

REPORT TO: BTPA Professional Standards Committee
DATE: 11th May 2010
SUBJECT: BTP 4th Quarter Report to the Police Authority
 Reporting Period 01 January 2010 to 31 March 2010
OWNER: Detective Chief Superintendent FRY
SPONSOR: Deputy Chief Constable

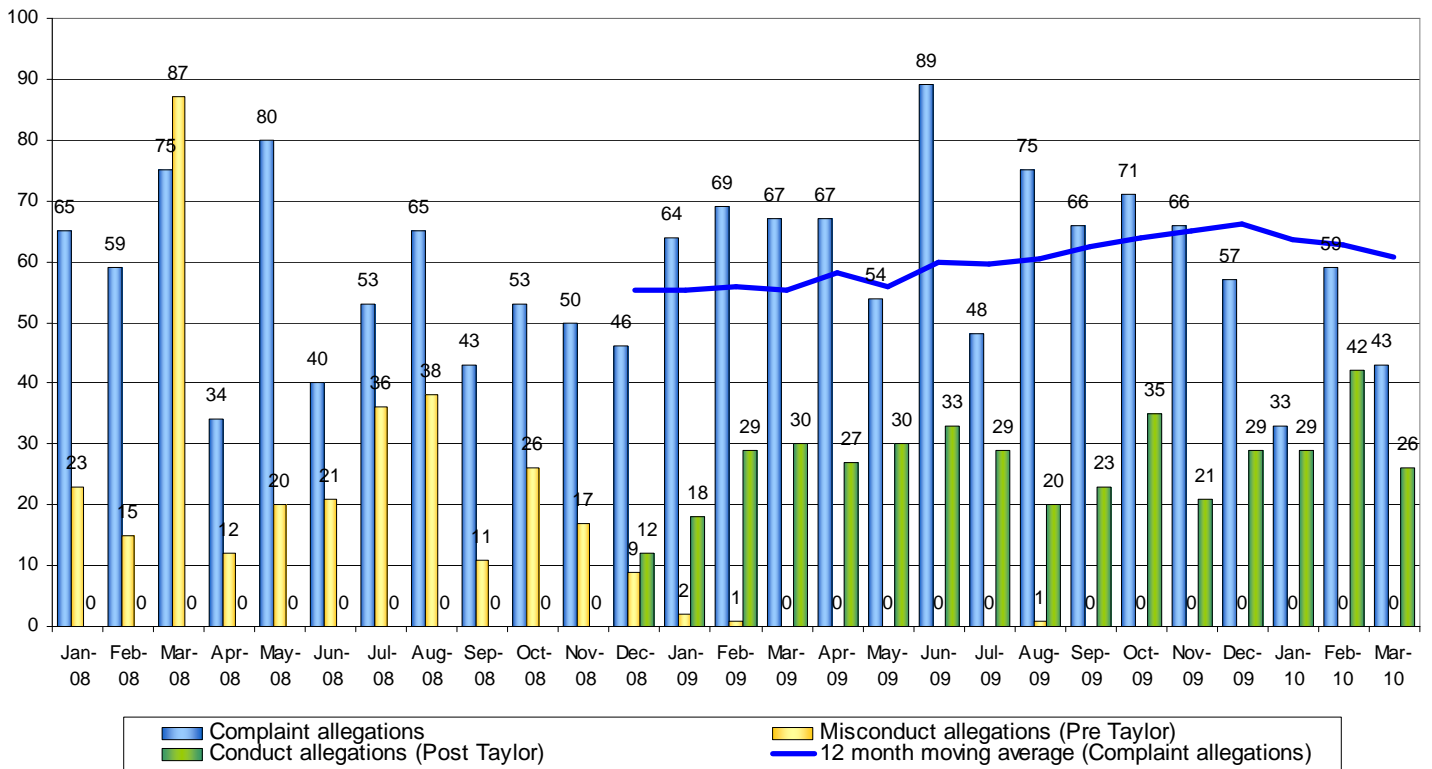


INTRODUCTION

This report covers the performance of the Professional Standards Department during the 4th quarter period of 2009-10. The report is based on data from Centurion, the British Transport Police complaints recording system. The time period covered is from 01 January 2010 until 31 March 2010. Figures are shown for complaint and misconduct allegations recorded per month between 01 January 2008 and 31 December 2009 for comparison. The monthly change in the number of complaints is displayed as a bar chart.

1. SECTION ONE

1.1 Recorded Complaints and Misconduct Allegations



Recorded Conducts

This quarter contains no pre Taylor misconduct cases, with all allegations recorded under the new legislation. Since February 2009, the number of Post Taylor conducts has remained relatively stable,

with typically between 20 and 30 allegations recorded each month. However, February 2010 saw a statistically significant peak in the number of recorded conduct allegations since recording began in December 2008, with 42 allegations recorded. March 2010 saw a subsequent decline in conducts with 26 allegations recorded.

