

REPORT TO: BTPA Professional Standards Committee
DATE: 10 January 2011
SUBJECT: PSD 3rd Quarter 2010/11 Report to the Police Authority
Reporting Period 01 October 2010 to 31 December 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 3rd quarter period of 2010-11. The time period under review is from 01 October 2010 to 31 December 2010. The report is based on data from Centurion, the British Transport Police complaints recording system.

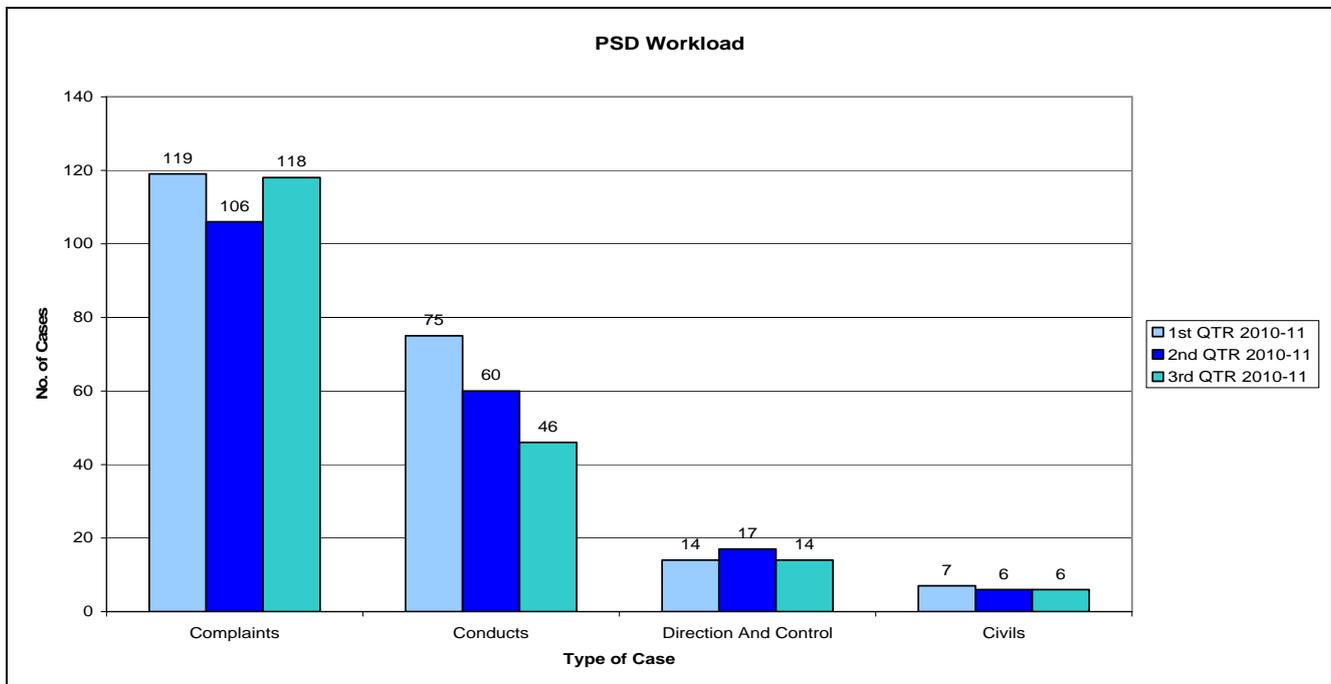
PURPOSE

The purpose of this report is to inform members of the Police Authority on Professional Standards matters within the force from the 01 October 2010 to 31 December 2010.

