

**REPORT TO:** BTPA Professional Standards Committee  
**DATE:** 27<sup>th</sup> July 2010  
**SUBJECT:** PSD 1<sup>st</sup> Quarter 2010/11 Report to the Police Authority  
Reporting Period 01 April 2010 to 30 June 2010  
**OWNER:** Detective Chief Superintendent FRY  
**SPONSOR:** Deputy Chief Constable



## INTRODUCTION

This report covers the performance of British Transport Police in relation to professional standards matters during the 1<sup>st</sup> quarter period of 2010-11. The time period under review is from 01 April 2010 until 30 June 2010. The report is based on data from Centurion, the British Transport Police complaints recording system.

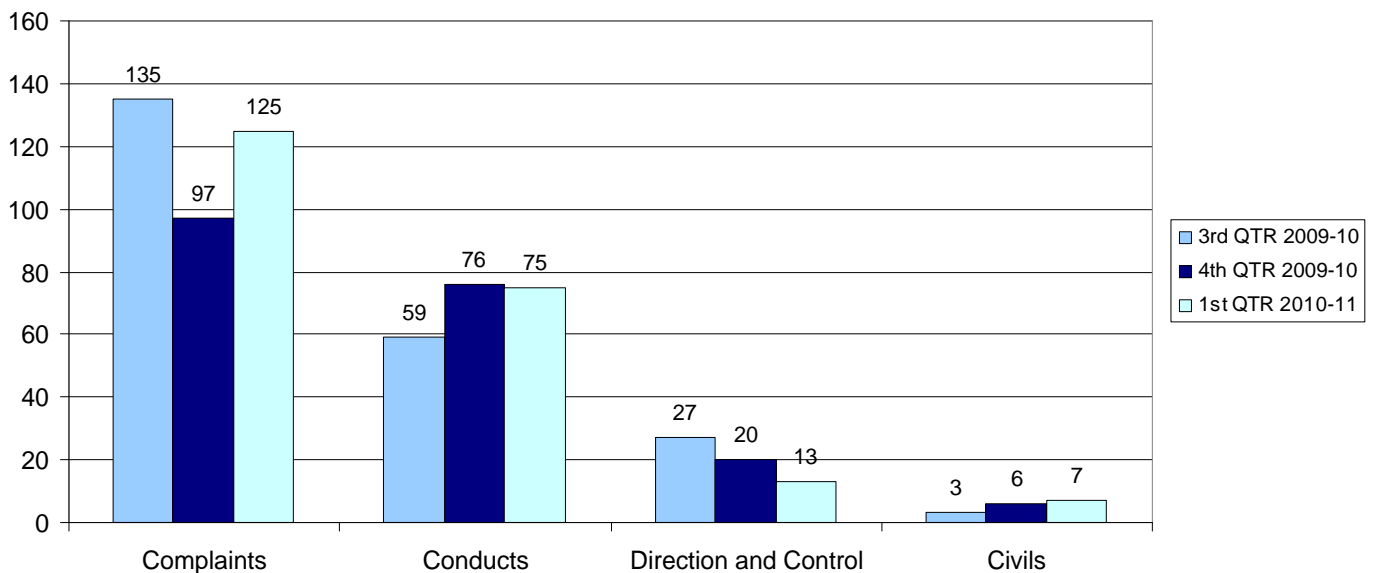
## PURPOSE

The purpose of this report is to inform members of the Police Authority on professional standards matters within the force for the period 01 April 2010 to 30 June 2010.

## 1. SECTION ONE

### 1.1. PSD WORKLOAD

The chart below illustrates the number of cases recorded by PSD in the last three quarters.

