

REPORT TO: BTPA Professional Standards Committee
DATE: 19 April 2011
SUBJECT: PSD 4th Quarter 2010/11 Report to the Police Authority
Reporting Period 01 January 2011 to 31 March 2011
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 4th quarter period of 2010-11. The time period under review is from 01 January 2011 to 31 March 2011. The report is based on data from Centurion, the British Transport Police complaints recording system.

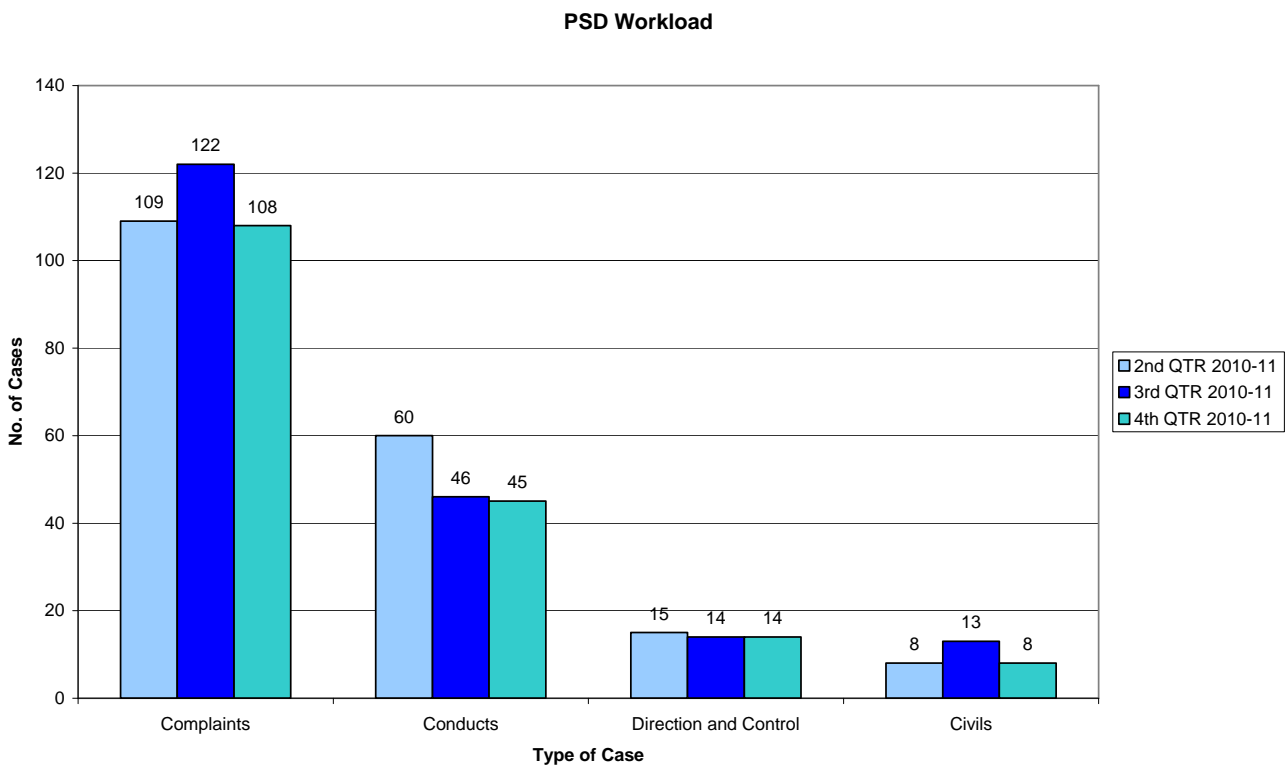
PURPOSE

The purpose of this report is to inform members of the Police Authority on Professional Standards matters within the force from the 01 January 2011 to 31 March 2011.

