does not happen?

505 **Mr Davies:** Yes.

Q37. Ms Edge: So there is not really legislation change required; it is just that there is no system?

510 **Mr Davies:** There is no legislative change required but there are some legislative changes required for what we call combination type orders, so to have tagging in conjunction with something else.

Ms Edge: Thank you.

515 **Q38. The Acting Chairman:** Just going back to Tromode House, how is that working out?

Mr McColm: Early days – it is the first week.

520 **Q39. The Acting Chairman:** Oh, the first week – I did not realise. It is a bit of an unfair question, isn't it, really?

525 **Mr McColm:** No, not at all. It has been a long journey to get there and a lot of negotiation. We tried very hard to stay with the Salvation Army, but their reason for being is homelessness and that is not the Probation Service's; ours is reducing reoffending. We have tried every way to find a way to continue to work together. We had to move from David Gray House; it was totally not fit for purpose: the disabled room was on the first floor with no lift.

530 The facility there is far better. The co-location with the Probation team means that we can start working with offenders. When we were talking about tagging and prison population, if we can show that there are robust ways of managing offenders without them going to prison and to do offending behaviour work with them and tag them – and Dan spoke about the exclusion areas, but there is also a facility on it to alert victims that the person is in the vicinity.

535 We see a lot of scope with this. I think it is fair to say – and three of us were on the Criminal Justice Board meeting recently – the judiciary is showing an appetite for this along with the combination orders and the new offences. So I think what we are trying to do is look front end and try and stop more people going into prison.

540 **Q40. Ms Edge:** Can I just ask with regard to the Probation Service, do you think it sits in the correct place? There are probably loose comments, but people comment that the Probation Service could be feeding forward into the Prison Service. Do you think it sits in the right place? Sometimes probation is just seen as somebody you report to on a weekly basis but they do not give you any activities or action.

Mr McColm: I think that it sits exactly where it should be. They have had different structures in the UK. They actually split the Probation Service. It was notionally under the National Offender Management Service (NOMS), which is now called HM Prison and Probation Service (HMPPS), and Prison and Probation reported into one director general. They then split probation into the National Probation Service and outsourced to 21 community rehabilitation companies. It has been another disaster, I am afraid, a complete disaster, losing track of offenders, and the offending rates have gone up.

The seamlessness, the closeness of Probation and Prison is that in effect the experts on risk are Probation when they write the court reports. We should do everything we can to divert people away from the courts, but when they actually get there and they reach the threshold, that risk has to be transferred on into the Prison so that we work with them and reduce that risk. We have one computer system through Prison and Probation, so that seamlessness is there. When I said earlier about incentivising people, the targets are set on the criminogenic risks, so if we think they have got issues around victims or around anger or around drugs, those will be the targets that are set.

Once again, in the UK, with different computer systems, it does not work like that and it breaks down as people come into prison. If we want to spend our time or their time in prison productively we need to know the cocktail of events that has brought that offender to where they are. You can take this right back to adverse childhood experiences, something which I know the Police are very focused on at the moment too. Basically, when you read a social inquiry report, a court report, there is no surprise that person has ended up where they have ended up. I have not read one and thought ‘How did that happen?’

So, trying to do things earlier and downstream ought to be part of what we are doing as a community, but when they do reach the stage that they should come to prison, then Probation identifying the risk, case managing them – and we have probation officers based in the jail – during the sentence, overseeing the interventions and then seeing them, writing reports on probation for the Parole Board and then supervising in the community should be woven all the way through this, and that is what we have got.

Q41. Ms Edge: And can I just ask one more question on the Prison: have you seen an increase in mental health with people coming into your services? I am sure you have probably had the same stresses as the Police Force have had. Have you addressed that?

Mr McColm: In very much the same way. I think we all see an increase in incidents of mental health. It is exceptionally high level in offending. Over 80% of offenders will have some form of mental health illness. It could be low-level anxiety or depression, right through to serious mental health issues. But along with our colleagues in Mental Health we have a forensic pathway now, and so the diversion work that our mental health nurses are doing for the Chief Constable’s front end of it is continuing in the jail. We are getting more support than we have ever had in terms of mental health services. There is still a bit of a way to go around recruitment, but Angela Murray in Mental Health is looking at how all of the services are configured and how we can actually access them at the right time. So I think there is probably better join-up and will around this than I have seen at any stage that I have been here.

Mr Davies: I think it is absolutely fair to say that the co-operation with the Department of Health and Social Care – and it is both in the Police Force, where mental health officers are embedded within the police service, and then as Bob said, working with the Mental Health team to get a forensic mental health pathway through the service – really has the potential to be transformational. The work in the Police was a pilot for a year and we have put a bid in to Treasury this year to formalise that service, so we will have a managed service provided by the Department of Health and Social Care, where we will have three mental health officers available,

595 embedded within the Police, who will attend calls where necessary, and that has been of huge benefit so far.

Ms Edge: I hope that is supported by –

600 **Mr Roberts:** Sorry, five, not three.

Mr Davies: Sorry, five, yes. We have currently got three in the pilot.

605 **Q42. Ms Edge:** Originally, I raised that issue because in the Chief Constable's Report – I think it was in 2016, maybe 2017 – you said it was 20% of your officers' time. Has that decreased?