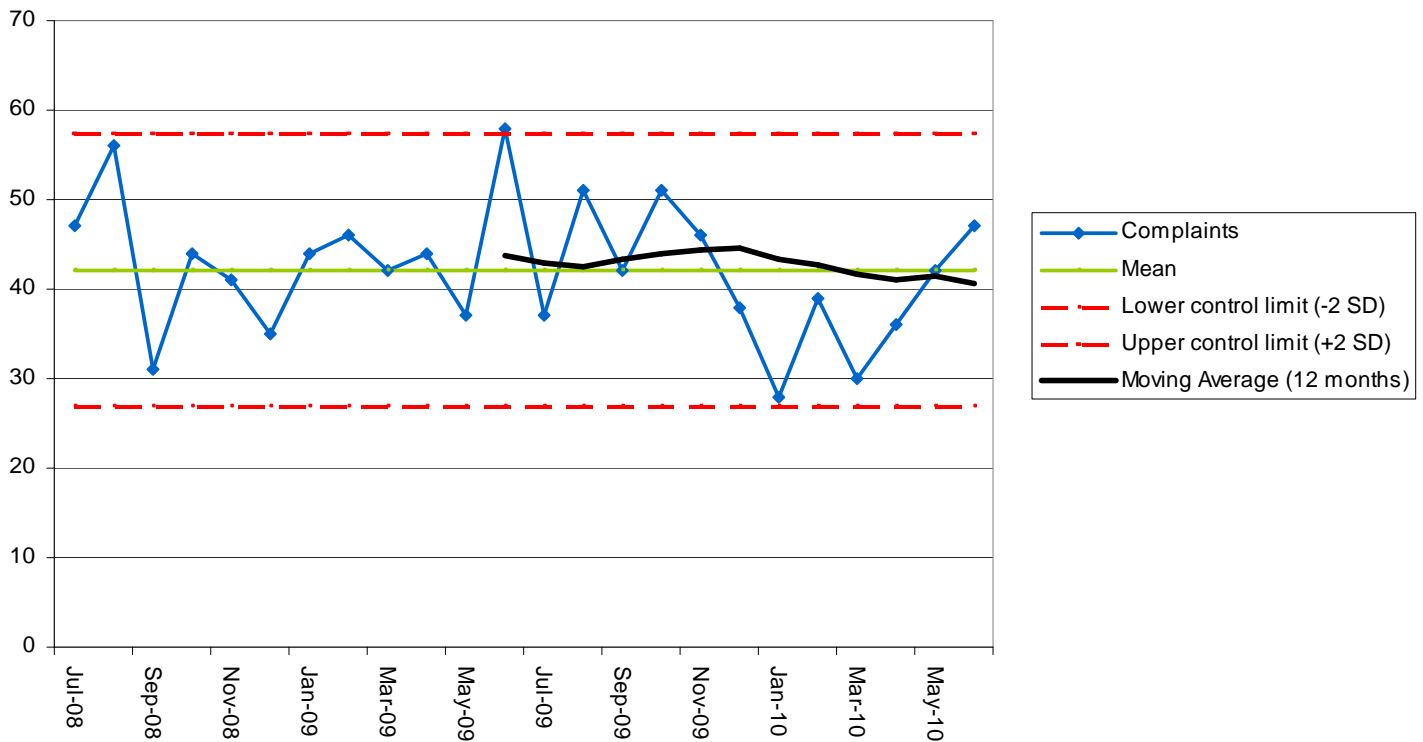


**2. SECTION TWO**  
**2.1. RECORDED COMPLAINTS**

	<b>3<sup>rd</sup> Quarter 2009-10</b>	<b>4<sup>th</sup> Quarter 2009-10</b>	<b>1<sup>st</sup> Quarter 2010-11</b>
Complaint cases	135	97	125
% change	- 28%		+ 29%
Complaint allegations	194	135	195
% change	- 30%		+ 44%

- Complaints have returned to a level comparable to that seen in the 3<sup>rd</sup> quarter 2009-10, after the reduction in complaints observed in the last quarter.

The table below chart illustrates the number of complaint cases recorded over a two year period.



- Despite monthly fluctuation, complaint cases have remained stable overall.
- After the dip in complaints witnessed in the first quarter of the year, a steady increase in complaint cases has been evident since March 2010. However, the number of cases remains within the normal limits and has thus far not replicated the peak in complaints seen in the previous two summers (August 2008 and June 2009).