1. SECTION ONE

1.1. PSD WORKLOAD

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

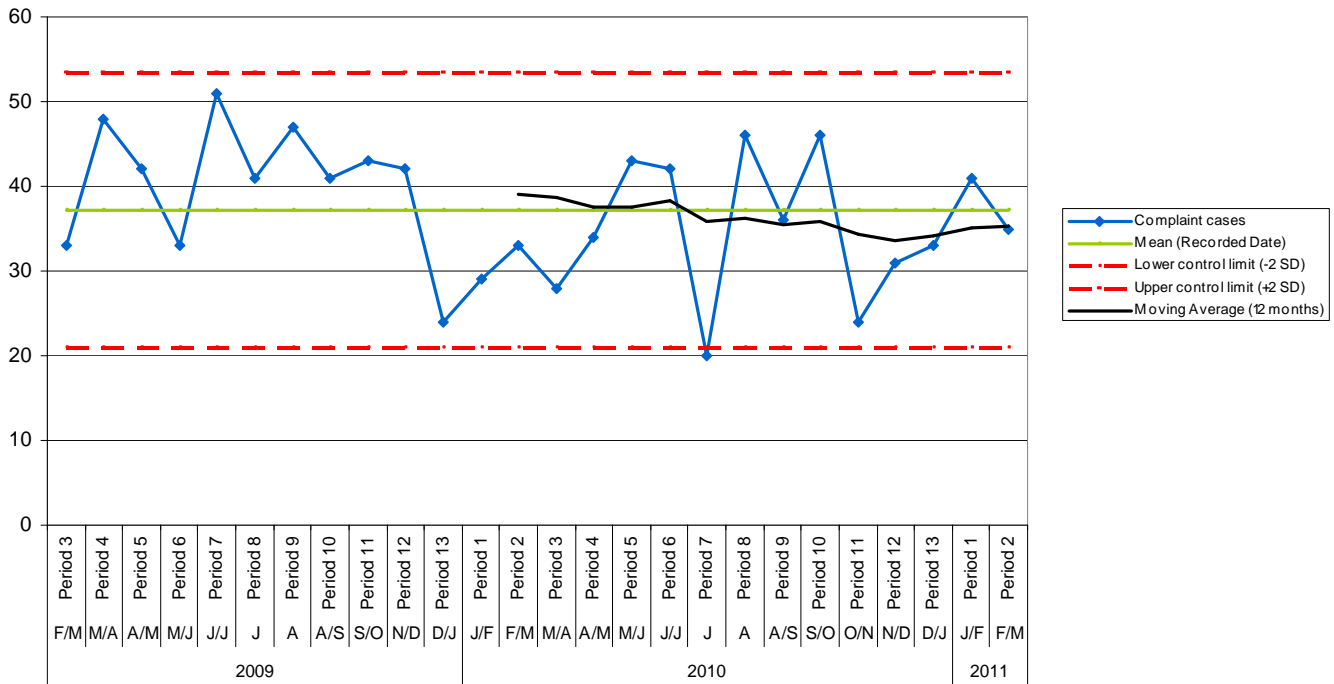


2. SECTION TWO
2.1. RECORDED COMPLAINTS

	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11
Complaint cases	109	122	108
% change	+12%		-11%
Complaint allegations	179	177	153
% change	-1%		-14%

- Both the number of recorded Complaint cases and Complaint Allegations have reduced from the 3rd Quarter into the 4th Quarter of 2010-11.
- To date of the 509 Complaint Allegations recorded in the last three quarters of 2010-11, 16 have been De Recorded (four in 2nd QTR, nine in 3rd QTR, three in 4th QTR).

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



- The chart has been amended to display even four week tactical periods, as opposed to approximate months in previous reports.
- In the period of time that the last three quarters of financial year 2010-11 covers there has been the previously discussed dip in July and then again in October/November. Following the dip in October/November there has been a steady increase in the number of Cases Recorded (by four week tactical period) in the months covered by the 4th Quarter, with a change in direction in the final four week period.

