



Isle of Man
Government
Reiltys Ellan Vannin

Response to the Inspection of the Isle of Man Constabulary by His Majesty's Inspectorate of Constabulary and Fire and Rescue Services

February 2023



Contents

Minister's Foreword	3
Background	5
Inspection process	6
Reporting process	6
Annex A: Response/Commentary - Formal recommendations	7
Annex B: Response/Commentary - Areas for Improvement	12

Minister's Foreword



Hon. Jane Poole-Wilson, MHK
MINISTER FOR JUSTICE AND HOME AFFAIRS

In July 2020 the then Chief Minister, Howard Quayle MHK informed Tynwald that an inspection of the Isle of Man Constabulary (IOMC) would be undertaken by His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS).

Whilst no inspection by HMICFRS had taken place since 2004, to mitigate the risks posed by a lack of external scrutiny, the IOMC had commissioned a series of peer reviews, which included:

- A review of the investigation of sexual abuse by Greater Manchester Police in 2004;
- A review of the investigation of burglary by Lancashire Constabulary in 2014;
- A review of the IOMC's dog handling unit by West Midlands Police in 2017; and
- A review of specialist intelligence functions by the Metropolitan Police Service in 2019

Additionally, the IOMC has obtained Investors in People champion status and a Customer Service Excellence award, both of which involved independent external scrutiny.

This document provides background detail to the commissioning of the inspection of the IOMC by HMICFRS; the inspection itself; and the reporting process.

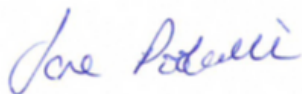
Terms of reference for the review were agreed in the summer of 2021 and the inspection itself took place at the end of 2021. There was some delay in HMICFRS providing the report on their inspection and the report has now been [published](#). The report makes 17 recommendations and highlights 17 areas for improvement.

Alongside HMICFRS's report the Department has produced this document to provide commentary, from the Department and IOMC, on each of the formal recommendations and areas for improvement detailed in the report. It also provides updates on work since the inspection took place. Annex A provides commentary on the formal recommendations. Annex B is a commentary on the areas for improvement.

It is noted that given the passage of time between the inspection and receipt of HMICFRS's report some of the information, the formal recommendations and areas for improvement, are out of date. It is also important to highlight that not all these recommendations and areas for improvement are within the IOMC's scope of responsibility, as they include areas such as the management of the Emergency Services Joint Control Room and the functions of the Department.

The Department is committed to ensuring that our services are efficient and effective and independent inspections play an important role in meeting that objective. However, the cost of inspections is considerable and Government needs to ensure it obtains best value for money in conducting future inspections that provide independent and timely feedback founded in robust understanding of the context of a small jurisdiction such as the Isle of Man. Therefore, the Department will continue to work with the IOMC, relevant agencies in the UK, and other similar jurisdictions to look at mutual peer review processes where appropriate.

I am grateful to the Chief Constable, and all Officers involved, for their time and support during this inspection, particularly given the time period during which the inspection took place which brought significant operational challenges as a result of COVID.

A handwritten signature in blue ink, appearing to read "Jane Pedwell".

Background

His Majesty's Inspectorate of Constabulary and Fire and Rescue Services (HMICFRS) independently assesses the effectiveness and efficiency of Police Forces and Fire and Rescue services, in the public interest. They conduct statutory inspections of Police Forces and other law enforcement agencies in England and Wales, and also inspect police forces in British Overseas Territories and Crown Dependencies on request from the relevant Government.

In the late summer and early autumn of 2020 discussions were held between IOMC, the Department of Home Affairs Chief Executive, and officers from HMICFRS to set terms of reference for the inspection. It was agreed that a wide-ranging, broad-brush inspection would not aid service improvement. Therefore, a targeted inspection focusing on the below three areas was agreed:

- (a) How the IOMC protects vulnerable people;
- (b) How the IOMC tackles the threats from serious and organised crime; and
- (c) How the IOMC's governance arrangements work.

Responsibility for the inspection fell to the HMICFRS team that has responsibility for London, UK national forces, such as British Transport Police, and the overseas territories. HMICFRS had no previous experience of inspecting the IOMC as none of its officers were employed when the IOMC was last inspected but some members had experience inspecting Guernsey and Gibraltar.