1. SECTION ONE

1.1. PSD WORKLOAD

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



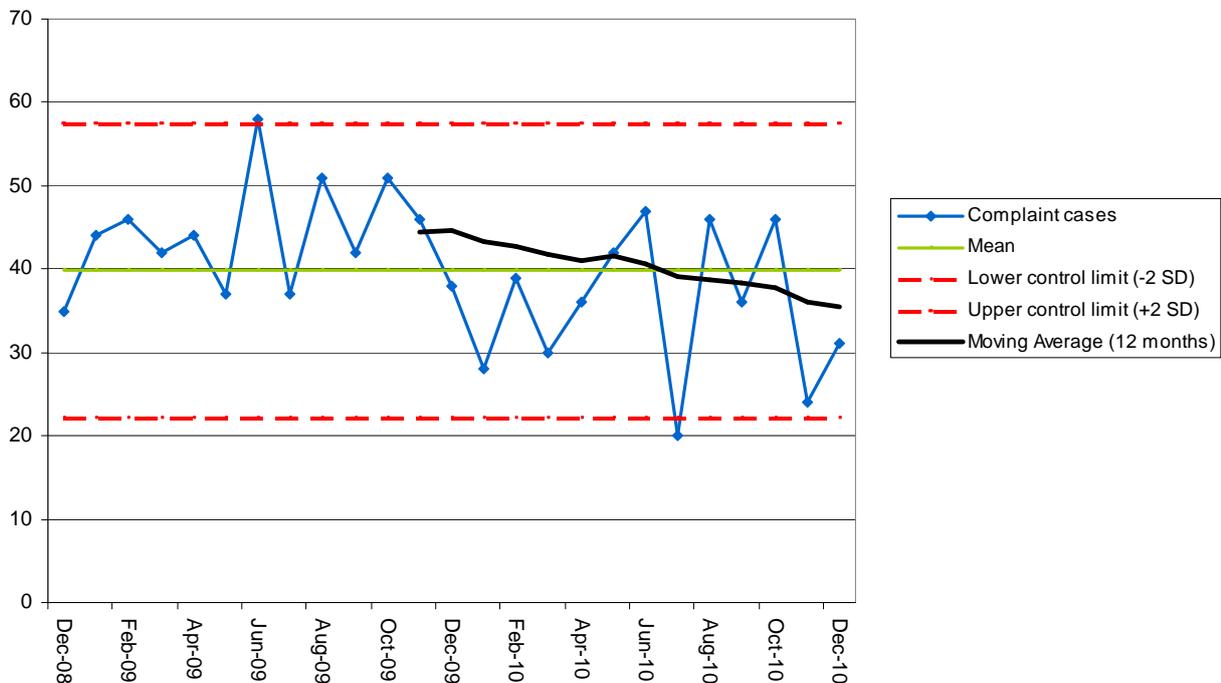
2. SECTION TWO

2.1. RECORDED COMPLAINTS

	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
Complaint cases	119	106	118
% change	-11%		+11%
Complaint allegations	196	161	169
% change	-18%		+5%

- Following the reduction in recorded complaints from Quarter 1 to Quarter 2 there was an increase from Quarter 2 to Quarter 3. This returns the figure to almost the same level as was the peak in Quarter 1.

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



- The levels of complaints since the beginning of the financial year have been erratic with two deep troughs in July and November. As reported in the previous quarterly report:
 - “The significant dip in complaints in July is probably due to 20 percent staff abstractions in the PSD admin staff, which led to [late recording due to backlog of work].”
 - “... and as anticipated, the August figure shows a marked increase, before dipping again in September, when abstractions again rose to 24%. The moving average gives a better indication of the true state of affairs. 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).”
- Of note is Decembers figure in the graph above is only part of a month due to reporting periods.