2.1.1. COMPLAINT ALLEGATIONS¹

	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11
A Serious non-sexual assault	2	0	0
B Sexual assault	0	1	2
C Other assault	25	22	31
D Oppressive conduct or harassment	12	11	6
E Unlawful/unnecessary arrest or detention	11	12	8
F Discriminatory Behaviour	2	11	6
G Irregularity in evidence/perjury	10	8	4
H Corrupt Practice	1	0	1
J Mishandling of Property	4	1	2
K Breach Code A PACE	1	0	2
L Breach Code B PACE	1	1	0
M Breach Code C PACE	7	6	4
N Breach Code D PACE	0	0	0
P Breach Code E PACE	0	0	0
Q Lack of fairness and impartiality	8	14	14
R Multiple or unspecified breaches of PACE	0	0	0
S Other neglect or failure in duty	26	22	17
T Other irregularity in procedure	2	0	4
U Incivility, Impoliteness and intolerance	51	47	34
V Traffic Irregularity	7	4	4
W Other	7	14	8
X Improper disclosure of information	2	3	4
Y Other sexual conduct	0	0	0
TOTAL	179	177	151

Further details regarding the Allegations recorded in the 4th Quarter of 2010-11 are:

- Sexual Assault
 - There were two separate allegations of Sexual Assault in the 4th Quarter of 2010-11. One allegedly occurred in London Underground, the other London South .
- Other Assault
 - The majority of complaints arose from arrest or detention situations, within that theme, handcuffs is a sub-theme (four allegations).
 - There are a notable number of allegations surrounding removal from stations or trains (seven allegations).
 - Previously London North was the most prevalent area for this type of allegation, however London South have the most in the 4th Quarter (9 of 31).
- Discriminatory Behaviour
 - One of the six allegations of this nature has been De-Recorded.
 - One was subsequent to a Stop and Search.

¹ 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.

- Incivility
 - This type of allegation continues to occupy the largest share of complaint allegations, with a continued decline in percentage of all allegations (29% in 2nd QTR, 26% in 3rd QTR, 22% in 4th QTR).
 - 31 Cases are linked to the 33 allegations of this nature in the 4th Quarter of 2010-11.
 - London South accounted for 14 of the 33 allegations (42%). Three of these were on trains from Clapham Junction (two are related to one case and the third was de-recorded due to a Metropolitan Police Officer being responsible).
- Other Neglect
 - With the exception of FHQ all Areas have recorded complaint allegations of this nature in the reporting quarter.
 - Complaints in this category typically concern failure to investigate an alleged incident or crime in an efficient and expeditious manner.
- Lack of Fairness and Impartiality
 - There has been a consistent amount of allegations of this nature in this reporting period and the last (14).
 - The NE Area recorded the highest number of allegations of this nature (six), however, five relate to one case which was not upheld. The Complainant is the complainant in 18 Complaint cases and two Direction and Control cases since 2008, with further complaints in 2006 and 2001 (one in each year).
 - London South and FHQ are the only two areas not to record allegations of this nature in the review period.
- Other
 - The nature of these complaints vary, with no discernable pattern to circumstances or to Area.