Preparations for the inspection were hampered by the Covid-19 pandemic, and by resulting border restrictions that periodically applied in the Isle of Man. By the summer of 2021 terms of reference had been agreed. From August 2021 the IOMC began its preparations, with a Superintendent moved from normal duties to oversee preparations and a small team of officers taken from operational duties to prepare.

The IOMC compiled an evidential package of more than three hundred documents, which ran to several thousand pages. To provide further assistance to the inspection team, the IOMC prepared a Force Management Statement (FMS). There is a statutory requirement for British Police Forces to produce a FMS on an annual basis, so that they can show how they are preparing to meet predicted demands, balancing the need to target resources on existing and emerging problems. The IOMC's document is comprehensive and it is noted that it has been shared by HMICFRS with other small police forces.

A lengthy presentation was prepared for the inspection team to aid an understanding of the Island's context. The presentation covered the Island, the Isle of Man Government and the IOMC itself.

Inspection process

The inspection team were due to visit the island for seven days at the end of November and the beginning of December 2021. However Covid-19 significantly impacted arrangements due to border restrictions and, during their time here, abstraction levels for police officers were high because of a spike in infections.

Therefore, much of the planned inspection work was undertaken remotely. The IOMC have noted that this made it difficult to hold detailed discussions and the usual initial feedback session was not conducted.

Reporting process

It was originally envisaged that a draft report would be ready for late January 2022, with a view to the final document being ready for mid-February 2022 but the HMICFRS were unable to meet the original deadline.

The IOMC and the Department were provided with draft reports early summer 2022 and given the opportunity to comment on factual inaccuracies, or contextual issues, and further evidence was provided in respect of some of the areas examined. The initial report received in respect of governance arrangements was not sufficient and so the Department asked that this was reviewed by the inspection team which caused some further delay.

The final report, which has been published independently by HMICFRS, was received in late 2022. With over two years passing from the time that the inspection was first commissioned to the final report being received some of the information and recommendations are rendered out of date simply because of the passage of time.

The inspection and final report cost £76,000 which was met from the IOMC budget. In terms of added opportunity costs, the full cost to the IOMC was over £110,000 which reflects the IOMC staffing resources that were released from other duties to support the review.

Annex A

Response/Commentary - Formal recommendations

Ref	Recommendation	Response/Commentary	Delivery Date	RAG status
1	By April 2023, the manager of the emergency services joint control room (ESJCR) should identify and implement improvements in the call-handling system's question sets for police calls, to better meet the needs of vulnerable victims.	Response: The Department leads an ESJCR Strategic Group which includes the IOMC, Fire and Rescue Service and the Ambulance Service. That Group will consider this recommendation.	April 2023	Ongoing
2	With immediate effect, the chief constable of the IOMC should make sure that the ESJCR always has a FIM present. Once the chief constable is confident that ESJCR operators are evaluating and recording vulnerability accurately, the force could reconsider whether a FIM is still needed at times of very low demand.	<p><u>Response:</u> A realignment of roles and responsibilities has added one extra post, which will increase resilience.</p> <p><u>Commentary:</u> IOMC note that Staffing levels do not allow for a FIM to be present 24/7. Demand levels mean that a FIM is not needed between 1am and 6am five days a week from October to March, except for the Christmas period. Fewer than three calls for service are received during the "quiet" time so that deployment of a FIM is not considered an efficient use of resources.</p>	December 2022	Complete
3	By April 2023, the chief constable of the IOMC and the DHA should develop robust governance and oversight arrangements for the ESJCR that include regular quality assurance of calls and computer-aided dispatch system entries.	Response: The IOMC has required the Inspector in charge of Custody and Call Handling to review calls on a 'dip sample' basis. The ESJCR now provide quarterly quality assurance information to the Department.	December 2022	Complete
4	By October 2023, the DHA should consider introducing a single non-emergency phone number routed to the ESJCR.	<p><u>Response:</u> This will be reviewed by the Department in conjunction with the Department of Health and Social Care and Manx Care.</p> <p><u>Commentary:</u> A review a decade or so ago rejected this option on cost grounds. It should be noted that there are strong local attitudes with regards to long-standing police phone numbers.</p>	October 2023	Ongoing