Mr Roberts: It is still about the same. In the data for the year ended 31st March in the latest report you will see that there was a 24% increase in incidents involving mental health in the year. So, even with the mental health specialists there – and they bring lots of benefits – there is still this apparently inexorable increase in mental health issues that manifest themselves in calls to the Police. We are certainly not unique in that; that is happening right across the British Isles. I think the States of Jersey Police released some data in the last month to show the demands that they face, and the demands were very similar to the demands we face here.

615 **Q43. Ms Edge:** And do you think the bid that you have put in is sufficient to help?

Mr Roberts: Well, we hope so; we will see what the Treasury say when we meet them next week.

620 **Q44. The Acting Chairman:** One of the things the Committee has been looking into is suicides. Do you have any statistics of ex-prisoners who have committed suicide, or don't you record that?

625 **Mr McColm:** We do not hold them, but we would know because of this Island. We have had one ex-prisoner die, but it was a drugs overdose. We have – touching lots of bits of wood here – a very low level of self-harm and have not had a death in custody for over 10 years, self-inflicted. Having worked in prisons in the UK, where I actually had two prisoners half an hour apart kill themselves, the environment is part of that – the engagement, the relationships, the staff. They know when someone is having a dip, and we monitor telephone calls, relationships, visits and families very closely. That is much more straightforward to do here than when you have got 630 1,400 prisoners, like at my last jail. So we are pretty much on top of that, but there are growing issues around mental health. I think the world is waking up to it; I think there is greater recognition generally and people talking about it.

635 **Q45. The Acting Chairman:** And with the staff as well, of course.

Mr McColm: Yes.

640 **Q46. The Acting Chairman:** Okay, thank you.
E-cigarettes: has the Prison view changed on the perceived problems with e-cigarettes?

Mr McColm: No. There have been some concerns expressed in America, but the research is actually showing that that is because they are abusing it with other drugs, with synthetic drugs. Public Health England, we visited their work recently – I think the most recent report is the middle of this year – and they still hold the position that e-cigarettes are 95% less harmful than 645 cigarettes. I spoke yesterday to the consultant in public health on the Island and she is happy to

be quoted that the position is exactly the same. In terms of harm reduction there is no evidence to show that e-cigarettes have led to smoking for anyone.

650 All I can say in the Prison is it has become a lot more stable, and if it is 95% safer than smoking tobacco ...They were not smoking tobacco; they were smoking all sorts of things and I dread to think about the harm they were doing themselves. The IMB annual report says every time how fresh the wings smell. And we can smell now if they are smoking. There was a time when we could not know because it was pretty permanent.

Q47. The Acting Chairman: Okay, thank you.

655 Finally, Prison Governor, from what we have seen from this side of the desk I think you are doing pretty valuable work with the community. Despite all that, you got a bit of a mauling on your documentary from social media. Have you been able to come to terms with that, personally? I know that some of the comments were *very* personal.

660 **Mr McColm:** I am a public servant, but I am also a person.

The Acting Chairman: Yes, I know.

665 **Mr McColm:** Yes, of course it does. If they could have explained some of the stuff we do with Manx Blind Welfare, some of the stuff we do with the Hospice work and actually just our projects in the community painting churches and church halls ... Sadly none of that came out. But no, I am fine.

670 **The Minister:** I think we managed to squash a lot of the misinformation when we did Manx Radio. Two or three weeks ago we a Sunday programme and I really went out of my way to stop all these rumours about these people all getting paid afterwards and us all getting money and all the rest of it. In fact, it went really quiet after that programme. There were no more comments coming out. Most people knew the truth. Everybody seemed to think that these people were going to go and do one of these reality TV ... and make a fortune. They all had to sign a document saying no and they cannot get anything out of it. I think Manx Radio did us a power of good; it just squashed everything.

The Acting Chairman: Excellent – that is good.

680 **Q48. Ms Edge:** Can I just ask one more question about prison work schemes, which we used to use quite extensively in the Island in years gone by. They would be on the rivers and doing things like that. You said you go to churches and all that: is it more charity-type work that you are doing, rather than getting involved in prisoners being trained in health and safety etc. to be able to support things in the community?

685 **Mr McColm:** There is actually a range. I would like to include Probation in this because Community Service comes under us. I will send you a list of the projects that we have done just recently too.

690 Doing things like coastal pathways, being involved in Cregneash, being involved in plantations – a number of them do have to be health and safety trained. I think just as the Prison population has gone up, so has the community sentencing gone up and we are looking at how we can best use them. For instance, we offered a Prison party to go to Laxey. That was not taken up, but they did use Community Service to do sandbags.

695 We see ourselves as part of the community, so that when we were snowed in last year we sent a party of prisoners out to Jurby school and to the medical centre to clear the pathways. The whole idea is that people pay back.

Q49. Ms Edge: So you can react?

700 **Mr McColm:** Well, it is restorative, it is reparative and it is their community, it really is: they are going back to it.

705 **Mr Davies:** I do not think we advertise when Prison parties are out doing work. In the UK you will see that community sentence offenders will have high-vis jackets that say 'Repaying debt to society'. I do not know if that would work on a small Island. I think a lot of people say, 'Why don't we get prisoners doing this and that?' and actually they already are out there doing it, but we just do not advertise it as well as we should do; pretty much the story of the Department sometimes – I think we keep it under the radar.