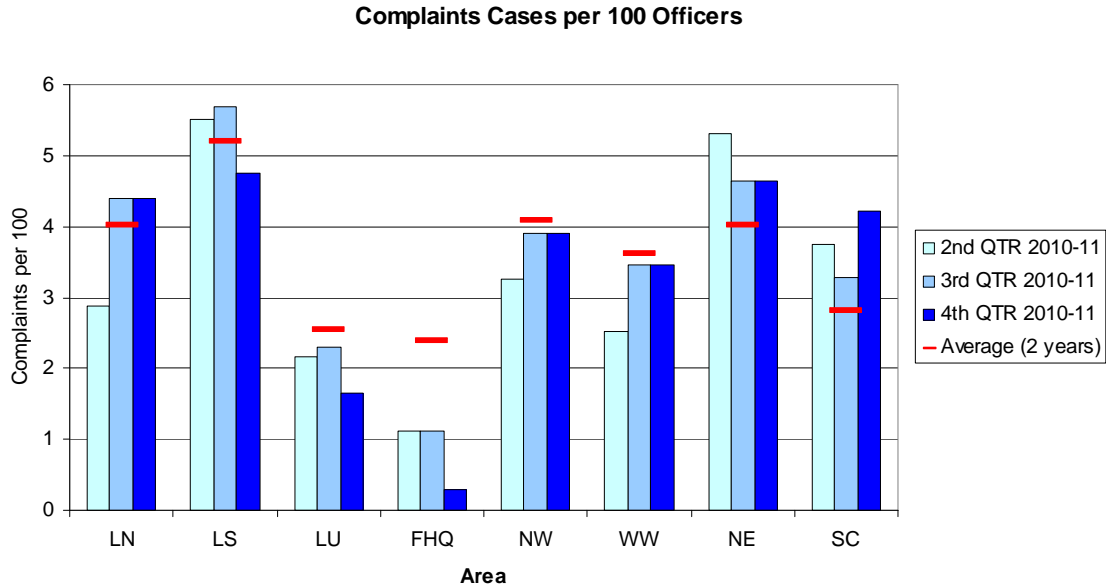
2.1.2. COMPLAINTS (ALLEGATIONS) BY AREA

	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11
LN – London North	32 (17 Cases)	41 (26 Cases)	24 (26 Cases)
LU – London Underground	32 (17 Cases)	21 (18 Cases)	20 (13 Cases)
LS – London South	44 (29 Cases)	48 (30 Cases)	36 (25 Cases)
FHQ – Force Headquarters	5 (4 Cases)	10 (4 Cases)	1 (1 Cases)
NW – North Western	18 (10 Cases)	15 (12 Cases)	16 (12 Cases)
WW – Wales & Western	13 (8 Cases)	16 (11 Cases)	17 (17 Cases)
NE – North Eastern	23 (16 Cases)	17 (14 Cases)	27 (14 Cases)
SC – Scotland	12 (8 Cases)	9 (7 Cases)	11 (9 Cases)

- London South accounts for 23% of all allegations recorded this quarter, which is a reduction from the last review period when it accounted for 26%.
- London North has dropped from accounting for 24% to 16% from last quarter to this.
- North East has increased from 10% last quarter to 18% this quarter
 - The persistent complainant referred to above accounts for 6 of the 27 allegations.
 - The average number of allegations per case for North East for the quarter under review is two.

2.1.3. COMPLAINTS per 100 Officers

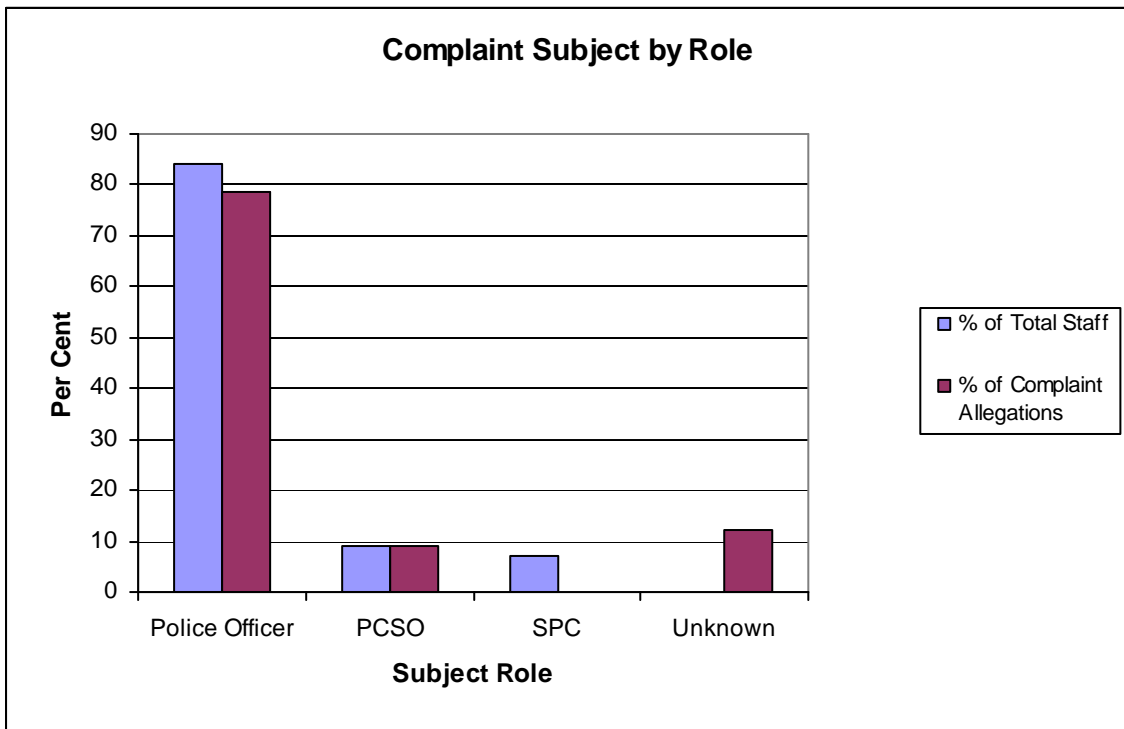
The chart below illustrates the number of complaint cases per 100 officers².