2.1.1. COMPLAINT ALLEGATIONS¹

	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
A Serious non-sexual assault	4	3	0
B Sexual assault	0	0	1
C Other assault	33	24	25
D Oppressive conduct or harassment	5	12	10
E Unlawful/unnecessary arrest or detention	13	8	12
F Discriminatory Behaviour	6	2	7
G Irregularity in evidence/perjury	1	9	8
H Corrupt Practice	3	1	0
J Mishandling of Property	3	4	1
K Breach Code A PACE	3	2	0
L Breach Code B PACE	1	1	1
M Breach Code C PACE	9	6	6
N Breach Code D PACE	0	0	0
P Breach Code E PACE	0	0	0
Q Lack of fairness and impartiality	14	9	15
R Multiple or unspecified breaches of PACE	0	0	0
S Other neglect or failure in duty	31	21	22
T Other irregularity in procedure	1	1	0
U Incivility, Impoliteness and intolerance	53	47	44
V Traffic Irregularity	4	6	4
W Other	8	4	10
X Improper disclosure of information	4	1	3
Y Other sexual conduct	0	0	0
TOTAL	196	161	169

Further details regarding the Allegations recorded in the 3rd Quarter of 2010-11 are:

- Other Assault
 - The majority of complaints arose from arrest or detention situations.
 - London North is again the Area recording the most complaints of this nature (8 of 26).
 - No physical location was the locus of an allegation more than once.
- Discriminatory Behaviour
 - Of the seven complaints of this nature three occurred in the Area of London South.
- Incivility
 - This type of allegation continues to occupy the largest share of complaint allegations but to a lesser extent than the last quarter (29% down to 26%).
 - 41 Cases are linked to the 44 allegations of this nature in the 3rd Quarter of 2010-11, with one case having two allegations, and another three allegations.
 - London South accounted for 13 of the 44 allegations (30%).

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.

- Other Neglect
 - 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.
 - Two of the complaints in this category relate to officers failing to take details of alleged hate crime incidents.

- Lack of Fairness and Impartiality
 - In the previous reporting period numbers of complaints of this nature had returned to that of the 4th quarter of last year (2009-10), however this reporting period they have risen again.
 - The majority of complaints of this nature related to complainants feeling that they either did not have the opportunity to convey their side of the story, or that if they did that they were not listened to.

- Other
 - The nature of these complaints vary, and include complaints that may be more appropriately categorised under an alternative category. Such as an allegation of inappropriate use of handcuffs could be deemed to be D – Oppressive Conduct or Harassment, or C- Other Assault. Another example is an allegation of changing an official document, which may be categorised as T – Other Irregularity in Procedure.