710 **Ms Edge:** Celebrate your success.

The Minister: There is an awful lot of community service being handed out by the courts these days, so away from the Prison. Community Service is doing these jobs and doing these pathways and other –

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Mr McColm: Beach Buddies and all those sorts of things.

The Minister: Yes, it is being done but it is not being shouted about.

720 **Q50. The Acting Chairman:** The school's gardens as well, I hear.

The Minister, Mr Davies and Mr McColm: Yes.

725 **Mr Roberts:** Bob spoke about the context we operate in before, and that is really important because this week Her Majesty's Chief Inspector of Probation has issued a report on the Probation Service in England and Wales and it is probably the most damning report I have seen on any public service. If you compare and contrast what happens here with what happens in the UK, you will see that context in very stark terms, I think.

730 **Mr Davies:** Absolutely.

Q51. The Acting Chairman: Thank you.

735 The final question: the last time you came in, some of the prisoners were having problems on their release getting bank accounts, and I think you guys were approaching the Isle of Man Bankers Association and the Treasury were going try and pull a few strings to see if we could do something – has that come to fruition?

740 **Mr McColm:** We have actually done a fair bit of work on this. One bank in particular is very co-operative with this. We have not got a fully functioning bank account yet, though; and they are looking at the debit card side of it too. So we have made progress but I think there is still some room to go.

We had an offender who went out with £7,000 in cash. He was a drug dealer. It is just about the worst combination you could get. As it is, he set up a restaurant, is doing very well and I do not think we will see him again.

745 We have had problems. Certainly opening a bank account now is not an issue. How accessible it is ... They have to turn up in person, which is not always easy for offenders.

750 **Mr Davies:** We have had some very positive engagement with the Isle of Man Bankers Association. We have had a couple of discussions with them and they are very broadly supportive that as a group they can pool the risk a bit more than one bank having it.

755 We have worked with the FSA, who are going to put a paragraph into their anti-money laundering handbook which confirms that locally the Department is prepared to try and support prisoners in opening a bank account, so that will hopefully give them a bit more comfort when they look at the risk management approach to opening a bank account for an ex-offender.

Q52. Ms Edge: So they are still actually a big risk because, for instance, if that chap had been stopped by somebody from Gary's area, the immediate thought would have been 'Where's he got that money from?' Is there any link-up there that you are given?

760 **Mr McColm:** We have got past that stage now. We certainly can get it banked, but making it easily accessible, as all of us would be able to, is more difficult. I think the concern for me is that we want these people to be part of our community, but if we marginalise them in that sort of way they will go back to their own ways.

765 **Q53. Ms Edge:** So the discharge process – a number of people say as well that they just get a bus ticket to Douglas – has that all changed completely, so that somebody sits with them and they are set up to go?

770 **Mr McColm:** Our resettlement actually starts the day they come through the gate. The whole idea is that we will reintegrate them back into society in the best way possible.

775 For the best behaved, as Dan was saying earlier, resettlement day release, and resettlement overnight release because the families often struggle when someone comes back after a sentence too. Getting them to earn money – 80% goes to their discharge and 20% goes to victims, so there is a restorative and reparative approach. But we know that if we can get them into employment and accommodation, all the research shows they are 95% less likely to come back, so our focus is on that. We work with Housing Matters, we work with Graih and we work with the Salvation Army. Their very final resettlement meeting will be multi-disciplinary, looking at exactly how they will get back into the community. We have a number now who have got a job going through the gate, accommodation sorted out going through the gate. It is getting tougher.

780 I ought to say too that for the most risky offenders the multi-agency public protection ... In fact, there is a meeting today, on one of the riskier ones going out, that will take place with all the agencies – Police, Prison, Probation, Housing Matters and Victim Support – to actually make sure they go out on as safe a basis as possible.

785 **Ms Edge:** Thank you.

Q54. The Acting Chairman: Thank you.

790 Coming to the Chief Constable, last time you appeared before us you were telling us about the state-of-the-art forensic lab that you hoped to get going. How is that going?

795 **Mr Roberts:** We have a forensic lab. We have a considerable pressure facing us, which is the introduction of ISO standards for forensic science, for digital forensics and for collision investigation. In last year's Budget we were given funding to appoint a standards manager; he is in place and he is now doing the necessary preparatory work to ensure that we meet those standards. There is a lot going on, but the problem with forensic science is things move very quickly. Techniques change and technology changes and we have to keep abreast of that, but that standards manager post is key to that.

800 **Q55. The Acting Chairman:** And that means that the forensic tests can be done on Island rather than having to send them away?

Mr Roberts: No, they still have to be sent away because the work that we do is largely about, for example, separating exhibits. If we seize a big quantity of drugs it is how we properly handle
805 them so that the drugs can be identified as drugs, but forensically we can look at the packaging and take DNA and fingerprints from the packaging and so on. The critical part before they get to the UK is actually the handling here, and that is what the lab here allows us to do.

Q56. The Acting Chairman: Okay, thank you.
810 How much progress has been made on the early intervention initiative? Is that still going?

Mr Roberts: We have changed it. When I have been here before we have been talking about what was a fairly acrimonious split in terms of the Youth Justice Team, and we stopped it, paused it for a while and restarted it, and we now have what we call the Police Early Action
815 Team.