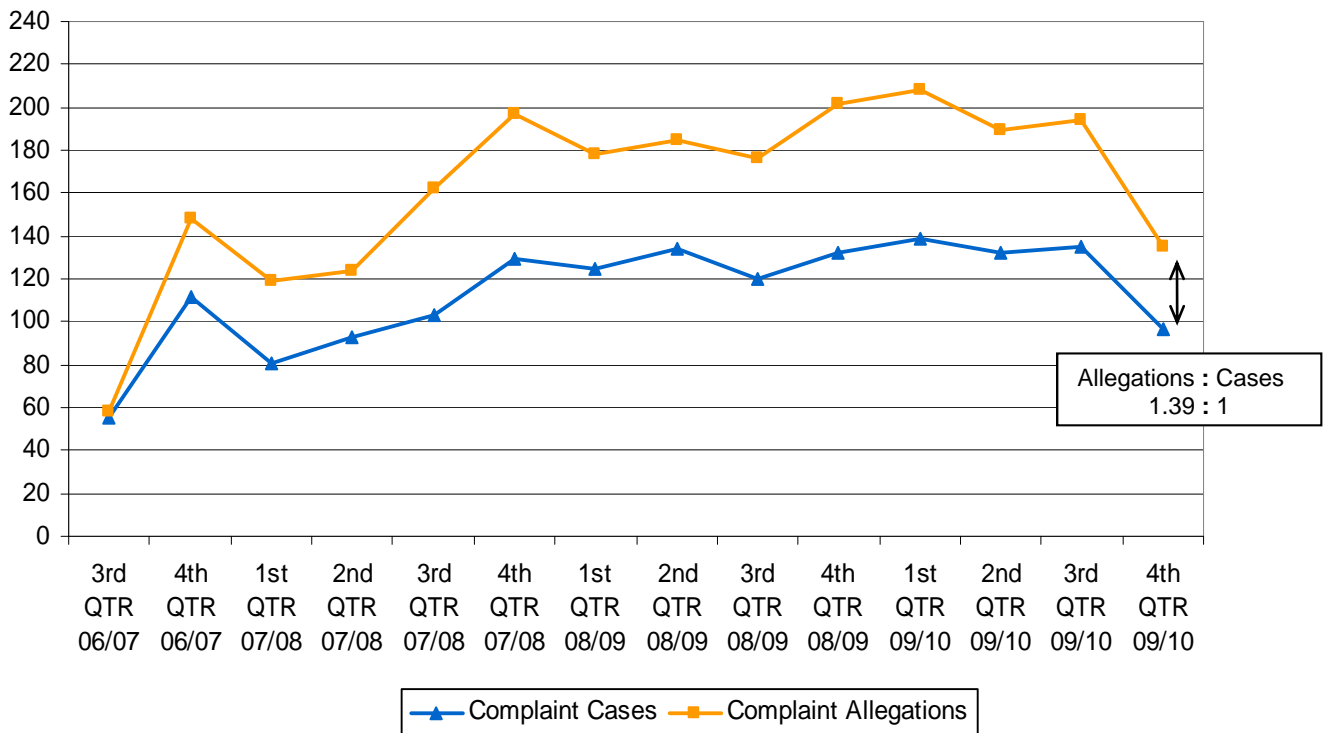
Recorded Complaints

	4 th Quarter 2008-09	3 rd Quarter 2009-10	4 th Quarter 2009-10	Percentage Change
Number of Complaint Allegations	200	194	135	-30.4%
Number of Complaint Cases	132	135	97	-28.1%

During this quarter there have been a total of 135 complaint allegations recorded within 97 cases, and these 97 complaint cases have been received from 101 complainants. The total number of complainants is not always equal to the total number of complaints recorded because several complainants may make one complaint. Accordingly, one case may involve any number of complaints and/or complainants.

A large reduction in the number of recorded complaint cases and allegations is evident this quarter, compared to both the previous quarter and the same period last year. The numbers of complaint cases and allegations are in fact the lowest recorded since the 2nd quarter period of 2007-08.

The graph below shows the number of complaint cases and allegations over time and the allegation to case ration for the 4th quarter 2009-10. The number of allegations stands at 1.39 times the number of complaint cases this period. This is just below the typical ratio range of between 1.4:1 and 1.5:1 observed in previous quarters. It is noted that the ratio is less than the national average which was calculated as 1.71 allegations per case across all Forces (IPCC 2008-09 statistics).



