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Our Ref: GR /SK

22nd July 2022

Mrs C Barber, MHK
Chair – Isle of Pride Isle of Man
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Dear *Clare*

In many ways this is the most difficult letter that I have had to write in a lifetime of public service that began in October 1981. If I get it wrong, I risk appearing insincere, which would harm what I wish to achieve, but equally I wish to recognise the dedicated service given by the many decent people, who spent their working lives policing the island.

I am grateful to the committee for taking the time to share with me experiences and perceptions from the past, which clearly still resonate today, and which might always affect how the police are viewed. I have also received considerable insight from the Constabulary's inclusion scrutiny group, which has acted as an ethics panel, giving me different perspectives on this emotive issue. I am equally grateful to the board of the Isle of Man Police Federation for offering an objective and nuanced view of things, which reflected both the past and the way that a contemporary police service now operates. I have also benefited from the views of the Isle of Man branch of the National Association of Retired Police Officers, whose Chair, Carolyn Kinrade, gave me an open and reflective summary of events, police actions and perceptions. Finally and importantly, I have been able to speak to some people who related to me their own personal experiences. For all of this help, I am deeply grateful.

The passing of modern sexual offences legislation, the offering by the then Chief Minister, Howard Quayle, of an apology and the establishment of a process for the issuing of automatic pardons for those convicted of consensual sexual acts between men must be welcomed across society. I have a bit of a tightrope to walk in terms of offering an opinion on matters of public policy, but I welcomed these developments as much as anyone.

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Over the last year I have largely declined to be pulled into a public debate about the need for me to apologise for what the Isle of Man Constabulary did in respect of enforcing laws that outlawed homosexual acts between consenting adults. I did so for two reasons: the media was not the right place to play this out and I had no intention at all of apologising for the enforcement of the law. However, I also wished to understand much more about how the law had been enforced and what people from the LGBTQ+ community had experienced.

I much prefer to talk quietly behind the scenes, which I have done for some considerable time. This has allowed me to view matters as objectively as possible. And, as someone who has taken an oath to enforce the law, I cannot as a matter of principle apologise for the act of law enforcement. Police officers cannot choose which laws to enforce; they cannot have an opinion on the rightness or virtue of legislation and they must not allow their personal opinions to affect how they work within the justice system.

It is worth noting that the oath that police officers took in the 20th century required them to act without fear or favour in enforcing the law. The latest version places at its heart the need to protect fundamental human rights. I share this because it helps show how expectations of policing have rightly changed.

When the Chief Minister offered an apology, he made specific mention of the police. He talked about how police officers had been put into the position that they were because Tynwald had passed the legislation that prohibited consensual sexual acts between men. The laws, as they stood, were likely to have had the support of the majority of the population when they were first passed and for a large part of their time on the statute books. I mention this not as an excuse, but simply to provide context. As L. P. Hartley said at the beginning of the *Go Between*: *the past is a foreign country, they do things differently there.*

I am not averse to the concept of contemporary leaders apologising for things that happened in the past. In reaching the position set out in this letter I wanted to understand more, whilst being mindful of context.

It has long been clear to me that the issue is not the narrow one about enforcement of the law, but about how that was sometimes done.....and this is where balance and nuance is so important.

I have spent much of my adult life working to create a police service (not a police force) that cares about the public, that treats everyone fairly and according to their needs, and that is intolerant of injustice, prejudice and hatred. Over the course of my service I have worked with large numbers of officers, whose personal values reflected all of these positive things. In the past I also worked with a tiny number, who were less tolerant and whose actions reflected values that were not in keeping with what the public now expects, but which reflected how many in the community felt at that time.

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Over the course of the last fifteen years or so I have helped to drive cultural change. The Constabulary of today, which is built on the efforts of the very many good officers of the past and not the few with different values, would be almost unrecognisable to those few. It is tolerant, diverse and inclusive; it largely reflects the community, whether in terms of sexuality or ethnicity or gender, and it has at the heart of its mission a desire to protect the rights of everyone in society, particularly the most vulnerable. It is important to understand that I am not saying that the Constabulary of the past was a terrible organisation. It certainly was not and generations of officers did all at their means to keep the people of the island safe. I am proud to be the Chief Constable of such a decent public service.

Our links with our communities are now stronger than ever and I use the word *communities* intentionally, in order to help describe just how much the Isle of Man has changed in recent years. Ours now is a community made up of many different communities. They are frequently vibrant, sometimes complex, occasionally challenging and often overlapping but different.