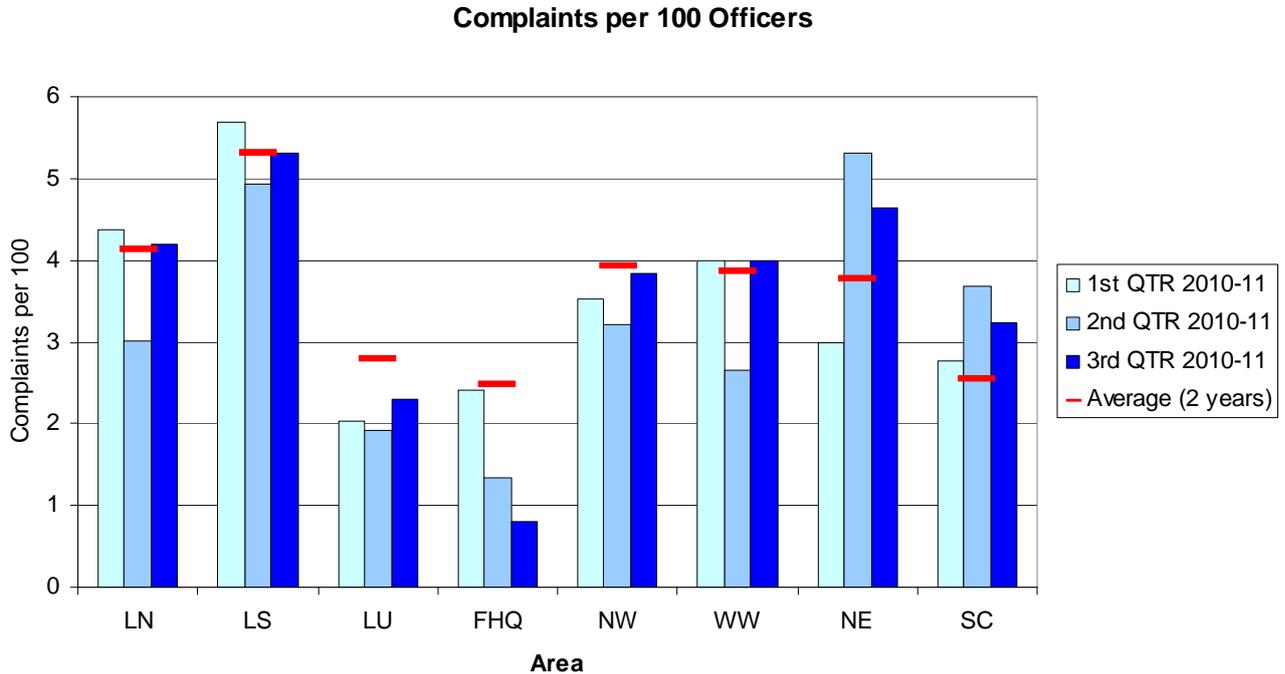
2.1.2. COMPLAINTS (ALLEGATIONS) BY AREA

	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
LN – London North	43	29	40 (25 cases)
LS – London South	53	39	44 (28 cases)
LU – London Underground	25	26	21 (18 cases)
FHQ – Force Headquarters	12	8	8 (3 cases)
NW – North Western	17	12	14 (12 cases)
WW – Wales & Western	15	13	16 (11 cases)
NE – North Eastern	24	24	17 (14 cases)
SC – Scotland	7	10	9 (7 cases)

- London South and London North jointly account for 50% of all allegations recorded this quarter, with shares of 26% and 24% respectively.
 - The peak complaint type on London South is Incivility (13 allegations; 30% of complaints for the Area)
 - The peak complaint type on London North is Incivility (12 allegations; 30% of complaints for the Area).

2.1.3. COMPLAINTS per 100 Officers

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



- 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.
- Having previously shown a trend of above average complaints per 100 officers, London South displays average complaints for the 3rd Quarter of 2010-11. Of note is that although other Areas show higher than average complaints, London South still displays the highest average.

² 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]	1st Quarter 2010-11 (%)	2nd Quarter 2010-11 (%)	3rd Quarter 2010-11 (%)
White	British	2797	120 4.30%	85 3.00%	98 4%
	Irish	56	3 5.50%	2 3.60%	0 0%
	Other white background	120	3 4.20%	7 5.90%	4 3%
Mixed	White & Black Caribbean	16	0 0.00%	1 6.30%	1 6%
	White & Black African	12	0 0.00%	0 0%	2 17%
	White & Asian	18	1 5.60%	0 0%	2 11%
	Other mixed background	22	0 0.00%	0 0%	0 0%
Asian/Asian British	Indian	41	4 10.30%	3 7.70%	0 0%
	Pakistani	33	2 6.10%	1 3.20%	1 3%
	Bangladeshi	18	2 11.10%	3 17.60%	0 0%
	Other Asian Group	19	3 15.80%	0 0%	0 0%
Black/Black British	Caribbean	38	2 5.40%	3 7.70%	1 3%
	African	46	2 4.50%	3 6.50%	2 4%
	Other Black background	11	0 0.00%	0 0%	0 0%
Other	Chinese	6	1 16.00%	0 0%	1 17%
	Any other ethnic group	11	1 9.10%	1 10%	1 9%
Not Stated	Not Stated	159	38 21.80%	29 17.70%	8 5%
TOTALS		3423	182	131	121

- 69% of complaints recorded this quarter were made against officers defining themselves as White, which is virtually identical to the previous quarter.