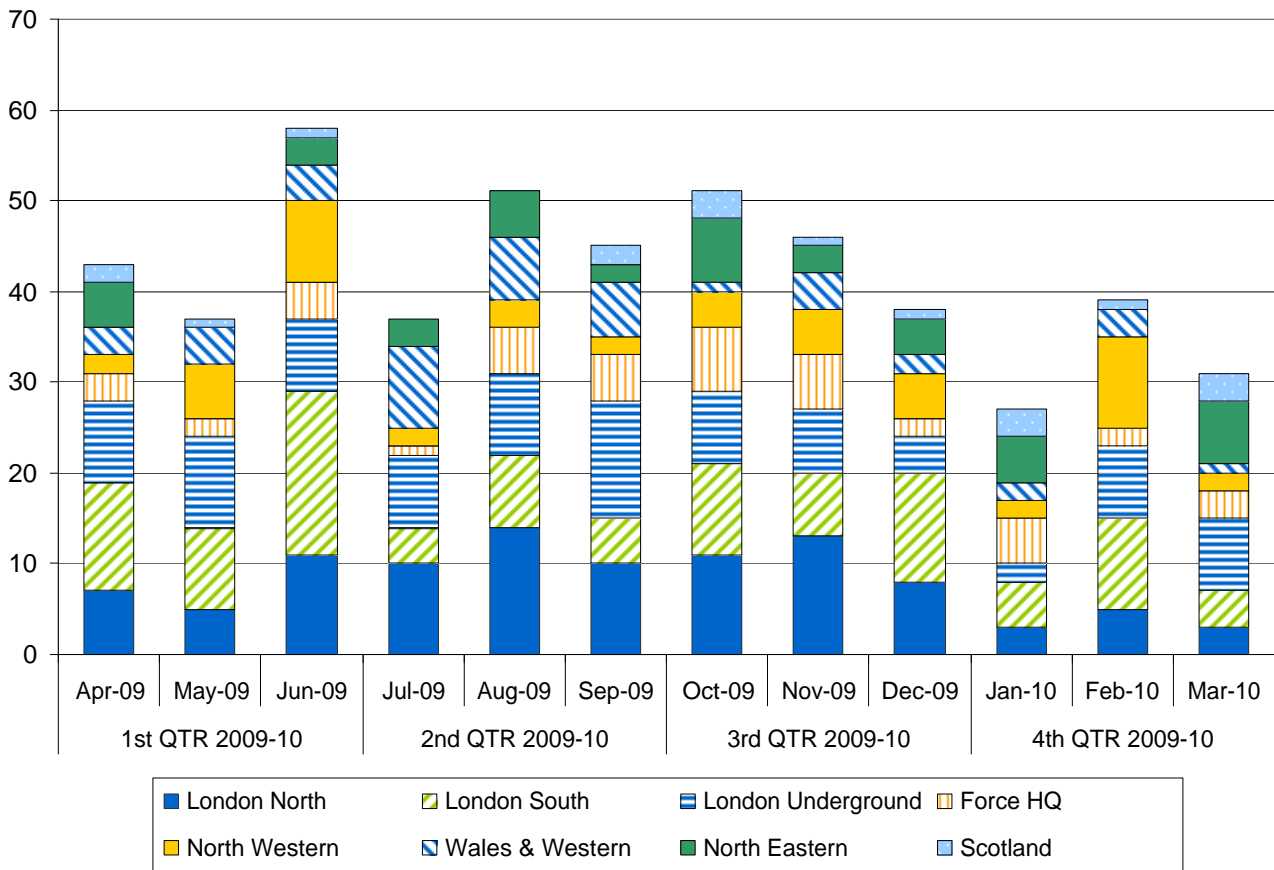
Trend analysis – Complaint cases by Area

Complaint Cases

The number of complaint cases fluctuates each quarter. Of the 97 cases recorded in this quarter, 27 were recorded in January, 39 in February and 31 in March.

The chart below shows the number of complaint cases recorded by each Area for the last four quarters.

London North Area has seen a notable reduction in the number of complaint cases recorded since November 2009. London South Area has the highest average number of complaints per month, but also demonstrates greater monthly fluctuation compared to other Areas.