Ref	Recommendation	Response/Commentary	Delivery Date	RAG status
5	<p>By October 2023, the chief constable of the IOMC should increase first responders' capabilities to respond to incidents involving vulnerable victims. This should include:</p> <ul style="list-style-type: none"> • providing officers with regular refresher training; • developing clear policies and procedures, and providing officers with clear step-by-step guidance; and <p>improving supervision of first responders' actions across the constabulary.</p>	<p>Response: Throughout 2022 a programme of work has seen:</p> <p>(a) Extra continuous professional development being provided to all patrol, neighbourhood and supervisory officers;</p> <p>(b) A vulnerability booklet being rolled out to officers;</p> <p>(c) The roll-out of a comprehensive training package in anticipation of the implementation of the Domestic Abuse Act 2021.</p>	December 2022	Complete
6	<p>With immediate effect, the chief constable of the IOMC should make sure that sergeants oversee all medium and high-risk domestic abuse incidents and direct safeguarding activities where appropriate.</p>	<p>Response: This has been actioned through domestic abuse training provided to all officers in December 2022. The training was bespoke according to role, rank and responsibility.</p>	December 2022	Complete
7	<p>By April 2023, the chief constable of the IOMC should develop processes to make sure that:</p> <ul style="list-style-type: none"> • in all investigations, officers produce structured investigation plans that include recorded rationale for decisions or details of why some lines of enquiry were prioritised over others; and <p>sergeants regularly review plans and effectively supervise and review investigations.</p>	<p><u>Response:</u> Plans are now in place for all cases including vulnerability. Additionally, all patrol sergeants are required to show that each significant investigation has a record investigative strategy attached to it before they go off duty.</p> <p><u>Commentary:</u> It is noted that the IOMC's detection rate is 4 x the England and Wales level. The IOMC is unlikely to implement a broad brush approach, as it is felt that simply using a single plan model actually risks making investigation a "tick box" exercise.</p>	December 2022	Complete
8	<p>By October 2023, the chief constable of the IOMC should recommence sending detectives and detective sergeants on the College of Policing's crime and leadership training courses.</p>	<p><u>Response:</u> Training has already restarted.</p> <p><u>Commentary:</u> The pandemic and its border restrictions were the main reason for training being paused. Additionally, the pandemic led to the College of Policing halting all such training for a period of time. When resumed, class sizes halved for several months impacting on availability.</p>	December 2022	Complete

Ref	Recommendation	Response/Commentary	Delivery Date	RAG status
9	By April 2023, the DHA and the chief constable of the IOMC should consider amending the protocol setting out the relationship between the two organisations to explicitly outline the operational independence of the IOMC.	Response: The Department will review and agree any amendments to the protocol with the Chief Constable.	April 2023	Ongoing
10	By April 2023, the DHA should: <ul style="list-style-type: none"> • set up a public engagement strategy that feeds into the annual policing plan and priorities; and • re-establish a police consultative forum, or similar body, with clear aims and terms of reference. 	<p><u>Response:</u> The Department is establishing a Community Safety Partnership in 2023 which will become statutory using provisions set out in the Justice Reform Act 2021. This partnership will provide oversight on the IOMC engagement in the development of local policing plans, and feed into the annual policing plan.</p> <p><u>Commentary:</u> It is noted that there is local input into the policing plans from the four local areas, but this was not referenced despite evidence being provided by IOMC.</p>	October 2023	Ongoing
11	By April 2023, the DHA should start regularly scrutinising the constabulary's use of operational powers such as stop and search, use of force, and police bail.	Response: Since the inspection the Department has revised its processes for scrutiny of the IOMC's performance and will use this to seek data on use of specific operational powers.	April 2023	Ongoing
12	By October 2023, the DHA should start conducting police performance meetings in public. By October 2023, the DHA should start conducting police performance meetings in public.	<p><u>Response:</u> The Department will consider the publication of reports and minutes from the quarterly formal performance report meetings held with IOMC. This will be used to gauge interest in public meeting which in an Island context is not considered necessary.</p> <p><u>Commentary:</u> The report notes that the IOMC are already subject to public scrutiny via the provision of oral evidence to various Tynwald Committees. But also via the tabling of the Chief Constable's Annual Report, and subsequent debate in Tynwald each year.</p>	January 2024	Ongoing

