



14 Children were arrested for breach of Covid Regulations.

A Freedom of Information reply dated 10th October 2022 shockingly revealed that **14** individual children (persons under the age of 17) were arrested by the Police for breach of Covid Regulations in the Isle of Man during the period 1st March 2020 to 1st April 2022.

Some of those 14 different children were arrested more than once (given that there were actually **22 juvenile arrests** in total).

In addition, a Freedom of Information reply dated 26th May 2020 revealed that there were **two** cases where a juvenile defendant was sentenced to custody at the *Secure Unit* for breach of Covid Regulations.

Also of note is that a separate Freedom of Information reply dated 8th August 2021 previously revealed that 35 persons under the age of 18 had been arrested for Covid breaches by 27th July 2021.

In total **216** individual persons were arrested on the Island for breach of Covid Regulations up to 1st April 2022.

Some of those 216 different persons (adults and children) were arrested more than once (given that there were in fact 248 arrests in total).

Seventy of such 216 persons arrested for breach of Covid Regulations subsequently received a custodial sentence at Court.

A few of those 70 received more than one jail sentence (given that there were **79 custodial sentences** handed down, whether immediate or suspended).

Custodial sentences for breach of Covid Regulations in the Isle of Man were typically 28 days at Jurby Prison.

Breaches of Covid Regulations resulting in incarceration include the following examples publicly reported in the media:-

- i) A 52 year old man found drunk and incapable in Christian Road, Douglas in April 2020 was jailed for 28 days (being asleep in the street was not a legitimate reason to be out of home).
- ii) A 59 year old man from Douglas received a four week custodial sentence for walking on the pavement without good reason near Braddan Bridge on the TT Course around midnight in April 2020.
- iii) A 48 year old man was jailed for four weeks for socialising with friends on Castletown beach in April 2020.
- iv) A businesswoman from Belfast visiting her mother's house in Port Erin was jailed in August 2020 for a month for travelling on a bus, instead of self-isolating.
- v) Five keyworker welders from Doncaster were jailed in September 2020 for two weeks each for shopping in Tesco, Douglas after arriving on the Island.
- vi) In September 2020, a 36 year old lady was jailed for four weeks for stopping to buy petrol at a filling station in Laxey (after her car's low fuel warning light illuminated) instead of driving straight home after returning to the Island by ferry.
- vii) Perhaps most newsworthy of all, in October 2020 a 42 year old woman who had returned to the Island and was self-isolating was jailed for four weeks after taking an emergency taxi journey to a homeless shelter following a row with her partner and having to flee her house.

A significant point to note is that in the Isle of Man breach of Covid Regulations was punishable by a fine or up to **3 month's jail**.

In glaring contrast, all breaches of Covid Regulations in the UK such as prohibition on movement and gatherings were punishable only by a Fixed Penalty Notice ("on the spot fine"). Typically, this was a fine of £100.00 but was not a recordable crime so does not appear on the person's criminal record.

For example, ex-Prime Minister *Boris Johnson* received a £100.00 Fixed Penalty Notice for gathering at a birthday party in June 2020 at 10 Downing Street,

London. In the Isle of Man he may have gone to jail for 28 days for exactly the same offence.

Also of interest, Dominic Cummings, former chief advisor to Prime Minister Boris Johnson, drove to Barnard Castle in Durham on 12th April 2020, potentially breaching Regulations. He claimed that he drove in order to test his eyesight. Matt Hancock, former Health Secretary, was pictured by the *Sun* newspaper kissing an associate on 6th May 2020 at a time when indoor relationships with someone you did not live with were illegal.

Moreover, Professor Neil Ferguson, an epidemiologist from Imperial College London, whose statistical modelling and projections helped shape the UK government's response to Covid, resigned from the SAGE advisory group of scientists on 5th May 2020 after the *Daily Telegraph* reported that his lover had secretly visited his home on at least 2 occasions after lockdown commenced. Hypocritically, Professor Ferguson was perhaps the person most responsible for the Government's stern message to "Stay Home" and not to mix with other people.

As mentioned above, breach of Covid Regulations in the UK did not lead to arrest, only potentially to a Fixed Penalty Notice whereas in the Isle of Man 216 different persons were arrested, including 14 children (some as young as 13).

The Isle of Man is not part of the UK. It is a Crown Dependency with a population of approximately 84,000 residents.

To give one startling example of a juvenile case, child A, aged 13 years, was arrested for breach of *Prohibition on Movement* Regulations and detained at Police Headquarters for 23 hours in May 2020. Although charged with a breach of Covid Regulations, such charge was subsequently withdrawn at the Youth Court several weeks later by the Prosecution.

Importantly, no children were punished for breach of Covid Regulations in the UK because the Regulations only applied to persons aged 18 or over (parents of children could be fined instead).

Conclusion

In what some people regard as a dark chapter in the history of Manx Policing and a most sinister episode of interference with respect for fundamental human rights, consider the following:-

- i) Why did the Isle of Man differ from the UK in that breach of Covid Regulations on the Island was punishable by a fine and/or jail?
- ii) Whose bright idea was it to insert custody as an appropriate punishment for breach of the Regulations rather than make breach a fineable only offence?

- iii) Why did Manx Covid Regulations apply to children as well as persons aged 18 and over?
- iv) How was it considered necessary or proportionate for the Police to arrest, detain and interview children for breach of Covid Regulations on the Island?
- v) Why were Fixed Penalty notices not used at all by the Manx Constabulary during the first five weeks of the pandemic?
- vi) Why were warnings and cautions and Fixed Penalty Notices not reasonably used in every case instead of arrests?
- vii) What legal advice did the IOM Chief Constable receive from the Island's Attorney General and/or UK Police forces in respect of sensibly and fairly enforcing Covid Regulations?

Clearly, these are just a few of the pertinent questions (particularly the exceptional and controversial issue of the arrest of children) which the current official review (headed by Kate Brunner QC) into the Island's response to the Covid-19 pandemic ought properly to consider and to shine a light on what many regard as authoritarian and disgracefully heavy handed policing.

To state the obvious, if there had not been any arrests for Covid breaches, nobody would have appeared in Court and there would not have been any jail sentences at all, let alone 79.

Jurby Prison



79 custodial sentences on Isle of Man for breach of Covid Regulations.

See our FOI page for the full responses