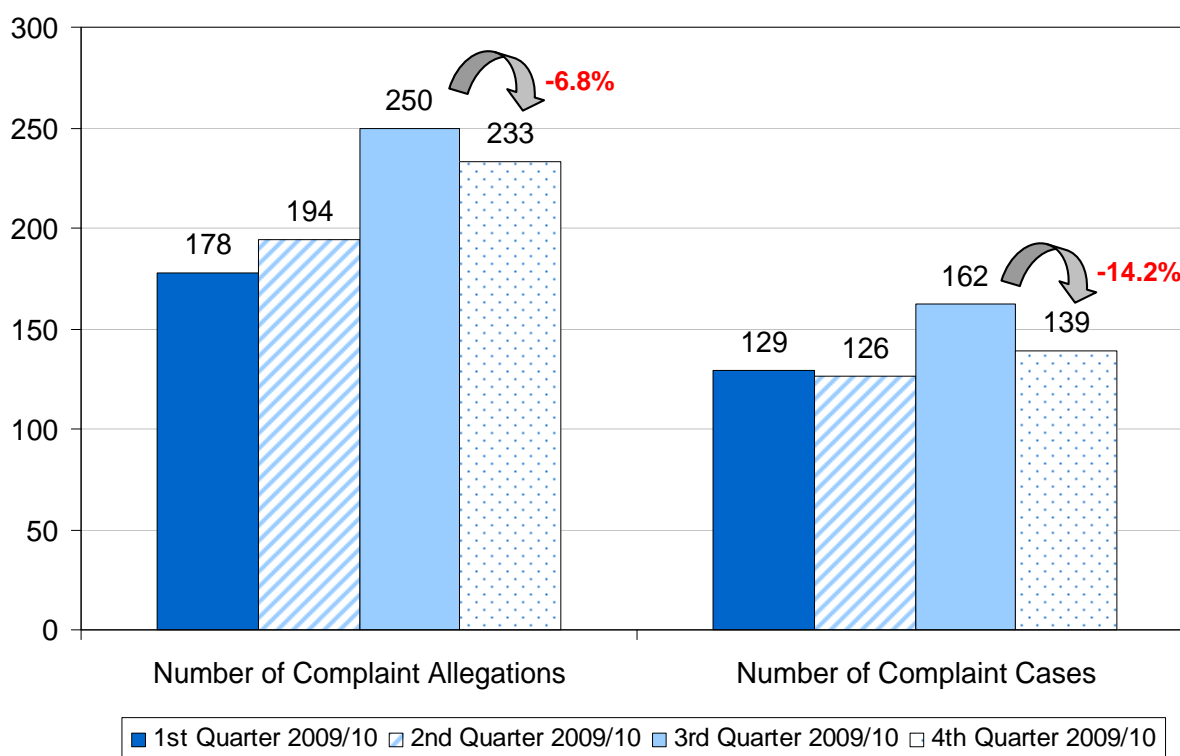


1.2 Completed Complaints

The chart below shows the number of completed complaint cases and allegations for the last four quarters.

Note that the figures refer to all complaints and cases completed in a given quarter, regardless of which quarter they were recorded in.

The 4th quarter 2009-10 saw a 14% reduction in the number of completed complaint cases, with a 7% decrease in the number of finalised allegations.



1.3 Method of Completion of Complaints

	2 nd Quarter 2009-10	3 rd Quarter 2009-10	4 th Quarter 2009-10
Percentage Locally Resolved (actual figure in parentheses)	45.36% (88)	45.20% (113)	45.92% (107)
Percentage Dispensed (actual figure in parentheses)	8.76% (17)	12.80% (32)	12.88% (30)
Percentage Withdrawn (actual figure in parentheses)	15.46% (30)	9.20% (23)	7.30% (17)
Percentage Not Substantiated (actual figure in parentheses)	27.32% (53)	27.60% (69)	25.32% (59)
Percentage Substantiated (actual figure in parentheses)	2.58% (5)	3.20% (8)	6.87% (16)
Percentage Discontinued (actual figure in parentheses)	0.52% (1)	2.00% (5)	1.72% (4)
Total	100% (194)	100% (250)	100% (233)

Of all complaints completed this quarter, 46% were locally resolved. This figure compares favourably with the national figures which show that, on average, 41% of complaints are being dealt with by means of local resolution (IPCC statistics 2008/09).

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Of the 107 complaints resolved by means of Local Resolution this quarter, 89 (83%) were secured on Area. This compares to 76% of Local Resolutions being completed on Area in the previous quarter.

All figures are comparable to the previous quarter, with the exception of substantiated complaints which doubled this quarter from 8 to 16 substantiated allegations.

1.4 Recorded Complaints by Category

	2 nd Quarter 2009-10	3 rd Quarter 2009-10	4 th Quarter 2009-10	Percentage Change
A Serious non-sexual assault	4	2	2	0.0%
B Sexual assault	1	0	1	100.0%
C Other assault	26	37	16	-56.8%
D Oppressive conduct or harassment	5	8	2	-75.0%
E Unlawful/unnecessary arrest or detention	14	12	10	-16.7%
F Discriminatory Behaviour	8	8	2	-75.0%
G Irregularity in evidence/perjury	5	3	2	-33.3%
H Corrupt Practice	3	0	1	100.0%
J Mishandling of Property	1	2	3	50.0%
K Breach Code A PACE	5	7	4	-42.9%
L Breach Code B PACE	1	4	1	-75.0%
M Breach Code C PACE	4	4	5	25.0%
N Breach Code D PACE	0	0	0	0.0%
P Breach Code E PACE	0	0	0	0.0%
Q Lack of fairness and impartiality	12	3	8	166.7%
R Multiple or unspecified breaches of PACE	0	0	0	0.0%
S Other neglect or failure in duty	19	29	26	-10.3%
T Other irregularity in procedure	2	1	2	100.0%
U Incivility, Impoliteness and intolerance	66	57	37	-35.1%
V Traffic Irregularity	1	0	5	500.0%
W Other	8	14	5	-64.3%
X Improper disclosure of information	4	3	3	0.0%
Y Other sexual conduct	0	0	0	0.0%
TOTAL	189	194	135	-30.4%

Complaint allegations have seen an overall decrease of 30% this quarter. Incivility, Impoliteness and Intolerance remains the most frequently received allegation type but has seen a consistent reduction over the previous two quarters.