### 2.1.1. COMPLAINT ALLEGATIONS<sup>1</sup>

	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11
A Serious non-sexual assault	2	2	5
B Sexual assault	0	1	0
C Other assault	37	16	31
D Oppressive conduct or harassment	8	2	7
E Unlawful/unnecessary arrest or detention	12	10	12
F Discriminatory Behaviour	8	2	5
G Irregularity in evidence/perjury	3	2	2
H Corrupt Practice	0	1	2
J Mishandling of Property	2	3	3
K Breach Code A PACE	7	4	4
L Breach Code B PACE	4	1	2
M Breach Code C PACE	4	5	7
N Breach Code D PACE	0	0	0
P Breach Code E PACE	0	0	0
Q Lack of fairness and impartiality	3	8	12
R Multiple or unspecified breaches of PACE	0	0	0
S Other neglect or failure in duty	29	26	34
T Other irregularity in procedure	1	2	1
U Incivility, Impoliteness and intolerance	57	37	49
V Traffic Irregularity	0	5	5
W Other	14	5	9
X Improper disclosure of information	3	3	5
Y Other sexual conduct	0	0	0
<b>TOTAL</b>	<b>194</b>	<b>135</b>	<b>195</b>

- Incivility
  - Continues to occupy the largest share of complaint allegations (25%).
  - London South accounted for 15 of the 49 allegations (31%).
  - Almost 50% of Incivility complaints are recorded in conjunction with other allegations, most commonly Other Assault (20%) and Other Neglect (14%).
- Other Neglect
  - London South is the peak Area for Other Neglect complaints (32%).
  - Complaints in this category typically concerned failure to investigate an alleged incident or crime in an efficient and expeditious manner.
- Other Assault
  - The majority of complaints arose from arrest or detention situations (77%).
  - Saturday emerged as the peak day for incidents leading to allegations of assault.
  - Complaints peaked on London North with 10 allegations recorded in nine cases.

<sup>1</sup> Note that whilst the reported figures are correct at the time of data extraction from Centurion, there may be some variance if the data is retrieved at a later date. This is because allegations may be added to (or removed from) a case after it is initially recorded.

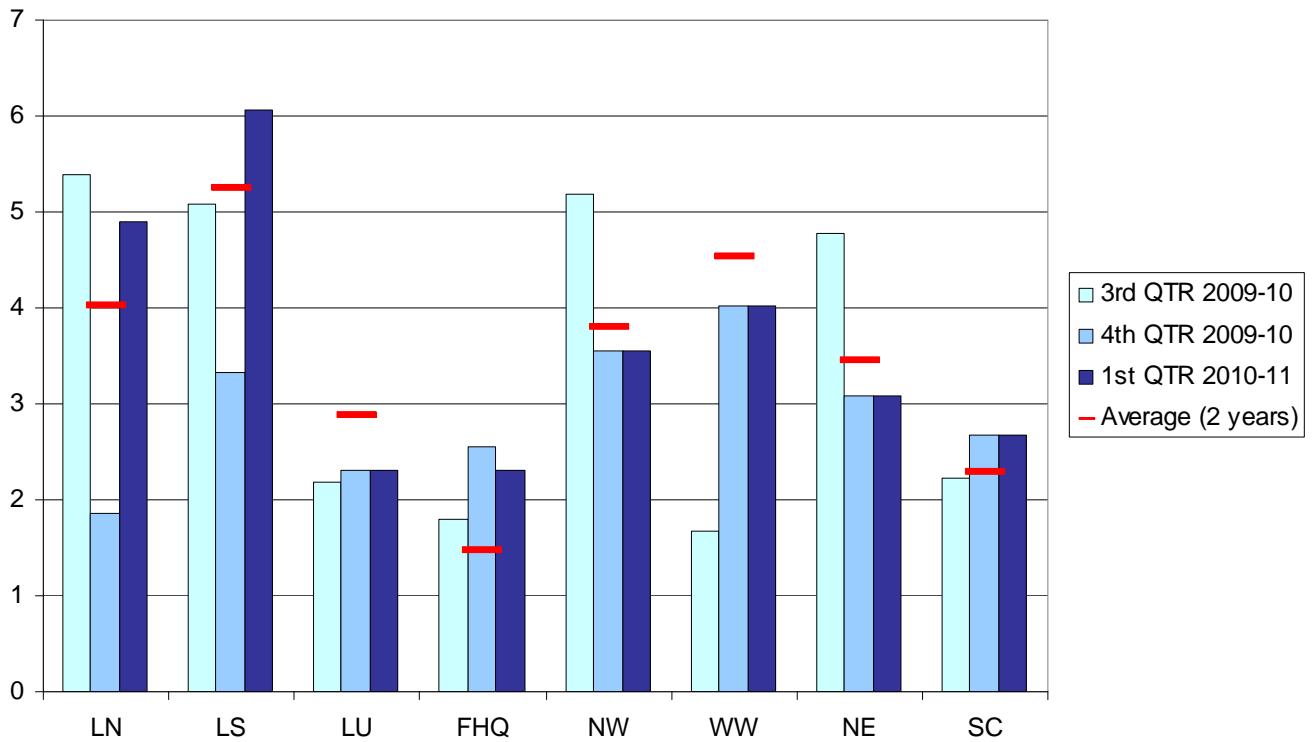
- Seven complaints specifically concerned use of handcuffs, four related to captor spray and one complaint cited assault by police baton.
- Lack of Fairness and Impartiality
  - Complaints have seen an increase over the last three quarters.
  - A common complaint concerns the attitude of officers intervening in altercations between complainants and railway staff, with complainants alleging that officers favoured the member of staff's account of events.
- Serious Non-Sexual Assault
  - The five allegations relate to four cases
  - One case has been withdrawn
  - One case has been locally investigated by BTP
  - Once case has been referred to the Procurator Fiscal
  - Once case (two allegations) has been adopted as an IPCC Managed Investigation. See Section 3.1, CO/97/10.

