REPORT TO: **Police Authority**

DATE: **22 September 2011**

SUBJECT: **Chief Constable's Report**

SPONSOR: **Chief Constable**

AUTHOR: **Elaine Derrick**

1. PURPOSE OF PAPER

1.1 The purpose of this report is to provide members with an overview of operational and organisational activity within British Transport Police (BTP) since the last report to the British Transport Police Authority (BTPA) on 7 July 2011.

2. PERFORMANCE AGAINST POLICING PLAN 2011/12

2.1 For the period 1 April to 8 September 2011 BTP achieved 10 of its 11 common targets and 31 of its 47 local targets. This is an improvement on the position reported to July's Police Authority meeting, where 7 national and 27 local targets were being achieved. Appendix A details performance against all Policing Plan targets.

2.2 Key areas of change since the Chief Constable's last update to Police Authority in July are:

- The only common target currently not being achieved is the reduction of disruption related offences. These offences have a distinct seasonal profile. Historically 60% of disruption offences occur during the first half of the year. Despite being 714 (13%) more than the year to date target, the 6,346 offences to date are 383 (6%) less than the same period last year. Therefore, provided, as expected, 2011-12 has a similar monthly profile to previous years, BTP will be on course to achieve this target by the end of the year. 4,639 (73%) of the disruption offences to date are trespass, and 1,057 (17%) are criminal damage.

- August saw a reduction in several crime groups which can be correlated to the high profile and increased police presence during the month following the period of disorder. The table on page 2 highlights this reduction in the daily rate of offending for several crime groups.

- The reduction in notifiable offences (excluding police generated) during August resulted in BTP's year to date performance against this target being achieved. From April to 31 August 2011 there were 23,187 recorded notifiable offences against a target of 23,200.

- Criminal damage and serious public disorder, already down in 2011-12, improved further, and the significant reduction in theft of passenger property achieved in early August has been maintained.

- There was a significant reduction in anti social behaviour offences. BTP recorded 889 against a target for the period of 1,118. As a result BTP is now achieving its year to date target by 59 incidents (1%).

- The only increase in August was for robbery, however this remains at a lower rate than in recent years. Whilst cycle crime fell from the peak of early August, it remains at a comparatively high level.

Average offences per day for selected periods and crime groups

Force Crime Groups	2009-10 (full year)	2010-11 (full year)	2011-12 Apr-May	2011-12 Jun-Jul	2011-12 1-17 Aug	2011-12 18 Aug-8 Sep
Violence Against the Person	22.9	22.4	21.9	21.5	23.2	20.0
Criminal Damage	15.7	13.7	12.0	12.4	11.8	10.6
Serious Line of Route offences	4.7	4.1	5.0	4.6	4.8	4.5
Theft of Passenger Property	44.4	45.6	44.6	46.4	38.8	38.8
Robbery	1.9	1.9	1.9	1.7	1.3	1.7
Theft Railway / Comm'l Property	16.2	18.7	18.1	19.3	18.9	16.9
Serious Public Disorder	18.7	17.6	15.9	15.1	15.8	13.6
Motor vehicle / cycle crime	22.0	22.1	24.2	27.0	31.3	27.8
Total Notifiable	**170**	**166**	**162**	**168**	**162**	**154**
Total Notifiable, excl. police gen	**152**	**152**	**150**	**156**	**153**	**141**
Selected subsets						
Staff assaults	7.6	7.4	7.8	6.7	7.9	6.9
Live cable	2.4	4.0	4.0	3.8	4.8	4.0
Non-live cable	2.5	4.2	4.5	4.6	4.8	4.0
Disruption related offences	31.8	35.0	42.0	38.8	39.0	34.3

3. METAL THEFT

3.1 Metal theft remains one of BTP's priorities and the Force is utilising a number of measures to tackle this highly disruptive crime. The following paragraphs provide an overview of key strands of work currently ongoing within BTP, and jointly with partner agencies, to tackle this type of criminality.

3.2 The focus BTP is giving to metal theft is slowly beginning to realise results. Recorded incidents of live cable related offences have fallen by 1.1% against the same period last year (618 offences to 611). The detection rate has increased from 4.7% to 11.6%. Whilst incidents of non live cable related offences have increased by 3.5% against the same period last year (716 offences to 741), the detection rate has increased from 14.1% to 24.7%. However, it is too early to claim any success as crime levels are volatile. BTP is also aware that delayed minutes caused by cable theft are not falling and therefore there is still much more to be achieved.