We have got useful support from some partner agencies, we have got useful support from the third sector and we are doing a lot of work with young people. In my report this year I talked about a group of young people who have fallen through the gap, so their offending was not being dealt with in the past and some of them are going on to offend; some are now finding
820 their way into the Prison. But we are doing a lot of work now with young people and this year, at the end of the half-year period, crime has come down 4%. I hope to see that continue through the rest of the year, but that will be the first reduction in crime for three or four years. My officers who work in that field say that they are driving down some of that reduction because of the work they are doing with young people.

825 Our ambition remains to extend that work into the next age group, up to 25, and we have taken tentative steps to do that, but it is a resource issue and at the moment we are not able to do what we want to do because we simply have not got enough people.

Q57. The Acting Chairman: And the younger element, have they fallen out of education
830 altogether?

Mr Roberts: Some do. Some are almost permanently outside the education system, and that is a social problem I think that we need to address. Some of these young people, as Bob touched on before, have encountered lots of adverse childhood experiences in their early years and they
835 then find themselves out of the education system. They are very difficult for our public services to deal with. Where they become particularly vulnerable I think is in the transition from being juveniles to becoming adults and several of them have come to harm during that period, so we need as a community to give some more thought to what we do with these young people, I think.

840 **Q58. The Acting Chairman:** Thank you.

Going on to neighbourhood policing, how is the presence in schools you were talking about last time?

845 **Mr Roberts:** We have done quite a bit of work with the Department of Education and we now have two officers who are dedicated pretty much full time to working in the secondary schools. They do some primary school work but they work in each of the secondary schools across the course of a week. They provide all manner of inputs and they also provide inputs out of hours to parents – there has been a successful take-up on drugs awareness sessions, for example.

850 We are in the throes of a restructuring which will further embed neighbourhood policing. What I mean by that – it sounds a bit jargony – is we will have groups of officers around the

855 Island who will only do neighbourhood policing. They will not do any response policing. So, sometime early in the New Year we will go to this model and those officers will pick up things like schools liaison, they will pick up management of licensed premises, they will pick up management of offenders in the community, they will pick up victims of domestic abuse. Their responsibility will be around community-type things like that. So, our work on schools I think has improved a lot in the last year, but I think it will further improve next year and thereafter.

860 **The Acting Chairman:** Thank you.

865 **Q59. Ms Edge:** You did not really mention anything about the level one meetings – obviously they take place with the schools and local authorities. I did raise my concerns when this legislation was going through with regard to hearsay and confidentiality within these meetings. Have you continued the same – I suppose is what I want to ask – with the level ones, or has that changed?

870 **Mr Roberts:** What you are referring to – we used to call the meetings level one meetings – goes back to a thing in the UK called the National Intelligence Model that was created about a dozen or 15 years ago, where there were three levels to police activity. Level one was at local neighbourhood level; level two was, in England and Wales, across a county; and level three was outside a county, across a number of counties. Here, we would have meetings at local level in places like Peel, where we would talk to the Commissioners and various other local, interested parties, simply to say, ‘What issues are there for us in Peel to deal with? What bothers you, as either the Commissioners or as Government agencies who work there, and even occasionally the public?’ We do that but we have let it drift a bit. That will be reinvigorated, I think, as part of the changes that will happen next year.

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880 The critical bit around that is about information sharing, so that when people share information they do it safely and in accordance with the Data Protection Act, and so what has to underlie all of those things is a series of data protection sharing information and sharing agreements, and those are largely in place. There is a bit more work to do but we have just taken an audit of what local authorities think and one of my colleagues, Supt Steve Maddocks, has visited just about all the local authorities on the Island over the course of the last three or four months. The issues are fairly low level and broadly speaking the local authorities are very content with the service they get from the Constabulary, but they are keen to be able to contribute to what we do as we go forward in this new model.

885 **Ms Edge:** Thanks.

890 **Q60. The Acting Chairman:** You mentioned last year about the volunteer police programme. Is that still up and running, and how successful is it?

895 **Mr Roberts:** We have got three levels of volunteers. We recruited special constables last year and they are excellent. I have met personally with the Special Constabulary as a body twice in the last six months. They are enthusiastic, they are sometimes very highly skilled and they provide a wonderful service. That is one level. The Specials effectively come in two parts. There are those who simply want to volunteer and give their time back to the community and there are those who see specialing as a step into the Constabulary proper – and we do recruit extensively from the Special Constabulary, particularly younger people who get a bit of life experience and then join us full time.

900 There is a second level, which is community volunteers, and we are about to have a further push on community volunteers because we have lost two or three. One, for example, has left us in the last week because her domestic circumstances have changed and she has moved on. But we now have digital volunteers and we have people from the gaming industry who work with us

905 on cyber matters, and so we are using their terrific technical skills to help us in some tricky work that we are having to do.

The third level of volunteering is around the cadet system, where we have 15 or 16 volunteer cadets. We are on our third group of them and that is a huge success. We now have three or four constables who have come through that cadet scheme and that is a really positive thing.

910 **Q61. The Acting Chairman:** And how is generally your recruitment going, apart from that?