Significant Complaint Categories by Area

Other Assault

Area	London Underground	London North	London South	North West	North East	Wales and Western	Scotland	Force Headquarters	Total
Number of Complaints	2	4	6	2	0	1	0	1	16

Other neglect or failure in duty

Area	London Underground	London North	London South	North West	North East	Wales and Western	Scotland	Force Headquarters	Total
Number of Complaints	4	2	6	5	3	1	3	2	26

Incivility, Impoliteness & Intolerance

Area	London Underground	London North	London South	North West	North East	Wales and Western	Scotland	Force Headquarters	Total
Number of Complaints	7	3	9	5	5	2	2	4	37

Discriminatory Behaviour

Area	London Underground	London North	London South	North West	North East	Wales and Western	Scotland	Force Headquarters	Total
Number of Complaints	0	0	1	0	0	1	0	0	2

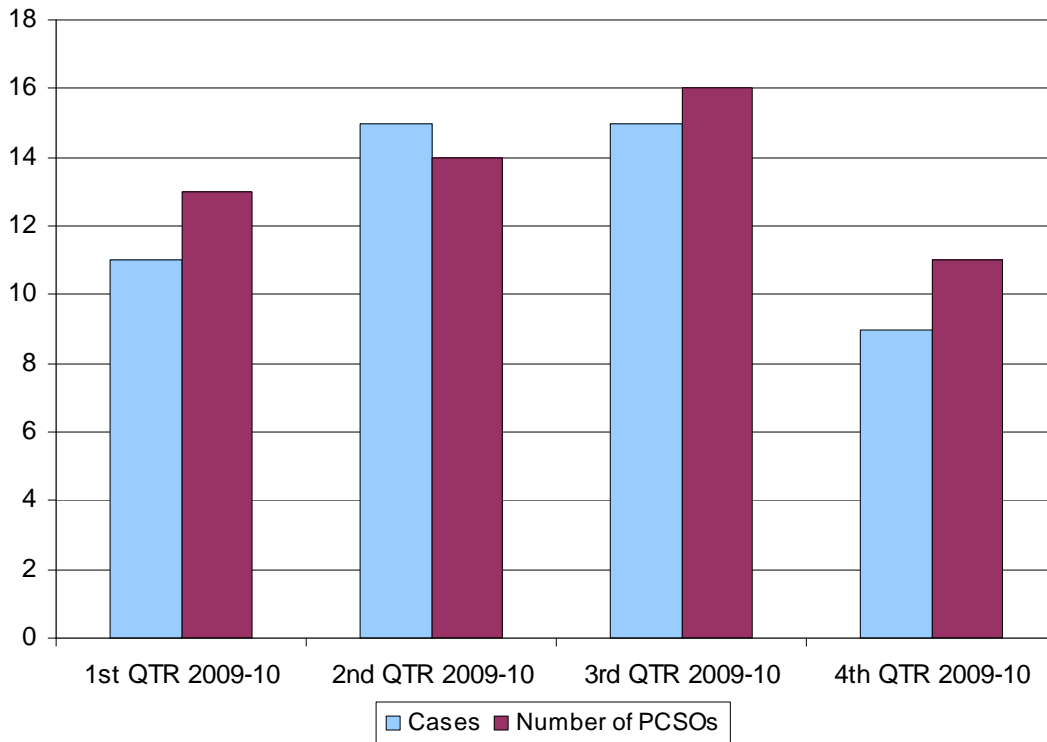
Discriminatory Behaviour Complainant Ethnicity	Any Other White	Not Stated
Number of Complainants	1	1

Discriminatory Behaviour Officer Ethnicity	White British	Not Stated
Number of Officers	4	1

1.5 Use of Batons, Captor Spray and Handcuffs

Eight complaints recorded this quarter related to the use of handcuffs. Three complaints related to the use of captor spray whilst one concerned the threatened release of captor spray.

1.6 PCSO Statistics – Trend Analysis



In this quarter, nine complaint cases were recorded which involved PCSOs. This is a reduction of six cases compared to the previous quarter. The nine cases involved 11 individual PCSOs and contained 16 allegations.

Other Neglect was the most frequent category type with a 31% share of complaints.

1.7 Section 44-related complaints

No public complaints relating to Section 44 Anti-Terrorism Stop and Search were recorded this period.

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1.8 Context from which complaints have arisen

	Arrest	Complaint Enquiry	Crime Enquiry	Domestic dispute	Other	Police detention	Police/ Public encounter	Public order	Rail ticket enquiry	Removal from station/ train	Search of person	Search of premises	Search of vehicle	Stop and account	Traffic	Off duty conduct	Total
A Serious non-sexual	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
B Sexual assault	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
C Other assault	8	0	0	0	3	3	0	1	1	1	1	0	0	0	0	0	18
D Oppressive conduct or harassment	0	0	0	0	0	0	1	0	0	0	0	0	0	0	0	0	1
E Unlawful/ necessary arrest or detention	6	0	0	0	0	5	0	0	0	0	1	0	0	0	0	0	12
F Discriminatory Behaviour	1	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	3
G Irregularity in evidence/perjury	1	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	2
H Corrupt practice	0	0	0	0	2	0	0	0	0	0	0	0	0	0	0	0	2
J Mishandling of property	3	0	0	0	0	0	0	0	0	0	2	0	0	0	0	0	5
K Breach Code A PACE	0	0	0	0	0	1	0	0	0	0	3	0	0	2	0	0	6
L Breach Code B PACE	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1
M Breach Code C PACE	2	0	1	0	0	5	0	0	0	0	1	0	0	0	0	0	9
N Breach Code D PACE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
P Breach Code E PACE	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Q Lack of fairness and impartiality	1	0	3	0	1	1	3	0	0	0	0	0	0	0	0	0	9
R Multiple or unspecified PACE breach	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