## 2.1.2. COMPLAINTS BY AREA

	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11
LN – London North	52	14	43
LS – London South	39	34	52
LU – London Underground	29	25	26
FHQ – Force Headquarters	10	11	12
NW – North Western	19	17	17
WW – Wales & Western	11	9	15
NE – North Eastern	21	15	24
SC – Scotland	6	10	6

- London South and London North jointly account for 49% of all complaints recorded this quarter, with shares of 27% and 22% respectively.
- The peak complaint type on London South is Incivility (15 allegations; 28% of complaints) followed by Other Neglect (11 allegations; 21% of complaints).
  - As of 1<sup>st</sup> July 2010, London South is the only Area failing to meet the performance target of a 5% reduction in Incivility complaints in 2010/2011.
- The peak complaint type on London North is Other Assault (10 allegations; 23% of complaints) followed by Incivility (nine allegations; 21% of complaints).
  - Eight of the 10 assault allegations arose from an arrest situation

The chart below illustrates the number of complaint cases per 100 officers<sup>2</sup>.



- The low level of complaints recorded in the previous quarter can be attributed to a fall in complaints on London North and London South Areas. With the exception of these Areas, the number of complaints per 100 officers has remained stable.
- London South has a historically higher complaint to officer ratio than other Areas, a trend that continues to be evident this quarter.

<sup>2</sup> Includes Police Officers, PCSOs and Special Constables. Excludes Police Staff who do not interact with the public.

## 2.2. SUBJECT CHARACTERISTICS

Ethnic Groups	Ethnic Subgroups	BTP Population <sup>3</sup>	3 <sup>rd</sup> Quarter 2009-10 (%)	4 <sup>th</sup> Quarter 2009-10 (%)	1 <sup>st</sup> Quarter 2010-11 (%)
<b>White</b>	British	2796	122 (4.4%)	86 (3.1%)	120 (4.3%)
	Irish	55	2 (3.6%)	1 (1.8%)	3 (5.5%)
	Other white background	118	2 (1.7%)	5 (4.2%)	3 (4.2%)
<b>Mixed</b>	White & Black Caribbean	16	0 (0%)	0 (0%)	0 (0.0%)
	White & Black African	12	1 (8.3%)	0 (0%)	0 (0.0%)
	White & Asian	18	0 (0%)	0 (0%)	1 (5.6%)
	Other mixed background	21	2 (9.5%)	0 (0%)	0 (0.0%)
<b>Asian/Asian British</b>	Indian	39	1 (2.6%)	2 (5.1%)	4 (10.3%)
	Pakistani	33	4 (12.1%)	6 (18.2%)	2 (6.1%)
	Bangladeshi	18	1 (5.6%)	0 (0%)	2 (11.1%)
	Other Asian Group	19	2 (10.5%)	0 (0%)	3 (15.8%)
<b>Black/Black British</b>	Caribbean	37	0 (0%)	1 (2.7%)	2 (5.4%)
	African	44	1 (2.3%)	3 (6.8%)	2 (4.5%)
	Other Black background	11	0 (0%)	0 (0%)	0 (0.0%)
<b>Other</b>	Chinese	6	0 (0%)	0 (0%)	1 (16.0%)
	Any other ethnic group	11	1 (9.1%)	1 (9.1%)	1 (9.1%)
<b>Not Stated</b>	Not Stated	174	33 (19%)	29 (16.7%)	38 (21.8%)
<b>TOTALS</b>		<b>3430</b>	<b>172</b>	<b>134</b>	<b>182</b>