Mr Roberts: Recruitment is difficult. We were set a big challenge because we got extra funding in this year's Budget and we were required probably to recruit in the region of 30 extra officers, along with replacing officers who were leaving, so that is a big ask. We set a policy of recruiting on a two-thirds, one-third basis – two thirds from the Isle of Man, one third on transfer from the UK.

915 The transfer from the UK bit is really easy – we are almost fighting them off with a stick because they want to come to the Island to work. We have recruited some first-class people from the UK. They come ready-skilled with training and experience and that is really positive. 920 We have to make sure we recruit the right people so that we do not import the wrong values, but we have done a lot of work on that.

Local recruitment has been tricky. We have just had eight student officers finish their initial training, but sadly two of them have left the service within weeks of that initial training. Quite simply they have found the difference between the classroom and reality too difficult to deal with. We are in the middle of a recruitment process at the minute and we have had 72 applications for constable posts, and on first blush we look to be attracting some quality applicants, so we will keep recruiting. There is also another transferee recruitment process under way at the minute and one of my colleagues has been spending time in the UK holding sessions in Liverpool and in the south of England to try to answer questions of potential transferees.

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Q62. The Acting Chairman: Excellent, thank you.

You touched on cybercrime. Your strategic plan for 2019-23 was to develop an innovative approach. Obviously you have touched on that with the people coming in as volunteers. How is the rest of that going?

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Mr Roberts: We have created quite an ambitious cyber strategy, and that is going to be formally launched at the CyberIsle event in a couple of weeks' time. One of my superintendents has done a lot of work on that, and that document again is largely predicated on the need to prevent things rather than respond to things. The cyber stuff is no different than any other crime. Much of it can be prevented because people need to change their behaviours, and one of the roles that we have to play in conjunction with part of the Cabinet Office is to empower people and equip them to protect themselves. That is a big part of it but when something happens we have to be able to respond properly, and so the cyber strategy deals with that as well.

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Q63. The Acting Chairman: Thank you.

Talking about computers and all the rest of it, you have a new digital system that has been introduced. How is that going?

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Mr Roberts: Those in the middle of it will find it frustrating and difficult at times, but from the position I am in I see it as a huge success. It was introduced in June. It is a system called Connect. The Connect system is provided by a company called Northgate, which is now owned by NEC, one of the world's biggest technology companies. The Connect system, any day now, will be rolled out in the Metropolitan Police, which will mean that it will be a system used by most

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British police officers, and that brings huge advantages. The Connect people tell us that the implementation in the Isle of Man has been the best that they have seen, and they have implemented it in something like 18 of the 43 police forces in England and Wales, including West Midlands, another very big organisation, and Lancashire, a big constabulary. We went through a tricky patch through the summer because the system was new.

The Acting Chairman: Yes, I know you had problems with GTS. Has that been resolved now?

Mr Roberts: There was an issue that appeared at first look to be part of an issue with Connect, but it was part of the infrastructure surrounding the system and there was a hardware failure in that which caused the system to keep crashing. GTS managed to get the suppliers of that to come over and fix it. It took a bit of effort but we got really good support on that. That now works and it is a stable system.

The system itself is outstandingly good and we are starting derive huge benefits from it. For example, we have compared our intelligence submission on the system for the period from June to the end of September with the same periods in the last three years and we have now already doubled the amount of intelligence we have put on the system. So officers, as they become familiar with it and see the benefits of it, are using it well. Proper business as usual I think will come sometime early in the New Year, which in technological-change terms or transformation terms is quick. To go from June to early in the New Year business as usual I think is a success.

Officers, at times, I think, early on became a bit frustrated – they would, because it is new and difficult and complex – but as a measure of how impressive the system is, we have just taken eight transferees from the UK who are blown away by the quality of the system, and they find it easy to use because they did not know what came before it.

Q64. Ms Edge: Can I just ask: was it brought in on budget, or have there been additional costs unforeseen?

Mr Roberts: There were delays – and they were quite significant delays – early in the project, but those delays were largely because the suppliers underestimated the complexity of a small place. They were taking a system that they had easily installed in forces like – I talked about Lancashire – South Yorkshire or Humberside. They misunderstood the complexities of a very small place in terms that the legal system is a bit different, the laws are different and the police processes are a bit different, and so the delays were largely because of that.

Q65. Ms Edge: But no financial impact to the Island?

Mr Roberts: We have not borne any financial burden from that.

Q66. The Acting Chairman: Does it connect with the Prison system?

Mr Roberts: No, but our ambition is that this system is sufficiently resilient and sufficiently agile to be a system that could work across the whole of the justice system. But if it did not, it is able to talk to other systems, whereas previous systems have not been able to talk to each other, and that is the difference.

Q67. The Acting Chairman: Okay, thank you.

Talking about new technology, you are introducing bodycams to certain officers as an experiment. How is that going?

Mr Roberts: We have just procured a lot more and we will, when the finances permit, procure even more because they are hugely important and hugely successful. I had a chat

1010 yesterday with my professional standards lead and he was talking me through two recent complaints against the Police where people alleged that officers had been heavy handed or rude or both, and when the officers' body-worn video was viewed they were anything but that. That is one of the benefits that I saw at the start of the trial, and so we will continue to use them. We have had prosecutions which have been based on evidence from body-worn video and that has been good as well.