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	Arrest	Complaint Enquiry	Crime enquiry	Domestic dispute	Other	Police detention	Police/ public encounter	Public order	Rail ticket enquiry	Removal from station/ train	Search of person	Search of premises	Search of vehicle	Stop and account	Traffic	Off duty conduct	Total
S Other neglect or failure in duty	4	1	6	0	2	0	5	1	2	1	4	0	0	0	1	0	27
T Other irregularity in procedure	0	0	0	0	0	0	0	0	1	0	0	0	0	0	1	0	2
U Incivility/ impoliteness/ intolerance	6	2	4	1	1	2	7	3	3	1	2	0	0	2	2	0	36
V Traffic irregularity	0	0	0	0	0	0	0	0	0	0	0	0	0	0	5	0	5
W Other	0	1	0	0	1	0	1	0	0	0	0	0	0	0	2	0	5
X Improper disclosure of information	1	0	1	0	0	0	0	0	0	0	1	0	0	0	0	0	3
Y Other sexual conduct	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	36	4	15	1	10	18	18	5	7	3	16	1	0	4	11	0	149

This table outlines the context from which complaints have arisen. It must be noted that the figures are not mutually exclusive; a complaint recorded as Arrest related may also feature under another category such as Search of Person. In some cases, specific details of the exact context from which the complaint arose may not be received from the complainant. This can lead to a disparity between the number of complaints recorded by category in Figure 1.4 and those recorded in Figure 1.8.

It can be seen from the above table that a substantial proportion of complaints received this quarter arose from arrest situations (accounting for 24% of all complaint situations). Almost one in eight complaint allegations arose from either police detention or a police/public encounter. Over 10% of complaints were raised in the context of a crime enquiry or search of person. Crime enquiry complaints often relate to allegations of Other Neglect or Failure in Duty; these include allegations of officers failing to take appropriate action in response to a reported incident.

1.9 Cases supervised, managed or independently investigated by the IPCC

Supervised:

Three cases are currently being supervised.

Managed:

One investigation is being managed by the IPCC

Independent:

One case is being independently investigated.

1.10 PCCS Reviews

None this quarter.

1.13 Outstanding Complaint Cases

The cases detailed below are divided into those which are under 120 days and over 120 days investigation time and are still being actively investigated by the Force.

The total number of outstanding complaint cases has seen a decrease of six cases this quarter, with no cases over 120 days investigation time.

	2 nd Quarter 2009-10		3 rd Quarter 2009-10		4 th Quarter 2009-10	
	Under 120 Days	Over 120 Days	Under 120 Days	Over 120 Days	Under 120 Days	Over 120 Days
Total Number Outstanding	66	3	71	2	65	0

Summary of Complaints Investigations Over 120 Days in the 3rd Quarter 2009-10

There are currently no complaint cases which have been under investigation for more than 120 days.

Summary of Complaints Over One Year Old

There are currently no complaint cases which have been under investigation for more than one year.

2. SECTION TWO

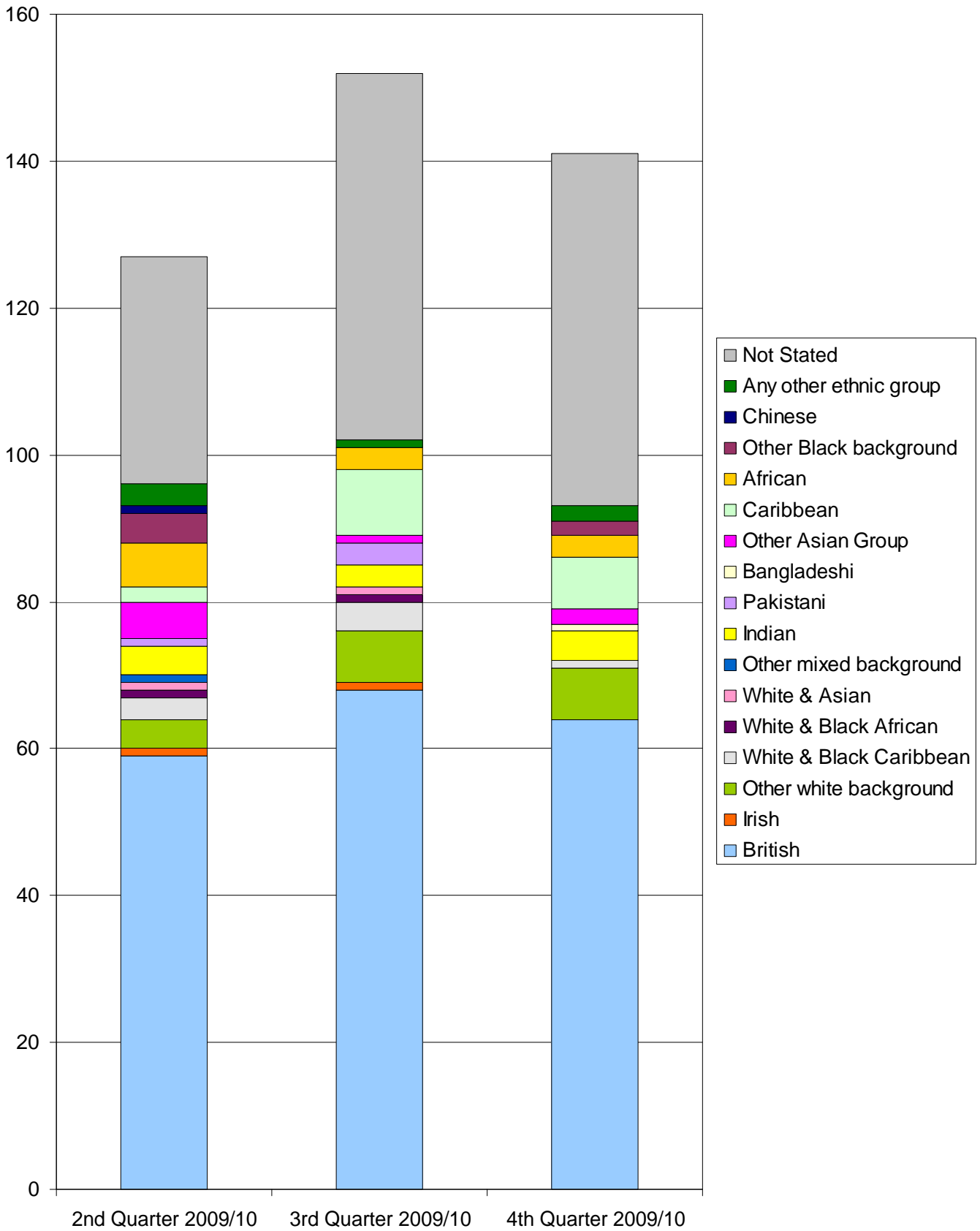
2.1 Ethnicity of Complainants (complaints finalised in this quarter)