To help the Constabulary navigate its way through this complex picture we have been aided a great deal by our inclusion scrutiny group, which holds us to account and offers us the ability to reach out to people who might be vulnerable, or who have had uncomfortable experiences with the police. The group is made up of representatives of various different communities. It is independently chaired, now by Sarah Maltby MHK, and previously by Jane Poole-Wilson MHK in her time as a member of the Legislative Council; and it has helped us to develop deep and important links with individuals and groups across the island.

I have been particularly proud of the work that we have done to help young people from the LGBTQ+ community. I know – from my discussions with the group and with some of the young people – that we are now seen as being a trusted service, who offer really helpful guidance and support. On an individual basis we have done some commendable things to help protect some of the people from that community as they faced abuse, hatred or discrimination. Most of this work cannot be discussed publicly, but to me it is indicative of a service that is exactly what I want it to be: inclusive, tolerant, caring and effective.

Few people reading this letter may know of the completely unheralded role that members of the inclusion scrutiny group, including representatives of the LGBTQ+ community, have played within the Constabulary for several years. For example, they act as assessors in police recruitment assessment centres and assist in other similar processes. Their role is not a minor or a passive one. They have a real say in the selection of police officers. Over time this has helped the Constabulary become much more representative.

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The decision made last year by the Pride committee that prevented police officers from participating in the inaugural event saddened me. However, the officers adversely affected by it were mainly younger gay, lesbian and bi officers, most of whom had not been born when relationships between the Constabulary and the gay community reached their nadir. They were disappointed that they could not participate with other people in the way that they wanted. I believe that I have a duty to help them understand the past and to help do what I can to facilitate their attendance in future.

It is clear to me that I should do what is necessary to try to help draw a line under the past, so that older members of the gay community and their families and friends can begin to see the Constabulary for what it is now, not from what some of them personally experienced many years ago, but from what it does now every day of the year.

It is a matter of deep and lasting regret to me that people in our community, some of whom were criminalised because of their sexuality, feel that the way that the police treated them was so profoundly wrong as to make them fear, distrust or even hate the Constabulary. Whilst I cannot apologise for the act of enforcing the law (for the reasons that I have set out), I can and will apologise for the way that the law was sometimes enforced.

Thirty eight years ago I started to serve with decent people, who cared. I still serve with decent people, who care and do so profoundly. While I personally did not see the behaviours that some of the community have told me about, the stories that I have heard from some of those people are as compelling as they are moving. I know that some people have said that some actions – particularly between 1986 and the change in the law in 1992 – were motivated by a particular kind of religious belief. I simply do not know if this was so.

Expectations of the police and requisite professional standards in policing change all the time. What was acceptable forty years ago might well be utterly unacceptable now. The Constabulary has undergone transformative change this century, in part because of how those public expectations have changed. Looking back for thirty or more years is therefore tricky. Examining events from then through a contemporary lens is not easy. However, it is clear that some of the actions of the Constabulary caused distress to members of the gay community and their families. I regret that this was the case and I am sorry that some members of that community are still affected by this.

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My thinking on some of the issues that I have written about has changed. The helpful contributions made by so many people, who offered diverse views and opinions, caused me to consider a number of matters that had not immediately occurred to me. For example, it took more than twenty years after the decriminalisation of homosexual acts for British policing to have a body that represented LGBTQ+ officers. It was only in this century that uniformed police officers were first allowed by Chief Constables to participate in Pride events. My seeking to understand the past has shown me just how much policing needs to be understood within the social and political context of any given period. With this in mind, it is clear to me that the way that the Constabulary operated was much less about individual officers and their personal actions, and more about societal and institutionalised expectations. What the police did and how the police acted reflected how much of society felt at the time. So, this apology is for that institutionalised approach, which caused harm to some people.

The public debate last year about the need for an apology was interesting. People who have never met me publicly discussed what they believed my personal views to be, when they had no idea what they actually are. I am not allowed to let my personal views be known. This has caused me some frustration, even when I have been in this position for as long as I have.

I would not be straying from the requirement for me to remain neutral to say that I admire the courage and determination shown by many people in the fight for gay rights. I have respect for the determination shown by people such as Alan Shea and I can only begin to imagine how difficult things must have been for them as they fought long and hard for what is right. That they have achieved so much should be a cause for celebration.

I hope that those reading this letter take it in the spirit with which it meant. I hope that it helps to start a process that in particular allows older members of the LGBTQ+ community to begin to see the Isle of Man Constabulary for what it is: decent, fair and there for everyone, irrespective of their unique, individual needs.

Yours sincerely



Gary Roberts QPM
Chief Constable