- As with the last quarter the Areas of LU and FHQ display the most prevalent level below average, and NE and Scotland are most prevalent above average. All other Areas show very close to average complaints per 100 officers.
- London South remains to have the highest average number of complaint cases per 100 Officers; however the 4th Quarter's figure is only marginally higher than North East Area (4.74 and 4.64 respectively).
- No Officer in the North East Area has had more than one Complaint Case in the last three quarters.
- No Complainant in the North East Area has made more than one Complaint Case in the last three quarters.
- In the last three quarters the main type of complaint allegations within cases are 'Incivility, impoliteness and intolerance' and 'Other neglect or failure in duty'.
- Within the Complaint Cases for North East Area allegations most frequently were linked to York Police Department (7 of the 67 allegations). Thirty-Seven allegations have a specific department of 'North East' and five have no department specified at all.
- The themes of allegation type within Complaint Cases for Scotland area is different from other areas. 'Incivility, impoliteness and intolerance' is the most prevalent, but in this instance only by one (seven allegations). 'Other assault' and 'Other neglect or failure in duty' both have six allegations.
- There is no data available to distinguish beyond 'Scotland' as a locality or station to identify patterns or trends due to current recording practices.
- No Officer in the Scotland Area has had more than one Complaint Case in the last three quarters.
- No Complainant in the Scotland Area has made more than one Complaint Case in the last three quarters.

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

2.1.4. COMPLAINTS by SUBJECT ROLE³



- It can be seen that PCSO's represent the same percentage of staff as they do account for complaint allegations in the period under review.
- Police Officer's have a lower complaint percentage than they represent as a percentage of the public facing population of BTP.

³ 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[3]	2 nd Quarter 2010-11 (%)	3 rd Quarter 2010-11 (%)	4 th Quarter 2010-11 (%)
White	British	2777	85 3.00%	98 4%	109 3.93%
	Irish	56	2 3.60%	0 0%	0 0%
	Other white background	123	7 5.90%	4 3%	5 4.07%
Mixed	White & Black Caribbean	15	1 6.30%	1 6%	2 13.33%
	White & Black African	12	0 0%	2 17%	0 0%
	White & Asian	20	0 0%	2 11%	1 5%
	Other mixed background	21	0 0%	0 0%	1 4.76%
Asian/Asian British	Indian	40	3 7.70%	0 0%	2 5%
	Pakistani	33	1 3.20%	1 3%	2 6.06%
	Bangladeshi	17	3 17.60%	0 0%	0 0%
	Other Asian Group	21	0 0%	0 0%	0 0%
Black/Black British	Caribbean	38	3 7.70%	1 3%	1 2.63%
	African	44	3 6.50%	2 4%	1 2.27%
	Other Black background	12	0 0%	0 0%	0 0%
Other	Chinese	6	0 0%	1 17%	0 0%
	Any other ethnic group	10	1 10%	1 9%	1 10%
Not Stated	Not Stated	153	29 17.70%	8 5%	10 6.54%
TOTALS		3398	138	121	135

- 71% of complaints recorded this quarter were made against officers defining themselves as White, which is marginally up in relation the previous quarter (69%).

⁴ Includes Police Officers, PCSOs and Special Constables. Excludes Police Staff who do not interact with the public

- 7% of complaints received related to officers defining themselves within a BME category which is identical to the previous quarter.
- 16% of subjects do not have the required information recorded.
- Of the 26 subjects in receipt of complaints whose ethnicity is unknown, 25 are unidentified officers. Discounting officers whose identity is unknown, there are 135 individual officers who are the subjects of complaint, of which 10 have not stated their ethnicity (7%).
- Caution should be exercised in interpreting these figures due to the small numbers involved.

