

IN TYNWALD

July 2008

FOR WRITTEN ANSWER

No. 35

The Hon Member of the Council, Mr Turner, to ask the Minister for Home Affairs –

- (a) (i) Where in the Road Races Act is there the enabling power for the police to insist that event organisers must 'employ' the services of a police at 'inspector' level at an hourly rate of £44.00 per hour plus VAT;
- (ii) has this private hire scheme been set up with Treasury concurrence and under what Treasury guidance note and procedures is it operated and how any whom are the rates set; and
- (iii) where does the revenue from this private hire business go;
- (b) (i) what consultation was carried out with event organisers prior to the Superintendent carrying out this major change in policy;
- (ii) what consultation was carried out prior to the police being appointed as co-ordinators of motor sport; and
- (iii) who appointed them to this position and under what Statutory Act or Order;
- (c) (i) what experience in the organisation of motor sport events do the police have (eg. ACU or MSA licenses and training); and
- (ii) will the police take responsibility in the event of them making event organisers take decisions they do not agree with if as a result of those decisions something goes wrong?

(Note: The ACU Auto Cycle Union and MSA Motor Sports Association are the governing bodies of 2 and 4 wheel motor sport respectively.)

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Mr President

Prior to answering the specific questions posed I believe on a general note Honourable Members should, in my view, extend a debt of gratitude to the Isle of

Man Constabulary and particularly Superintendent Carolyn Kinrade for their efforts in ensuring that the thrust of the Coroner's recommendations were enacted to produce a successful 2008 T.T.

Members will note that in the pursuance of road racing events safety is of the paramount concern. If the Island is to continue to hold such events, Government cannot afford a further experience where the safety of spectators is compromised.

The Coroner of Inquests made it quite clear that public services have a responsibility and accountability in ensuring that events are properly organised, managed and that every emphasis is placed on safety.

In this connection I am pleased to provide the following clarification in relation to the questions that have been posed:-

(a)(i) The Road Races Act does not require the presence of a Senior Police Officer however; it does require Road Closure Orders to be produced in respect of each event. A condition of all Road Closure Orders granted under The Road Races Act 1982 is that a Senior Police Officer is appointed to play his/her part in ensuring that the Road Closure Orders conditions are complied with. It may be useful to note that this should and could include Prohibited/Restricted areas, along with many other criteria.

It is, therefore, inherent that should conditions not be complied with then the Senior Police Officer has a duty to ensure that the appropriate action, in terms of the event, is carried out.

It is clearly the case, therefore, that if a Senior Police Officer is not appointed as per the Road Closure Order then the conditions of the Road Closure Order are breached.

(a)(ii) In 1994 a committee from Treasury, the then Department of Tourism, Department of Home Affairs and Internal Audit produced an Agreement covering the policing charges for eight named major sporting events. The charges were laid down with the proviso that they would be subject to annual increase at the rate of the RPI. That Agreement was reviewed circa three years ago at which time it was agreed to maintain the Agreement.

(a)(iii) Revenue returns to the Isle of Man Constabulary as part of the annual budgetary process to fund the cost of the service provided for the event.

(b)(i) There was no change in policy, be it minor or major, and it is regrettable that the Honourable Member for Council is alleging that a senior police officer has responded, as an individual and not under the umbrella of their organisation.

- (b)(ii) The Police are not co-ordinators of motor sport, they are playing a lead role in the operational response to the Coroner's recommendations where three people tragically died. The Isle of Man Government has fully accepted the Coroner's recommendations.

As a consequence of the recommendations, the Chief Minister, Council of Ministers and Chief Executive Officers of effected Departments have appointed a multi-disciplinary team of officers and experts to manage the Government's response, with emphasis on safety.

This Team is acting under the authority of Council of Ministers.

- (b)(iii) Please see above.

- (c)(i) The Police are the primary Government body charged with public safety. They, in the future, will be the principle Government body held to account for transgressions or lack of emphasis towards safety. They hope, as I do, to work in harmony with events organisers. Members of the Constabulary are experienced in command and control principles, event management, in some cases risk assessment, but above all have a complete focus on safety which is the remit provided to them from the Chief Minister and the Department.

- (c)(ii) The Constabulary will encourage a harmonious relationship and dialogue with events organisers and it is hoped all will be willing to do so. Policy decisions will be taken, by the event organiser, and any advice will be documented. Where the Constabulary do not agree with a course of events concerning safety, and no agreement can be reached, they will have no choice but to withdraw the facility of a Senior Police Officer which would regrettably result in a contravention of the Road Closure Order although this eventuality is hopefully unlikely.