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

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- 7% of complaints received related to officers defining themselves within a BME category which is a drop of 4% to the previous quarter.
- The remaining 24% do not have the required information recorded
- Of the 35 subjects in receipt of complaints whose ethnicity is unknown, 27 are unidentified officers. Discounting officers whose identity is unknown, there are 121 individual officers who are the subjects of complaint, of which 8 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	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
White	British	59 (45.0%)	55 (44.4%)	68 (56.2%)
	Irish	3 (2.3%)	2 (1.6%)	0 (0%)
	Other white background	6 (4.6%)	5 (4.0%)	3 (2.5%)
Mixed	White & Black Caribbean	0 (0%)	2 (1.6%)	5 (4.1%)
	White & Black African	0 (0%)	0 (0%)	0 (0%)
	White & Asian	0 (0%)	0 (0%)	0 (0%)
	Other mixed background	3 (2.3%)	1 (0.8%)	2 (1.7%)
Asian/Asian British	Indian	2 (1.5%)	4 (3.2%)	1 (0.8%)
	Pakistani	2 (1.5%)	1 (0.8%)	1 (0.8%)
	Bangladeshi	0 (0%)	0 (0%)	0 (0%)
	Other Asian Group	2 (1.5%)	1 (0.8%)	3 (2.5%)
Black/Black British	Caribbean	5 (3.8%)	7 (5.6%)	1 (0.8%)
	African	7 (5.3%)	5 (4.0%)	6 (5.0%)
	Other Black background	5 (3.8%)	3 (2.4%)	1 (0.8%)
Other	Chinese	0 (0%)	1 (0.8%)	0 (0%)
	Any other ethnic group	1 (0.8%)	0 (0%)	1 (0.8%)
Not Stated	Not Stated	36 (27.5%)	37 (29.8%)	29 (24.0%)
TOTALS		131 (100%)	124 (100%)	121 (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.
- 59% of complaints were from persons defining themselves as White.
- 17% of complainants identified themselves as of BME origin, which is comparable to previous quarter.
- The remaining 24% do not have the required information recorded
- Caution should be exercised in interpreting these figures due to the small numbers involved.

2.3.1. COMPLAINANT ACCESS

Received Means	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
External Force	5	5	3
Internet/Email	33	37	35
Fax	2	0	5
In person	9	7	4
IPCC	14	18	10
Letter	17	10	9
Solicitor	2	1	3
Telephone	27	26	29
BTPA	0	0	0
Other/not recorded	22	20	23
TOTAL	131	124	121

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.

	1 st Quarter 2010-11		2 nd Quarter 2010-11		3 rd Quarter 2010-11	
	Under 120 Days	Over 120 Days	Under 120 Days	Over 120 Days	Under 120 Days	Over 120 Days
Total Number Outstanding	68	1	76	2	51	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

	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
Complaint cases	126	124	117
% change	-2%		-6%
Complaint allegations	222	235	206
% change	+6%		-12%

Disposal	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
Locally Resolved – Area	23.8% (53)	19.1% (45)	23.8% (49)
Locally Resolved – PSD	8.1% (18)	6.0% (14)	1.0% (2)
Dispensed	12.2% (27)	3.4% (8)	7.3% (15)
Withdrawn	9.5% (21)	9.8% (23)	17.0% (35)
Unsubstantiated/Not Upheld*	36.9% (82)	53.2% (125)	38.3% (79)
Substantiated/Upheld*	8.1% (18)	8.1% (19)	10.2% (21)
Discontinued	1.4% (3)	0.4% (1)	2.4% (5)
TOTAL	100% (222)	100% (235)	100% (206)

* Change in terminology due to Statutory Guidance

- The number of complaints resolved by Local Resolution increased this quarter having decreased in previous quarters.
- There is a significant increase in Complaints that have been 'Withdrawn' (52% increase), this coincides with a significant decrease in Unsubstantiated/Not Up Held disposals (37% decrease)

3. SECTION THREE
3.1. IPCC CASES

Supervised:

One case is currently being supervised.