2.3. COMPLAINANT CHARACTERISTICS

Ethnic Groups	Ethnic Subgroups	2nd Quarter 2010-11	3rd Quarter 2010-11	4th Quarter 2010-11
White	British	55 (44.4%)	68 (56.2%)	71 (54.20%)
	Irish	2 (1.6%)	0 (0%)	1 (0.76%)
	Other white background	5 (4.0%)	3 (2.5%)	3 (2.29%)
Mixed	White & Black Caribbean	2 (1.6%)	5 (4.1%)	2 (1.53%)
	White & Black African	0 (0%)	0 (0%)	0 (0%)
	White & Asian	0 (0%)	0 (0%)	0 (0%)
	Other mixed background	1 (0.8%)	2 (1.7%)	1 (0.76%)
Asian/Asian British	Indian	4 (3.2%)	1 (0.8%)	2 (1.53%)
	Pakistani	1 (0.8%)	1 (0.8%)	2 (1.53%)
	Bangladeshi	0 (0%)	0 (0%)	1 (0.76%)
	Other Asian Group	1 (0.8%)	3 (2.5%)	0 (0%)
Black/Black British	Caribbean	7 (5.6%)	1 (0.8%)	2 (1.53%)
	African	5 (4.0%)	6 (5.0%)	5 (3.82%)
	Other Black background	3 (2.4%)	1 (0.8%)	5 (3.82%)
Other	Chinese	1 (0.8%)	0 (0%)	2 (1.53%)
	Any other ethnic group	0 (0%)	1 (0.8%)	1 (0.76%)
Not Stated	Not Stated	37 (29.8%)	29 (24.0%)	33 (25.19%)
TOTALS		124 (100%)	121 (100%)	131 (100%)

- 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.

- 57.25% of complaints were from persons defining themselves as White, this is down slightly from last quarter (59%).
- 17.56% of complainants identified themselves as of BME origin, which is comparable to previous quarter.
- 25% chose not to state their self classified ethnicity.
- Caution should be exercised in interpreting these figures due to the small numbers involved.
- Of the five cases made by 'Asian/Asian British' complainants two were withdrawn.

2.3.1. COMPLAINANT ACCESS

Received Means	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11
External Force	5	3	1
Internet	37	35	13
Email			20
Fax	0	5	2
In person	7	4	4
IPCC	18	10	7
Letter	10	9	13
Solicitor	1	3	1
Telephone	26	29	21
BTPA	0	0	0
Other	20	23	3
Not recorded			23
TOTAL	124	121	108

NB – Sections that are merged in the 2nd and 3rd Quarters were one category in the associated reports, however data is available to separate the categories. To provide a fuller picture reports in future will include the 12 categories listed above.

2.4. INVESTIGATION TIMES

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

	2 nd Quarter 2010-11		3 rd Quarter 2010-11		4 th Quarter 2010-11	
	Under 120 Days	Over 120 Days	Under 120 Days	Over 120 Days	Under 120 Days	120 Days or Over
Total Number Outstanding	76	2	51	1	55	0

Summary of complaints over 120 days:

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

2.5. FINALISED COMPLAINTS

	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11
Complaint cases	124	117	125
% change	-6%		+7%
Complaint allegations	235	206	199
% change	-12%		-3%

Disposal	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11
Locally Resolved – Area	19.1% (45)	23.8% (49)	16.58% (33)
Locally Resolved – PSD	6.0% (14)	1.0% (2)	0% (0)
Dispensed	3.4% (8)	7.3% (15)	2.01% (4)
Withdrawn	9.8% (23)	17.0% (35)	10.55% (21)
Unsubstantiated/Not Upheld*	53.2% (125)	38.3% (79)	56.28% (112)
Substantiated/Upheld*	8.1% (19)	10.2% (21)	10.55% (21)
Discontinued	0.4% (1)	2.4% (5)	0% (0)
De Recorded			4.02% (8)
TOTAL	100% (235)	100% (206)	100% (199)

* Change in terminology due to Revised IPCC Statutory Guidance in relation to Complaints against the Police, which came into effect in April 2010. Complaints recorded prior to that date are subject to the previous guidance. The revised guidance provides Disposals of 'Not Upheld' and 'Upheld'

- The reduction in Local Resolutions coincides with the withdrawal of the process (redundant on 01/04/11), which is being replaced with Locally Handled Enquiries by Areas.
- There is a significant increase in the percentage of 'Unsubstantiated' cases a consistent percentage of cases Substantiated.