		2 nd Quarter 2009-10	3 rd Quarter 2009-10	4 th Quarter 2009-10
White	British	46.46% (59)	44.44% (68)	45.39% (64)
	Irish	0.79% (1)	0.65% (1)	0% (0)
	Other white background	3.15% (4)	4.58% (7)	4.96% (7)
Mixed	White & Black Caribbean	2.36% (3)	2.61% (4)	0.71% (1)
	White & Black African	0.79% (1)	0.65% (1)	0% (0)
	White & Asian	0.79% (1)	0.65% (1)	0% (0)
	Other mixed background	0.79% (1)	0% (0)	0% (0)
Asian/Asian British	Indian	3.15% (4)	1.96% (3)	2.84% (4)
	Pakistani	0.79% (1)	1.96% (3)	0% (0)
	Bangladeshi	0% (0)	0.65% (1)	0.71% (1)
	Other Asian Group	3.94% (5)	0.65% (1)	1.42% (2)
Black/Black British	Caribbean	1.57% (2)	5.88% (9)	4.96% (7)
	African	4.72% (6)	1.96% (3)	2.13% (3)
	Other Black background	3.15% (4)	0% (0)	1.42% (2)
Other	Chinese	0.79% (1)	0% (0)	0% (0)
	Any other ethnic group	2.36% (3)	0.65% (1)	1.42% (2)
Not Stated		24.41% (31)	32.68% (50)	34.04% (48)
TOTALS		100% (127)	100% (153)	100% (141)

Table 2.1 details the ethnicity of complainants for those cases finalised during this quarter rather than the ethnicity of those complainants who had cases recorded this quarter. This is due to number of complainants who do not provide details of their ethnicity when initially making a complaint; this information is often recorded at a later date as an investigation progresses.

The highest number of complaints recorded continues to be received from those classified as White British. Overall, just over 50% of complaints recorded were from persons defining themselves as White. It is noted that 16% of complainants identified themselves as being of BME origin this period, a reduction on the previous two quarters. Conversely, there has been an increase in the number of complainants who have not stated their ethnicity.

Ethnicity of Complainants



2.2 Ethnicity of Officers Complained About

		BTP Population*	2nd Quarter 2009-10	3rd Quarter 2009-10	4th Quarter 2009-10	Percentage of Population
White	White British	2822	105	122	86	3.05%
	White Irish	55	1	2	1	1.82%
	White Other white background	119	5	2	5	4.20%
Mixed	Mixed White & Black Caribbean	16	0	0	0	0.00%
	Mixed White & Black African	12	0	1	0	0.00%
	Mixed White & Asian	18	1	0	0	0.00%
	Mixed Other mixed background	22	1	2	0	0.00%
Asian/Asian British	Asian/Asian British Indian	41	3	1	2	4.88%
	Asian/Asian British Pakistani	34	1	4	6	17.65%
	Asian/Asian British Bangladeshi	18	0	1	0	0.00%
	Asian/Asian British Other Asian background	18	2	2	0	0.00%
Black/Black British	Black/Black British Caribbean	38	4	0	1	2.63%
	Black/Black British African	46	5	1	3	6.52%
	Black/Black British Other Black background	11	0	0	0	0.00%
Other	Chinese	6	0	0	0	0.00%
	Other Any other ethnic group	11	0	1	1	9.09%
Not Stated		166	30	33	29	17.47%
TOTALS		3453	158	172	134	3.88%

* Includes Police Officers, PCSOs and Special Constables. Excludes Police Staff who do not interact with the public.