- 69% of complaints recorded this quarter were made against officers defining themselves as White, which is comparable to the previous quarter.
- As per the previous quarter, almost 10% of complaints received related to officers defining themselves within a BME category.

<sup>3</sup> Includes Police Officers, PCSOs and Special Constables. Excludes Police Staff who do not interact with the public.

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- Of the 38 subjects in receipt of complaints whose ethnicity is unknown, 29 are unidentified officers. Discounting officers whose identity is unknown, there are 153 subjects of complaint, of which nine have not stated their ethnicity (4.9%).
- Caution should be exercised in interpreting these figures due to the small numbers involved.

### 2.3. COMPLAINANT CHARACTERISTICS

Ethnic Groups	Ethnic Subgroups	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11
<b>White</b>	British	68 (44.4%)	64 (45.4%)	59 (45.0%)
	Irish	1 (0.7%)	0 (0%)	3 (2.3%)
	Other white background	7 (4.6%)	7 (5.0%)	6 (4.6%)
<b>Mixed</b>	White & Black Caribbean	4 (2.6%)	1 (0.7%)	0 (0%)
	White & Black African	1 (0.7%)	0 (0%)	0 (0%)
	White & Asian	1 (0.7%)	0 (0%)	0 (0%)
	Other mixed background	0 (0%)	0 (0%)	3 (2.3%)
<b>Asian/Asian British</b>	Indian	3 (2.0%)	4 (2.8%)	2 (1.5%)
	Pakistani	3 (2.0%)	0 (0%)	2 (1.5%)
	Bangladeshi	1 (0.7%)	1 (0.7%)	0 (0%)
	Other Asian Group	1 (0.7%)	2 (1.4%)	2 (1.5%)
<b>Black/Black British</b>	Caribbean	9 (5.9%)	7 (5.0%)	5 (3.8%)
	African	3 (2.0%)	3 (2.1%)	7 (5.3%)
	Other Black background	0 (0%)	2 (1.4%)	5 (3.8%)
<b>Other</b>	Chinese	0 (0%)	0 (0%)	0 (0%)
	Any other ethnic group	1 (0.7%)	2 (1.4%)	1 (0.8%)
<b>Not Stated</b>	Not Stated	50 (32.7%)	48 (34.0%)	36 (27.5%)
<b>TOTALS</b>		<b>153</b> <b>(100%)</b>	<b>141</b> <b>(100%)</b>	<b>131</b> <b>(100%)</b>

- The above table details the ethnicity of complainants for those cases finalised, rather than recorded, during this quarter. This is due to number of complainants who do not initially

provide their ethnicity details when making a complaint; this information is often recorded at a later date as an investigation progresses.

- 52% of complaints were from persons defining themselves as White.
- 21% of complainants identified themselves as of BME origin, a 5% increase on the previous quarter. Conversely, there has been a decrease in the number of complainants who have not stated their ethnicity.
- Caution should be exercised in interpreting these figures due to the small numbers involved.

### 2.3.1. COMPLAINANT ACCESS

Received Means	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11
External Force	2	6	5
Internet/Email	40	38	33
Fax	7	3	2
In person	5	10	9
IPCC	19	25	14
Letter	19	12	17
Solicitor	1	1	2
Telephone	38	29	27
BTPA	0	1	0
Other/not recorded	22	13	22
<b>TOTAL</b>	<b>153</b>	<b>141</b>	<b>131</b>

### 2.4. INVESTIGATION TIMES

The table below reports on the number of complaint cases which are under and over 120 days' investigation time and are still being actively investigated by BTP.