3. SECTION THREE

3.1. IPCC CASES

Supervised:

One case is currently being supervised.

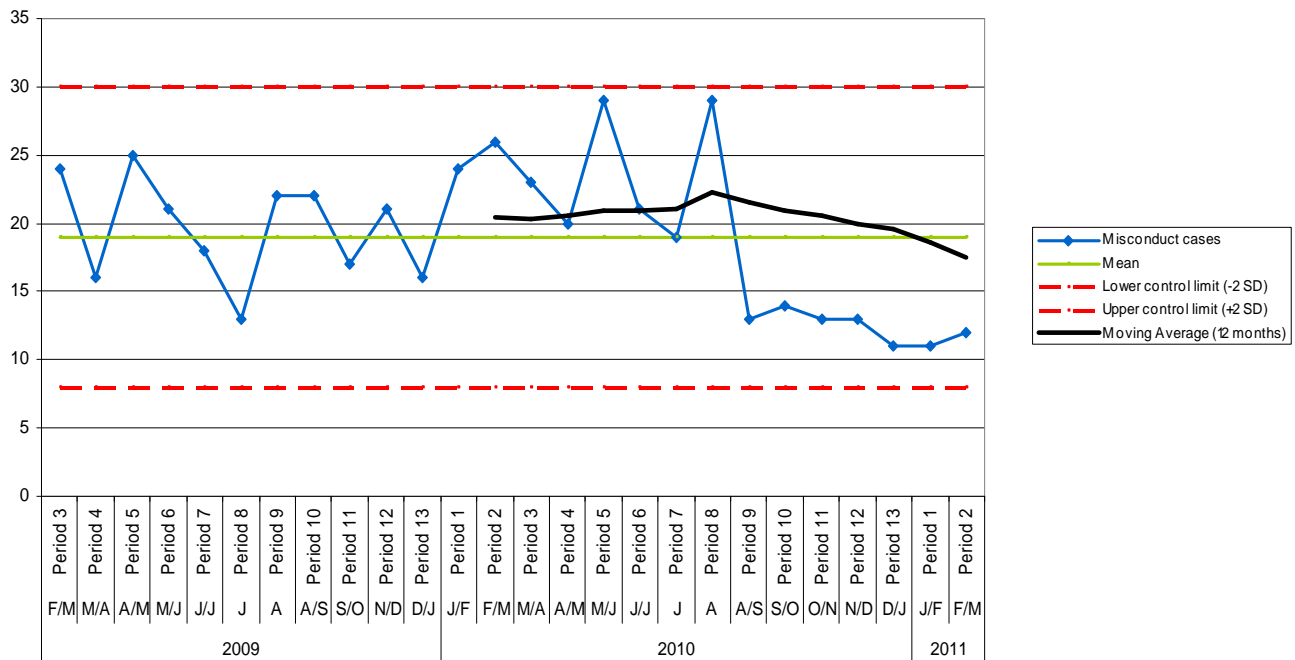
Managed:

One case is currently being managed.

4. SECTION FOUR
4.1. CONDUCT MATTERS

	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11
Conduct cases	60	46	45
% change	-23%		-2%
Conduct allegations	72	49	53
% change	-32%		+8%

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



Levels of Conduct cases continue to be well below the two year average (18.96). It is not known why the level has been consistently low since September. There has not been a corresponding drop in intelligence submissions or public complaints to explain the trend.