1015 **Q68. The Acting Chairman:** Excellent. Has the extensive training of young police officers on mental health continued to be administered? Is it being received with levels of success?

1020 **Mr Roberts:** We are in the course of changing our probationer training. We have had discussions with the College of Policing about their initial training programme and they, early in the New Year, will give us the latest version of that for nothing. That is the result of some quite tough negotiation and we are pleased with that.

1025 Mental health input is given throughout officers' initial training. It is well received, but one of the hidden benefits of having the mental health professionals working with us ... There are three who work in Douglas police station, working with patrol officers, and one of the benefits of them being there is that officers, particularly young ones, become familiar with how they see the world, the powers that mental health professionals have and the way that they approach people with mental health issues. Officers are learning from working with them in the workplace and that is a very positive intangible benefit. When I go to the Treasury with my colleagues alongside me next week, it will not feature in the financial benefits of the business case to get extra
1030 resources but it is a big intangible benefit.

1035 **Q69. Ms Edge:** And just on training – I am recollecting from my own brain here, but I think last year you talked about the increasing costs from the Police Training College and that was going to be a challenge. Because you are recruiting people that are fully trained from the UK, has that balanced out?

1040 **Mr Roberts:** Yes, that was the issue where the College of Policing, about 18 months ago, took all police training material from across England and Wales and seized the intellectual copyright for it, so they became the owners of the intellectual property. They then were going to charge us a licence fee for their products but also charge us an enhanced rate for attending courses because we are not one of the forces that contribute to them in terms of how they are funded by the Home Office, by English and Welsh police forces.

1045 I am currently the chair of a body called the Small Islands Forum, which brings together Jersey, Guernsey, the Isle of Man and Gibraltar, and it is one of the standing agenda items that we have because all of these small jurisdictions have exactly the same issue. In July I went and met the chief constable who heads the College of Policing, a man called Mike Cunningham. We came to an understanding that set us on a series of further discussions, which continued as recently as Tuesday of this week when we had a meeting in London with the College of Policing, and we are getting close to the position where we will pay much less than they had originally envisaged. The costing model they are going to come up with I think will be fair and equitable for the small jurisdictions.

1050 **Q70. Ms Edge:** Just lack of understanding of the small jurisdictions?

1055 **Mr Roberts:** Yes, and the chief constable there is a hugely experienced man but is new as the chief constable there and he has come with a different attitude, where his attitude is an inclusive one saying, 'I want this place to be the best, the beacon for policing throughout the world, so I want people to come in and I am going to open the doors to let you,' whereas in the past you could not get through the door.

1060 **Q71. The Acting Chairman:** In general, what do the police officers feel about sentencing of the courts?

Mr Roberts: That is a very difficult question. I do not know, because my views, I suspect, will differ from lots of officers.

1065 Bob spoke at length about keeping people out of prison and my view is that we should keep people out of the Prison. Prison should be reserved for the people who have to go there because they are dangerous or they have committed really serious offences, and I doubt sometimes whether short sentences work.

1070 Sometimes officers will have different views, but they have a very strong view – and I get myself conflicted over this – because when they are assaulted they really want people to go to prison; and I am with them on that, with the reservation I have that sending somebody to prison for four weeks for assaulting a police officer might assuage the anger of police officers – I feel angry when my officers are assaulted – but it might not stop this person from reoffending. It is really tricky.

1075 **Mr Davies:** In the United Kingdom there is really strong evidence to show that prison sentences of less than a year result in a 64.8% reoffending rate. Short sentences generally do not work. I think the Prison Governor has got a phrase that says it is long enough to ruin your life – you lose your job, you lose your house, maybe your relationship – but it is not long enough for the Prison team to do any work with you in terms of rehabilitating you and addressing the source of your crime.

1080 The Criminal Justice Strategy, which still holds good today, says that prison, as the Chief Constable said, should be reserved for the most serious and violent offenders, and hopefully some of the provisions in the Administration of Justice Bill which we have touched upon – different types of disposals that are not custodial – will help to reduce the number of people going for short-term sentences.

1085 But as Gary says, I think we should acknowledge that assaulting any form of public servant in the course of their duty should be looked upon very seriously and I think they have got legislation in the UK that recognises that. It may be something that we consider here.

1090 **The Minister:** I am hopeful that with the introduction of tagging we will give the courts something better to give out. Rather than a short prison sentence they can make people stay at home, curfews; really tamper with their life probably as much as putting them in prison will do.

1095 I have spoken to the judiciary and they want an alternative if they are not going to be giving short prison terms. I have asked them would tagging be an alternative and they said yes it could work, so I am hopeful that tagging will stop short-term –

1100 **Mr Roberts:** I meet new officers on their first day and I talk to them about my views on what policing is about, and one of the things I always touch on is that we do our job, which is to investigate and provide a file to the Attorney General for him to prosecute or not, and what happens after that is actually not our concern. We have to get it in our heads that people get acquitted in court and that is fine, people might not go to prison when we think they should and that is also fine because that is not our job to worry about. Hopefully they get that message but their views will change according to their circumstances.

1105 **Q72. The Acting Chairman:** The reason I ask the question is I think there was a recent example where somebody, a second offender, actually got a lesser sentence for the second offence and I think that may have caused a bit of concern, possibly.