	3 <sup>rd</sup> Quarter 2009-10		4 <sup>th</sup> Quarter 2009-10		1 <sup>st</sup> Quarter 2010-11	
	Under 120 Days	Over 120 Days	Under 120 Days	Over 120 Days	Under 120 Days	Over 120 Days
Total Number Outstanding	71	2	65	0	68	1

Summary of complaints over 120 days:

There is currently one complaint case which has been under investigation for more than 120 days.



## 2.5. FINALISED COMPLAINTS

	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11
Complaint cases	147	141	127
% change	-4.1%		-9.9%
Complaint allegations	235	234	224
% change	-0.4%		-4.3%

Disposal	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11
Locally Resolved – Area	36.6% (86)	38.0% (89)	23.7% (53)
Locally Resolved – PSD	11.5% (27)	7.7% (18)	8.0% (18)
Dispensed	13.6% (32)	13.7% (32)	12.1% (27)
Withdrawn	4.3% (10)	7.7% (18)	8.9% (20)
Unsubstantiated	28.5% (67)	24.4% (57)	37.9% (85)
Substantiated	3.4% (8)	6.8% (16)	8.0% (18)
Discontinued	2.1% (5)	1.7% (4)	1.3% (3)
<b>TOTAL</b>	<b>100% (235)</b>	<b>100% (234)</b>	<b>100% (224)</b>

- The number of complaints resolved by Local Resolution has seen a 14% reduction this quarter. This contrasts with increases in other disposal methods, principally investigated complaints which have resulted in an Unsubstantiated outcome.

### Note

In accordance with legislative changes indicated by the Home Office and IPCC, PSD will be moving away from the Local Resolution process towards locally handled investigations. This will apply to complaints cases which are not subject to special requirements (i.e. the seriousness threshold has not been met). This change will allow minor complaints with no misconduct liability to be dealt with in an expedient and proportionate fashion, reducing the burden of bureaucracy associated with the Local Resolution process. London South Area has been identified as a trial Area for this approach. The proposed London South trial is due to commence in September 2010.

**3. SECTION THREE**  
**3.1. IPCC CASES**

**Supervised:**

Three cases are currently being supervised.