4.2. CONDUCT ALLEGATIONS

Breach of Conduct	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11
01 Honesty and Integrity	4	8	2
02 Authority, Respect and Courtesy	9	7	8
03 Equality and Diversity	1	0	0
04 Use of Force	2	0	1
05 Orders and Instructions	15	9	11
06 Duties and Responsibilities	13	5	7
07 Confidentiality	0	1	1
08 Fitness for Duty	1	0	0
09 Discreditable Conduct	29	19	23
10 Challenging and Reporting Improper Behaviour	0	0	0
TOTAL	74	49	53

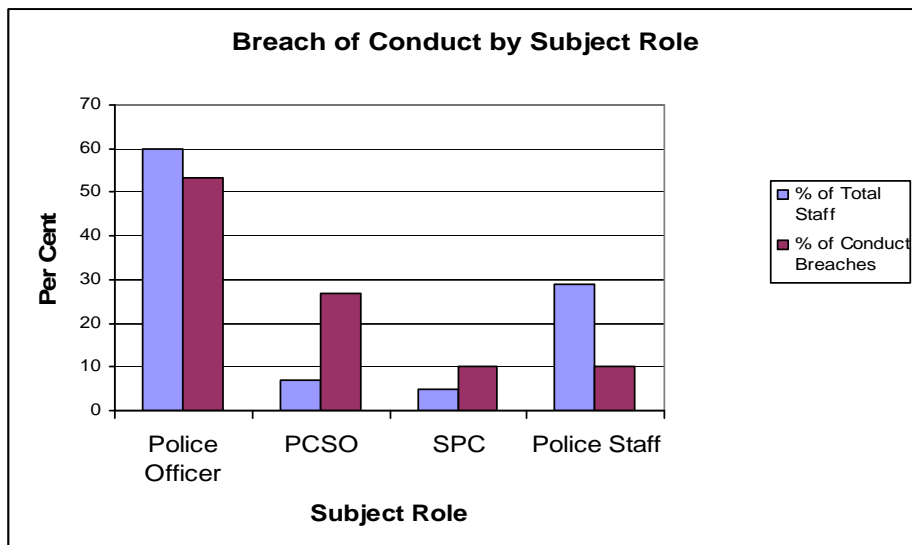
4.3. CONDUCT BY AREA

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

	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11
LN - London North	11 (10)	9 (8)	9 (8)
LS - London South	19 (14)	7 (7)	9 (9)
LU - London Underground	12 (10)	9 (8)	9 (6)
FHQ – Force Headquarters	15 (12)	3 (3)	9 (11)
NW – North Western	2 (2)	5 (5)	1 (1)
WW – Wales & Western	4 (3)	5 (5)	8 (6)
NE - North Eastern	8 (8)	9 (8)	4 (4)
SC – Scotland	1 (1)	2 (2)	2 (2)

The graph below shows that all Areas have recorded allegations relating to conduct in the last reporting quarter, with no discernable patterns as to type or Area.

4.4. CONDUCT by SUBJECT ROLE



- It can be seen that PCSO's represent a higher percentage of conduct breaches than they represent of the BTP population, as do Special Police Constables.
- Police Officers represent marginally less conduct breaches than they do population and Police Staff represent significantly less conduct breaches than population of BTP.
- The percentages above equate to eight individuals that hold the role of PCSO. There are no patterns regarding the type of conduct breach that PCSO's are being investigated for.

- The SPC's that are subjects are all being investigated for 'Discreditable Conduct'.
- Discreditable Conduct is also the most prevalent breach type that Police Officers are being investigated for.

5. SECTION FIVE

5.1. DIRECTION AND CONTROL

Allegation	2 nd Quarter 2010-11	3 rd Quarter 2010-11	4 th Quarter 2010-11	TOTAL
Football	1	3	4	8
Handling of specific incident or investigation	3	5	1	9
Level of service (not specific to investigation)	0	0	2	2
Personal data	0	1	0	1
Policing tactics inc. policing presence and enforcement	5	1	4	10
Policies/processes	4	2	3	9
Publicity	1	1	0	2
Section 44	1	0	0	1
Stop and search (not S44)	0	0	0	0
Ticket/revenue related	1	0	0	1
Other	1	1	0	2
TOTAL	17	14	14	45

6. SECTION TEN

6.1. LESSONS LEARNED

Seven cases have been published this period.