Ref	Recommendation	Response/Commentary	Delivery Date	RAG status
13	By October 2023, the DHA should create an independent police complaints investigation process.	<p><u>Response:</u> Since the inspection the Department has commenced a review of the legislation governing the independent Police Complaints Commissioner and the process for Police complaints. This will result in amendments to that legislation being developed, and consulted on in 2023, to strengthen the process and address specific recommendations in the report.</p> <p><u>Commentary:</u> Less than 10 complaints reach formal investigation each year and therefore the establishment of an independent body is not appropriate and the costs prohibitive. This recommendation fails to take into account the Isle of Man context and previous reviews. A similar recommendation by a Tynwald Select Committee was rejected after consultation with what is now known as the Independent Office of Police Conduct and the Northern Ireland Police Ombudsman. As in the UK it is not considered appropriate for all complaints to be independently investigated and the current legislation already enables the Department to refer a complaint against the Chief Constable to a UK Force.</p>	December 2023	Ongoing
14	By April 2023, the Isle of Man Government should consider amending current legislation to allow the chief constable to self-refer matters to the PCC.	<p><u>Response:</u> As noted above this will be addressed through amendment of the relevant legislation. This will not be delivered by April 23 due to the need to undertake consultation and relevant government and parliamentary processes.</p>	December 2023	Ongoing
15	By April 2023, the Isle of Man Government should consider amending regulations to allow the DHA or PCC to conduct an initial assessment of complaints where allegations are made of misconduct by the chief constable and senior officers.	<p><u>Response:</u> As noted above this will be addressed through amendment of the relevant legislation. This will not be delivered by April 23 due to the need to undertake consultation and relevant government and parliamentary processes.</p>	December 2023	Ongoing

Ref	Recommendation	Response/Commentary	Delivery Date	RAG status
16	By April 2023, the Isle of Man Government should consider amending regulations to give clearer guidance on how people can escalate an informal complaint to a formal complaint when the complainant doesn't accept the constabulary's informal resolution.	<p><u>Response:</u> As noted above this will be addressed through amendment of the relevant legislation. This will not be delivered by April 23 due to the need to undertake consultation and relevant government and parliamentary processes.</p> <p><u>Commentary:</u> This is not an issue of guidance there is a discrepancy between provisions in the Police Act 1993, the Police (Conduct) Regulations 2015 and the Police (Complaints) Regulations 1994.</p>	December 2023	Ongoing
17	By April 2023, the Isle of Man Government should consider amending regulations to give the PCC power to issue statutory guidance to the IOMC about investigating complaints.	Response: As noted above this will be addressed through amendment of the relevant legislation. This will not be delivered by April 23 due to the need to undertake consultation and relevant government and parliamentary processes.	December 2023	Ongoing

Annex B

Response/Commentary - Areas for Improvement

Ref	Area for Improvement	Commentary	Status
1	The Chief Constable of the IOMC should increase the constabulary's analytical capacity and capability.	<p><u>Response:</u> Two extra posts were awarded to the IOMC in the 2022-2023 budget. Those posts are now open for recruitment.</p> <p><u>Commentary:</u> The IOMC is under significant resource constraints which is acknowledged in the report.</p>	Complete
2	The manager of the ESJCR should make sure that control room operators receive enough training for police calls. This should include training on how to give crime prevention advice to victims and how to prevent re-traumatisation.	<p><u>Response:</u> The Department leads an ESJCR Strategic Group which includes the IOMC, Fire and Rescue Service and the Ambulance Service. That Group will consider this area for improvement.</p>	Ongoing
3	The Chief Constable of the IOMC should introduce oversight and governance procedures to make sure that the emergency services joint control room: <ul style="list-style-type: none"> • conducts thorough THRIVE assessments for all calls; and • records these on the computer-aided dispatch system. 	<p><u>Response:</u> The IOMC is unlikely to follow this suggested approach.</p> <p><u>Commentary:</u> IOMC has trained its officers in THRIVE, which is a model used by UK forces to prioritise calls and screen out those not requiring deployment. Here, all calls are screened and seen by the FIM. The IOMC remains committed to attending all calls.</p>	Complete
4	The manager of the ESJCR should improve the quality of information that operators give attending officers.	<p><u>Response:</u> The Department leads an ESJCR Strategic Group which includes the IOMC, Fire and Rescue Service and the Ambulance Service. That Group will consider this area for improvement.</p>	Ongoing
5	The Chief Constable of the IOMC should make sure that officers completing DASH forms record their rationale. The constabulary should also revise its business rules to instruct officers attending the scene of a domestic abuse incident to complete DASH forms in full at the scene.	<p><u>Response:</u> Since the inspection all operational officers have been given mobile devices, which give them access to police systems. In readiness for the "go live" of the Domestic Abuse Act 2022 the DASH assessment has been updated and this change has been reflected in training.</p>	Complete