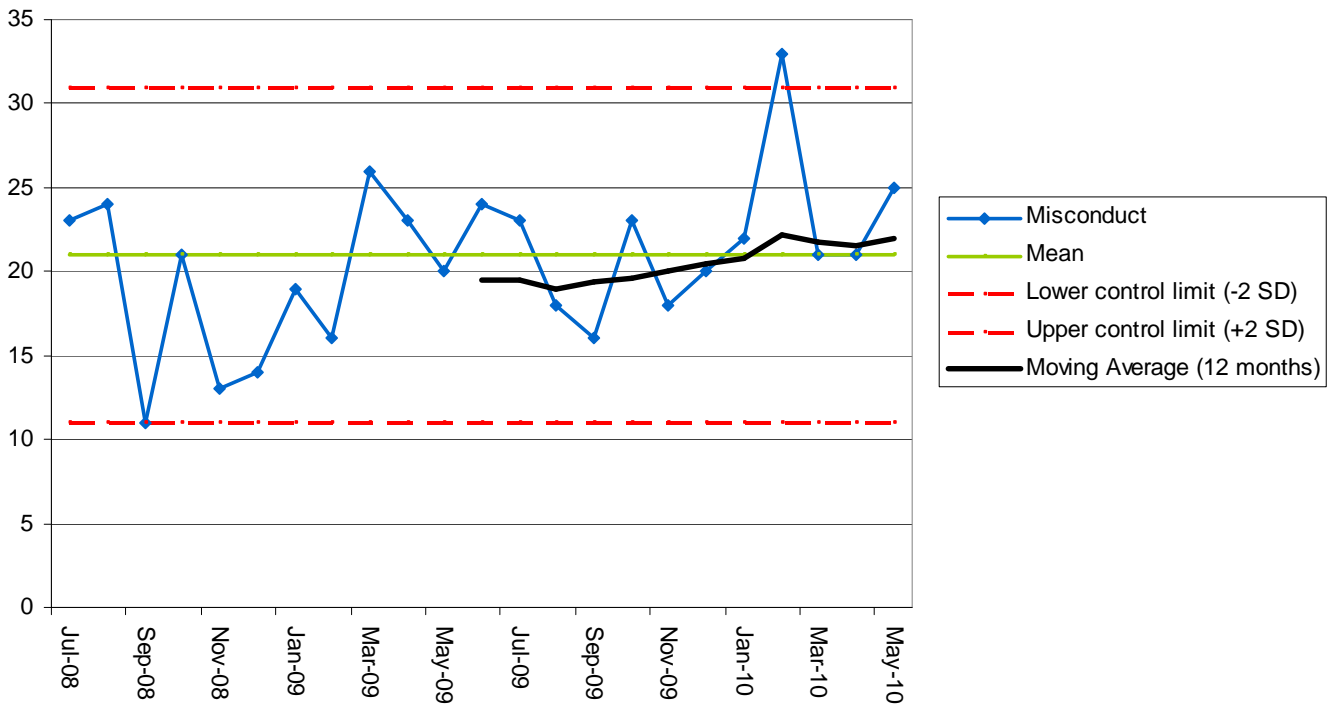
**Managed:**

Two cases are currently being managed.

**4. SECTION FOUR**  
**4.1. CONDUCT MATTERS**

	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11
Conduct cases	59	76	75
% change	<b>+ 29%</b>		<b>- 1%</b>
Conduct allegations	80	103	97
% change	<b>+ 29%</b>		<b>- 6%</b>

The chart below illustrates the number of conduct cases recorded over a two year period.



- A steady upward trend in conduct cases is evident over the past two years, although the level of cases has remained stable since the previous quarter.

#### 4.2. CONDUCT ALLEGATIONS

Breach of Conduct	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11
01 Honesty and Integrity	13	6	6
02 Authority, Respect and Courtesy	12	25	7
03 Equality and Diversity	1	5	3
04 Use of Force	2	0	3
05 Orders and Instructions	9	20	26
06 Duties and Responsibilities	10	12	19
07 Confidentiality	1	1	2
08 Fitness for Duty	0	0	1
09 Discreditable Conduct	32	34	30
10 Challenging and Reporting Improper Behaviour	0	0	0
<b>TOTAL</b>	<b>80</b>	<b>103</b>	<b>97</b>

### 4.3. CONDUCT BY AREA

The table below shows the number of conduct allegations and cases (in parentheses) recorded against each Area.

	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11
LN - London North	18 (13)	15 (11)	13 (12)
LS - London South	11 (8)	12 (8)	14 (12)
LU - London Underground	22 (14)	16 (12)	23 (16)
FHQ – Force Headquarters	16 (12)	18 (17)	13 (11)
NW – North Western	2 (2)	13 (7)	11 (7)
WW – Wales & Western	5 (4)	6 (6)	9 (7)
NE - North Eastern	8 (5)	20 (12)	5 (4)
SC – Scotland	3 (3)	3 (3)	9 (6)

- One London Underground PCSO featured in three conduct cases this quarter. These matters have been dealt with by management intervention on Area.

## 5. SECTION FIVE

### 5.1. DIRECTION AND CONTROL

Allegation	3 <sup>rd</sup> Quarter 2009-10	4 <sup>th</sup> Quarter 2009-10	1 <sup>st</sup> Quarter 2010-11	TOTAL
Football	3	4	1	8
Handling of specific incident or investigation	9	3	3	15
Level of service (not specific to investigation)	0	1	0	1
Personal data	1	1	0	2
Policing tactics inc. policing presence and enforcement	7	3	4	14
Policies/processes	3	0	2	5
Publicity	0	3	0	3
Section 44	1	2	0	3
Stop and search (not S44)	1	1	0	2
Ticket/revenue related	0	0	2	2
Other	2	2	1	5
<b>TOTAL</b>	<b>27</b>	<b>20</b>	<b>13</b>	<b>60</b>

## 6. SECTION TEN

### 6.1. LESSONS LEARNED

Five cases have been published this period.