1110 **Mr Roberts:** Yes, and there will be individual cases like that.

Q73. The Acting Chairman: Yes, and we cannot go on individual cases, of course not.

1115 **Mr Roberts:** And I will see some serious cases, for example, where I think, 'Oh, gosh, that was a bit lenient,' but then I do not know the facts that the judiciary know.

Q74. The Acting Chairman: Yes, and I believe that the new Sexual Offences Bill has mandatory sentencing.

1120 **Mr Davies:** There are sentencing guidelines within the Sexual Offences and Obscene Publications Bill, yes.

1125 **Q75. Ms Edge:** Obviously you are updating various pieces of legislation and I do not know where this would fit, but I am aware of constituents who are struggling now that Canada is asking for visas etc., in that crimes, for perhaps driving, that go to the courts on the Isle of Man are restricting people getting access into some of these countries – they are being refused visas. Is that on your ...?

1130 **Mr Davies:** There is an Order in Tynwald this month which will bring driving offences in line with the UK Rehabilitation of Offenders Act, so that will address that particular issue and there is further legislation in the Administration of Justice Bill to bring other areas into line. But it is an issue that is not just felt here. Canada and the US have basically a very strict policy on any form of criminal conviction, which you have to declare, and if you have a criminal conviction then generally they are not –

1135 **Q76. Ms Edge:** I wonder if that is being brought in as retrospective to ... if it is a driving offence, which has been in the UK for I am not sure how long, none of that would be taken off so that people can access ... because it has been in the UK. I do not know how I would get done for driving such that I end up in front of the courts, but it is a reportable sanction and that could restrict me from travelling to the US or Canada. Obviously that has not been the case for the UK for ... 10 years or more? I do not know; it is quite a considerable time, I believe. I just feel that the people on the Island are now being penalised because Canada only recently brought in the temporary visa ... What is it called?

1145 **Mr Davies:** ESTA.

Ms Edge: That's the one, yes.

1150 **Mr Davies:** When the Order comes in, first of all it will cover those driving offences. I cannot remember the exact detail of the period of time. I am not sure if it is retrospective or not, but I suspect and I can clarify that when it is brought in it will have effect immediately.

1155 **Q77. The Acting Chairman:** The last time we had a conversation you were talking about the possibility of getting the social workers, health workers, educational professionals and police officers all in one building. Has anything happened on that?

1160 **Mr Davies:** We have a plan for a blue light HQ, which will encompass colleagues from across all of the emergency services. Whether or not it includes colleagues from other parts of Government –

Mr Roberts: I think that was my doing because I think what I said was I would see a future where the public servants were together. If you were in Peel and you needed intervention or support from the state, the state servants who did that were in the same place. So, if there was

1165 a domestic dispute in a house in Peel, the Police would do what they have to do but the social workers, youth workers, educationalists and health professionals would also be there and would also be part of the response. We are a long way from that, I think.

1170 **Mr Davies:** The new Western Hub being developed by the Department of Health and Social Care will be a seed for that and will offer that kind of service, and the Department is actively looking at co-location in those areas. In Peel, for example, the police station is a lovely building but it is a bit past its best and so that might be an opportunity to co-locate with other services, as the Chief Constable says.

1175 **Q78. Ms Edge:** Gary, you said that we are a long way from that. That is the sort of model that was previously available on the Island. What has changed and why have we allowed that to slip? Has it been budget? Has it been frontline services?

1180 **Mr Roberts:** It was badly designed. We tried with these multi-agency teams a while ago. They were not designed and they were not thought through properly. I do not think all the groundwork, ranging from visioning the thing – ‘Our vision for this is ...’ whatever it was going to be – through to how will information sharing work, how will we identify the problems and properly share things, how will they move and respond? None of that work was done. It was well-meaning but it was not planned, I think.

1185 **Ms Edge:** Thank you.

1190 **Q79. The Acting Chairman:** Succession planning – we mentioned this briefly last year. None of you are getting any younger. We had the Chief Fire Officer in as well and I think the succession planning was raised. Have we made any inroads into that at all, or are we still where we were?

1195 **Mr Davies:** We made a change to the regulations to allow the appointment of a Deputy Chief Constable, who will be able to start shadowing the Chief Constable as part of that. I think there is a risk still from the Chief Fire Officer, in terms of how that role is appointed in the future and where the successor comes in that case. The Prison Governor is also –

Q80. The Acting Chairman: Getting on a bit? *(Laughter)*

1200 **Mr Davies:** – at some juncture going to retire, so it is a challenge facing the Department. I think there are some exceptionally capable people within all three services. It is something that we have discussed, that is on our risk register and that we are actively considering.

The Minister: We were talking about it last week, weren't we?

1205 **Q81. The Acting Chairman:** Would you say it is better to employ somebody who knows the patch rather than bring somebody in from outside who has no –?

1210 **Mr Davies:** It is the classic rent/buy dilemma. I think with somebody who knows the patch ... Local context I think has been one of the themes that has emerged today, isn't it? We have discussed how important that local context is and we are really proud to have somebody who is the first Manx Chief Constable working here. At the same time, when somebody comes in from across sometimes they bring a new type of thinking, they are not influenced by colleagues or peers and they do not have group think. The best of both worlds would be great. At the moment, the Department has got an open mind.