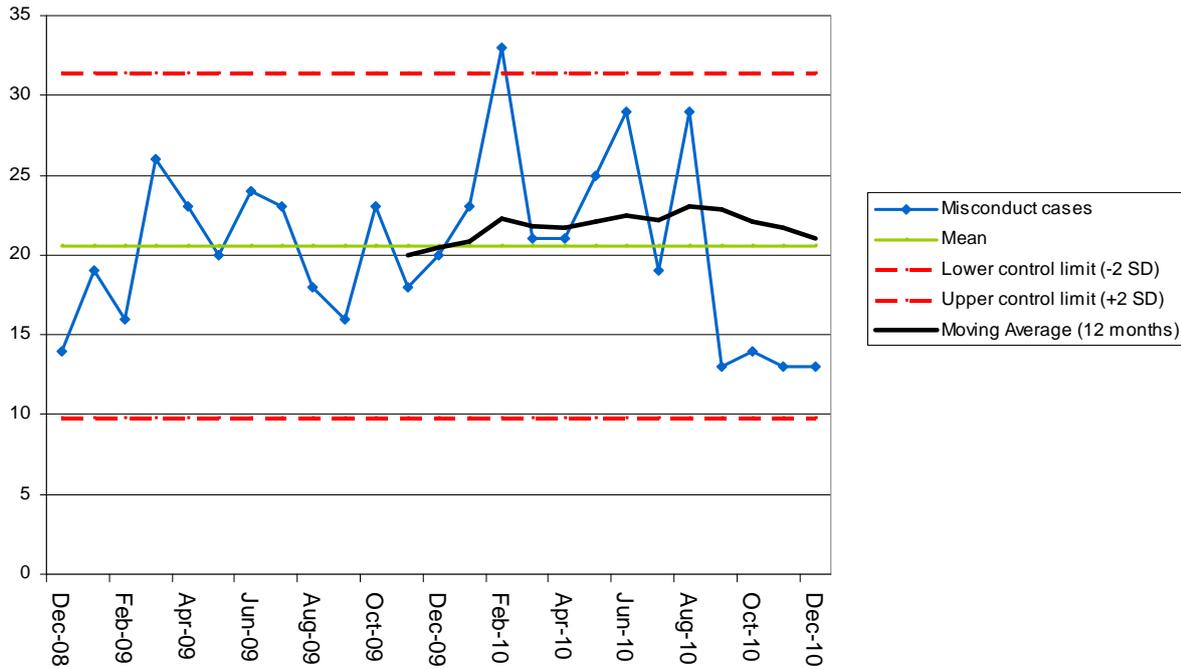
Managed:

One case is currently being managed.

4. SECTION FOUR
4.1. CONDUCT MATTERS

	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
Conduct cases	75	60	46
% change	-20%		-23%
Conduct allegations	113	72	49
% change	-36%		-32%

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



- Following a steady upward trend in conduct cases for a period of two years the most recent Quarter shows a maintained low level of between 13 and 14 which is considerably below the two year average (20.56).

4.2. CONDUCT ALLEGATIONS

Breach of Conduct	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
01 Honesty and Integrity	5	4	8
02 Authority, Respect and Courtesy	7	9	7
03 Equality and Diversity	4	1	0
04 Use of Force	3	2	0
05 Orders and Instructions	28	15	9
06 Duties and Responsibilities	24	13	5
07 Confidentiality	3	0	1
08 Fitness for Duty	1	1	0
09 Discreditable Conduct	37	29	19
10 Challenging and Reporting Improper Behaviour	1	0	0
TOTAL	113	72	49