Ref	Area for Improvement	Commentary	Status
6	The Chief Constable of the IOMC should make sure that attending officers complete DASH forms for all domestic abuse incidents they attend.	<u>Response:</u> As above since the inspection all operational officers have been given mobile devices, which give them access to police systems. In readiness for the “go live” of the Domestic Abuse Act 2022 the DASH assessment has been updated and this change has been reflected in training.	Complete
7	The Chief Constable of the IOMC should introduce a process for identifying and assessing the vulnerability of victims, witnesses and suspects in a more consistent way.	<u>Response:</u> The vulnerability booklet has been rolled out – officers have had training in continuous professional development sessions.	Complete
8	The Chief Constable of the IOMC should produce clearer, non- contradictory guidance on when officers should submit MARFs.	<u>Response:</u> The advice is a “live” document which has been altered twice since the inspection. The default position is that – subject to consent issues being properly managed – officers should adopt a safety first approach and submit a MARF. <u>Commentary:</u> It is noted by IOMC that the Inspectors despite requests did not engage with the Chair of the Safeguarding Board or the Head of Safeguarding. Often MARFs are being rejected due to processes in other agencies. The situation is therefore the opposite to the findings of the inspectors.	Complete
9	The Chief Constable of the IOMC should improve guidance on referrals of vulnerable people to third-sector organisations and develop processes to make sure that such referrals take place where appropriate.	<u>Response:</u> This is not an area that the Chief Constable can address in isolation. The establishment of a Community Safety Partnership in 2023 will enable this area for improvement to be discussed further with all relevant agencies. <u>Commentary:</u> It is noted that the IOMC provided context regarding the Island’s Third Sector in respect of focus, capacity and skills but this was not reflected in the report. There are very limited resources to whom the IOMC can make referrals or the ability to ensure they are responded to.	Ongoing
10	The Chief Constable of the IOMC should produce clear guidance on when officers should use body-worn video cameras.	<u>Response:</u> Since the inspection the guidance has been refreshed and one officer has been disciplined for not following it. <u>Commentary:</u> The guidance pre-dated the inspection and was shared on more than one occasion but not referenced by the Report.	Complete

Ref	Area for Improvement	Commentary	Status
11	The Chief Constable of the IOMC should update the missing persons form to include a criminal exploitation risk assessment.	Response: A new missing persons report form has been prepared and an alteration to the Connect system will go live on 23rd January.	Complete
12	The Chief Constable of the IOMC should make sure that it vets officers managing sex offenders before they take up post, and re-vet them at least every three years.	Response: Actioned.	Complete
13	The Chief Constable of the IOMC should make sure that supervisors and managers of specialist officers, rather than neighbourhood officers, carry out and record risk assessments for home visits to offenders.	Response: Actioned.	Complete
14	The Chief Constable of the IOMC should develop a 4Ps approach to tackling SOC.	<u>Response:</u> The IOMC has not formally applied this and does not believe that this would strengthen its approach to serious and organised crime. <u>Commentary:</u> This will be a matter for the next Chief Constable.	Ongoing
15	The Chief Constable of the IOMC should develop a means of assessing disruptions with the North West ROCU.	Response: Relationships with the NWROCU are strong and IOMC analysts are being supported and trained to do this.	Ongoing
16	The DHA should consider whether ancillary orders such as serious crime prevention orders would help prevent SOC.	Response: The Department will consider this when taking forward appropriate new legislation but due to resources cannot commit to a timescale at this time.	Ongoing
17	The DHA should consider re-establishing the police advisory group.	<u>Response:</u> The Department will consider ways to further consult the public but does not intend to re-establish the police advisory group. As set out in response to Rec. 10, the establishment of a Community Safety Partnership will provide oversight on IOMC public engagement in the development of local policing plans, input from the Police Inclusion and Scrutiny Group and will feed into the development of the annual policing plan. <u>Commentary:</u> No evidence was sought, or included in the report, on the effectiveness of the Police Advisory Group or other options for public engagement.	Ongoing



Isle of Man
Government

Reilrys Ellan Vannin