1215 **Mr Roberts:** Using my independence from the political world, I would just make an
observation. Right at the start you asked questions about the structure of the Department and
what the future of the Department looks like. Whoever makes decisions about that needs to
factor into their thinking the fact that they may well need a new Chief Constable, a new Chief
Fire Officer and a new Prison Governor all around about the same time early in the next decade.
1220 That will make the work of changing things, if that is what happens, even more complicated than
it is now.

Mr Davies: It is a huge risk.

1225 **The Acting Chairman:** Thank you.

Q82. Ms Edge: Do you not think, from what you have just said, from the element of home
grown, some of the changes we have seen have been because perhaps somebody might have
come into a position in the past – I am not talking at your level – and therefore brought their
own ideas and not considered previous policy, which is really what Gary is saying? As strategy is
1230 coming forward here, they would need to be continued to be successful.

Mr Roberts: To recruit the right people, the right people have to be people who are always
dissatisfied with what they have got, who always want their service to be better and better. To a
degree it does not matter where they come from, so long as they are driven by that, they are
driven by public service and they are driven by seeing the best in people all the time. They are
1235 three big things. If you get that in people, you will move your services along.

Q83. Ms Edge: And you see that across Government? I know obviously you instil it within
1240 your area.

Mr Roberts: I think the Isle of Man is blessed with some terrific public servants and I
sometimes wish everyone could see that.

1245 **Q84. The Acting Chairman:** Is there anything else that you would like to mention while we
are here, that you feel we have missed today?

The Minister: No, I think you have covered everything.

1250 **Mr Davies:** Covered a lot of ground.

The Minister: We had a little list of what we expected and yes, I think you have covered it all
quite well; I hope you have got the answers that you wanted.

1255 From the Department's point of view it has been a very busy year, a very fruitful year, and
lots of the things that we said were happening last year have come to fruition now, especially
with the new legislation that we are bringing through, the opening of David Gray House and the
review of the Department. So it has been a busy year and it is nice to see that crime is dropping
again as well.

1260 **Mr Davies:** The Chief Constable's point is absolutely right, and even within the Department
there are some amazingly dedicated public servants, who work largely without a good deal of
recognition most of the time but do incredible things. Twenty-four hours a day, 365 days a year
we have volunteers in the Civil Defence who were in Laxey, for example, cleaning up the floods,
and they do that in addition to their day job. The Department has got some very significant Bills
1265 coming through. And despite almost nine or 10 years of austerity, the Department has
continued to provide an outstanding service for the people of the Isle of Man. I think it is a
fantastic Department to work in.

1270 **The Minister:** I could not let the day go without thanking Treasury for the money we got this year, which was a tremendous help and has been a tremendous help to the Constabulary. We do have bids in trying to help Bob and his crew for next year, because that is where we are being pushed at the moment. I have said for the last two years that if you are successful in the Prison and you start getting people in rehabilitation, Probation starts to get pushed to the limits, so that is what we are working on at the moment.

1275 **Q85. Ms Edge:** Has anybody modelled what the reality was of some of the austerity measures and the cut in frontline services? Has anybody actually measured what really and truthfully your budget should be?

1280 **Mr Roberts:** When we met the Treasury board last year we invited them to look at our budget on a zero basis, because even with what we have got extra we think it is inadequate. Our view is that there are structural weaknesses within our budget and someone needs to look at those structural weaknesses. All of us here have had discussions around that. That is a significant problem. But if you look at austerity, I made a prediction when we first started being cut that because we reduced neighbourhood policing there would be consequences which might take a decade to come. Those consequences have come. The increases in crime over recent years are part of that, the increases in drug activity are part of that, and then we have got this generation of difficult young people, some of whom are now in the Prison estate – and some of them there for a while unless things change.

1290 **Q86. Ms Edge:** I am glad you have just touched on that, because obviously we have Brexit looming with regard to our ports and port security and the changes at Isle of Man Airport with regard to the security going external. Are you comfortable with the situation?

1295 **Mr Roberts:** I thought we were going to escape that one! We were interested to see the changes at the Airport; we were interested to learn about them and see them. Brexit will pose, potentially, a significant issue around the safety of the Island's borders, (**Mr Davies:** Absolutely.) particularly in the medium term, not necessarily straightaway. Irrespective of what happens, we will have a border with the Republic of Ireland despite there being a Common Travel Area. The Isle of Man potentially is a weak part of the UK border, and we, as a public service, have been discussing that but I think there has to be a political discussion about that fairly soon because there are significant weaknesses. That is one weakness and there are other weaknesses that I have talked to in annual reports in the past, about drugs, about easy access on to the Steam Packet, about travelling offenders. Those risks are not going to get better, and actually our border is not protected at the moment.

1305 **Q87. Ms Edge:** Can I just ask: were you involved in the design of the new ferry terminal at Liverpool to make sure it was a good, secure route through to the Island?

1310 **Mr Roberts:** No.

Ms Edge: Okay, thank you.

1315 **Q88. The Acting Chairman:** Anything else? All that remains is for me to thank you very much indeed, gentlemen, for your very interesting information today and comprehensive information; we do appreciate it.

The Committee will now sit in private. Thank you.

The Committee sat in private at 1.27 p.m.