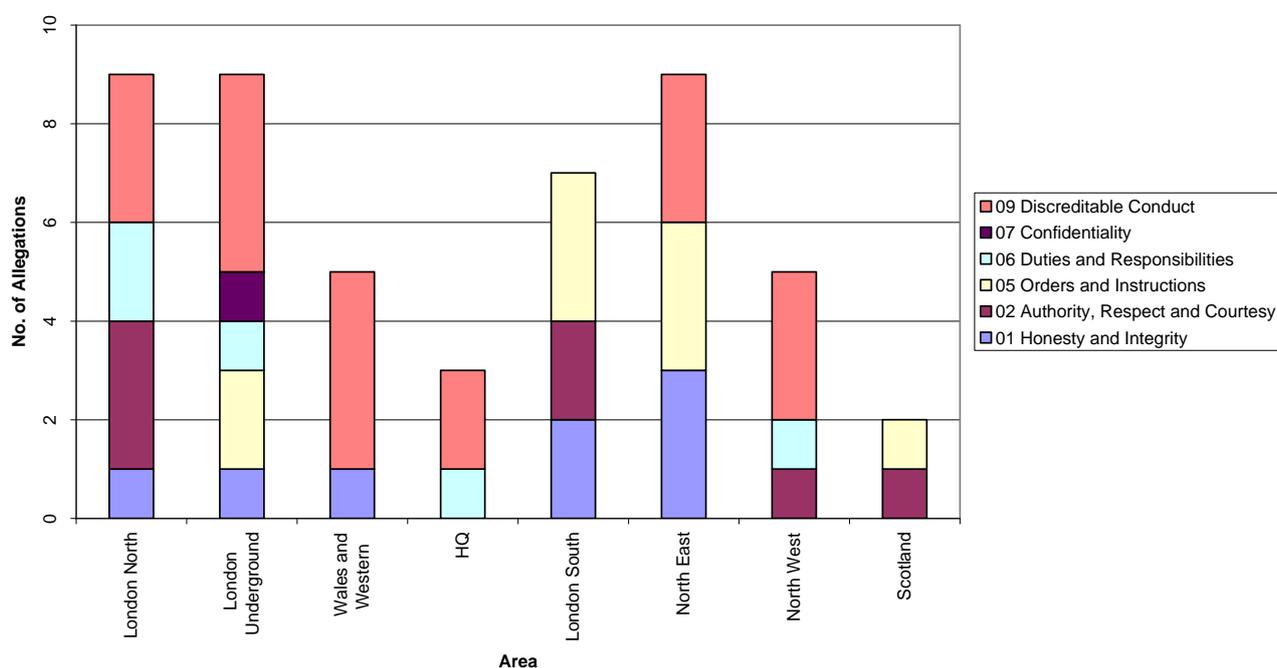
4.3. CONDUCT BY AREA

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

	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11
LN - London North	12 (11)	11 (10)	9 (8)
LS - London South	26 (14)	19 (14)	7 (7)
LU - London Underground	26 (16)	12 (10)	9 (8)
FHQ – Force Headquarters	18 (10)	15 (12)	3 (3)
NW – North Western	11 (7)	2 (2)	5 (5)
WW – Wales & Western	9 (7)	4 (3)	5 (5)
NE - North Eastern	5 (4)	8 (8)	9 (8)
SC – Scotland	9 (6)	1 (1)	2 (2)

- One of the Cases (which has two allegations) involves the alleged mistreatment of a Police Constable by a Sergeant in the London North Area (*CM/235/10 refers*).
- 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.

Breach of Conduct by Type and Area
 (3rd Quarter 2010-11)



5. SECTION FIVE

5.1. DIRECTION AND CONTROL

Allegation	1 st Quarter 2010-11	2 nd Quarter 2010-11	3 rd Quarter 2010-11	TOTAL
Football	1	1	3	5
Handling of specific incident or investigation	3	3	5	11
Level of service (not specific to investigation)	0	0	0	0
Personal data	0	0	1	1
Policing tactics inc. policing presence and enforcement	4	5	1	10
Policies/processes	2	4	2	8
Publicity	0	1	1	2
Section 44	0	1	0	1
Stop and search (not S44)	0	0	0	0
Ticket/revenue related	2	1	0	3
Other	1	1	1	3
TOTAL	13	17	14	44

6. SECTION TEN

6.1. LESSONS LEARNED

Six cases have been published this period.