Of the complaints received during this quarter, 69% were made against officers defining themselves as White, a decrease of 15% on the previous quarter. Almost 10% of complaints received related to officers defining themselves within a BME category, which is comparable to the previous quarter.

Of the 29 subjects in receipt of complaints whose ethnicity is not stated, 24 are unidentified officers. Discounting officers whose identity is unknown, there are 110 subjects of complaint, of which five have not stated their ethnicity (4.5%).

2.3 Age of Complainants

	Total Complainants
0 - 19	5
20 - 29	24
30 - 39	27
40 - 49	37
50 - 59	11
60 +	3
Unknown	34
Total	141

2.4 Gender of Complainants

	Total Complainants
Female	40
Male	99
Other	2
Total	141

2.5 Means Complaint Received

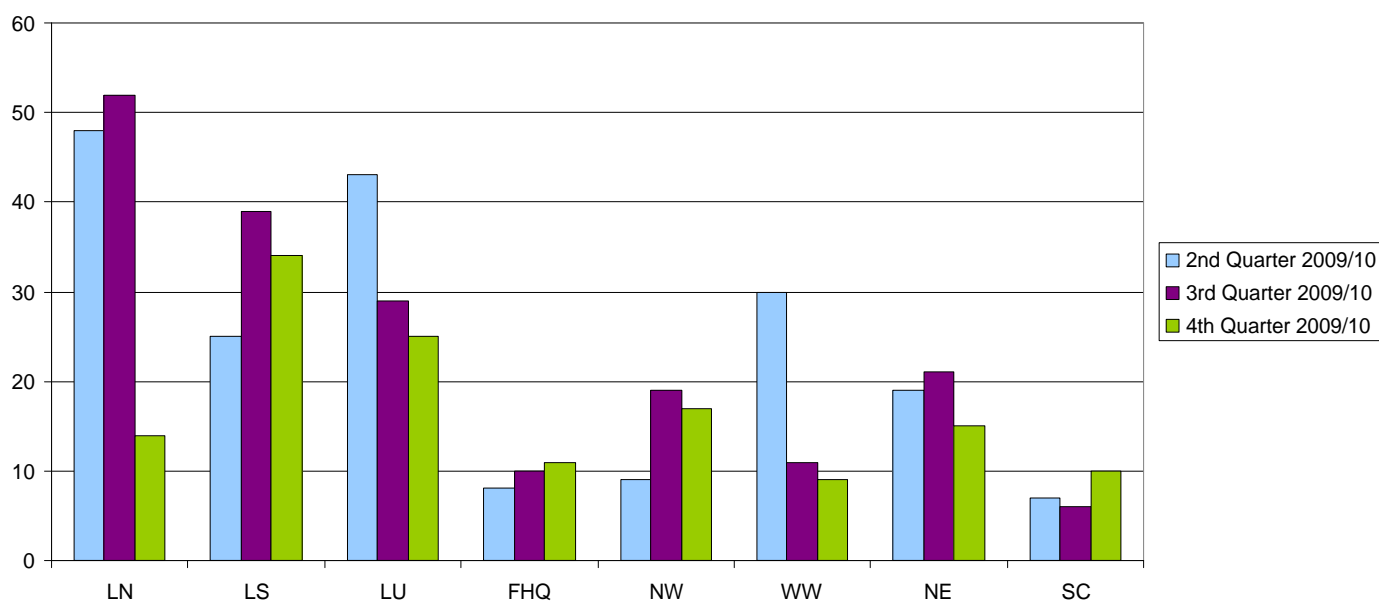
	Received Means
Ext. Force	6
Online/Email	38
Fax	3
In Person	10
IPCC	25
Letter	12
Solicitor	1
Telephone	29
BTPA	1
Other/Not recorded	13
Total	141

3. SECTION THREE

3.1 Complaints by Area

	Officer Population*	2 nd Quarter 2009-10	3 rd Quarter 2009-10	4 th Quarter 2009-10	Percentage Change
LN - London North	613	48	52	14	-73.08%
LS - London South	502	25	39	34	-12.82%
LU - London Underground	817	43	29	25	-13.79%
FHQ – Force Headquarters	380	8	10	11	10.00%
NW – North Western	303	9	19	17	-10.53%
WW – Wales & Western	303	30	11	9	-18.18%
NE - North Eastern	294	19	21	15	-28.57%
SC – Scotland	238	7	6	10	66.67%

* Includes Police Officers, PCSOs and Special Constables. Excludes Police Staff who do not interact with the public.



Force Area	Ratio of Complaints per 100 officers
London North	2.28
London South	6.77
London Underground	3.06
Force Headquarters	2.89
North Western	5.61
Wales and Western	2.97
North Eastern	5.10
Scotland	4.20
TOTAL FORCE	3.91

4. Lessons Learned

Four cases have been published this period.