3.3 BTP is utilising new mapping software and lost minutes data from Network Rail to target disruption hotspots more effectively. Hotspots locations for metal theft over the past month continue to be predominantly in the North Eastern Area (Leeds, Doncaster, Sheffield, and Coventry), and three dedicated metal theft teams have been established at Leeds, Doncaster and Darlington to focus on these hotspot locations.

3.4 The Deputy Chief Constable (DCC), Paul Crowther, holds the Association of Chief Police Officers (ACPO) lead for metal theft. In this role the DCC is driving a strategy of short, medium and long term objectives to help tackle metal theft. The ACPO Metal Theft Working Group, which the DCC chairs, is well supported by a number of government departments, police forces, and affected utilities such as telecoms, power, water, and Network Rail.

One of the main work streams being pursued is in relation to new legislation. The DCC recently met the Home Office Minister for Crime Prevention and Anti-Social Behaviour, Baroness Browning to highlight the issue of metal theft. The Minister pledged her strong support and commitment to address the issues. The DCC also met with DfT's Parliamentary Under Secretary of State for Transport, Norman Baker, who also pledged his support.

As a result, BTP is working with Home Office officials to draft proposals to create a new licensing scheme, with rigorous requirements relating to identification and quarantine of metals received, restrictions to cash transactions, significant penalties for non compliance with direct links to proceeds of crime legislation, and powers for police to close premises that breach conditions and seize assets. In the development of the draft proposals for legislation, BTP is in contact with a cross industry group chaired by Network Rail and involving British Telecom (BT) and various energy companies. This group has provided a helpful contribution to the development of the draft legislative proposals.

The draft legislative proposals have been forwarded to the Home Office for consideration at a Ministerial meeting chaired by Baroness Browning in September.

3.5 Support from the rail industry has been significant over the last few months. A number of TOCs have written to government lobbying for legislative change, and others have generated national media coverage highlighting the scale and complexity of the problem.

3.6 BTP is leading Operation Tornado, a multi agency pilot that has been initiated by the ACPO Metal Theft Working Group. The pilot will initially run for up to six months within Northumbria, Durham and Cleveland police force areas. Metal recycling sites who participate in the trial will be required to adopt the following additional measures to identify sellers:

- Evidence of identity will be required from all persons disposing of metals for cash payment.
- CCTV systems to cover entrances and weighbridges of recycling centres and the images to be of sufficient quality to enable identification of vehicle registration numbers and secure facial recognition. The recorded images will be retained for a minimum of 28 days.

- Posters describing the identification measures will be prominently displayed to sellers.
- Failure by the seller to produce identification would result in no transaction taking place.
- When buying from other merchants, participating companies will endeavour to promote participation in the trial and to deal wherever possible with others taking part.

3.7 On 29 July 2011 BTP led the latest national day of action to target metal theft. These days of action are an effective means of disrupting offenders and the criminal elements within the scrap metal industry.

In total 367 BTP officers, PCSOs, Special Constables and police staff took part in the operation, together with officers from ten Home Office police forces, the Environment Agency, Network Rail, BT, and energy suppliers. Several of the operational teams were followed by local and national media representatives achieving significant media coverage.

BTP officers, together with partner agencies, targeted known thieves, carried out crime reduction initiatives at hotspot locations, and visited 134 scrap metal dealers. Eighteen arrests were made, including the entire staff of one scrap metal dealer where Network Rail cable was recovered. The use of specialist dogs at that location led to the recovery of large quantities of cash and what are believed to be controlled substances. The cash was seized under the Proceeds of Crime Act.

In one operation, BTP and Essex Police mounted automatic number plate recognition (ANPR) technology on the QE2 Bridge to target vehicles suspected of use in metal theft. Five vehicles were seized and numerous offences dealt with.

3.8 BTP has set up a Fusion Intelligence Centre (FIU) comprising of BTP, Network Rail and BT analysts. The FIU is the first national intelligence repository of its kind, with an operational team which includes law enforcement and industry staff working side by side. It also has direct access points to the Environmental Agency, SOCA and is developing a HMRC nominated point as well, with further agencies being approached. The FIU has already produced intelligence packages in the North Eastern Area, supported multi agency operations, and has been key in linking industry and law enforcement across the UK.

4. RECENT PERIOD OF DISORDER

4.1 The rioting and disorder that occurred in August was unprecedented. Operation Bench, BTP's response to the disorder, commenced on 8 August and finished on 11 September, the weekend after the funeral of Mark Duggan. ACCs Thomas and Pacey chaired daily Gold Groups during the first week of disorder. Officers were required to work 12 hour shifts, and rest days and all training, apart from new recruit training, was cancelled. Each BTP Area was responsible for planning their local response to disorder with Force Headquarters coordinating the movement of officers nationally.

4.2 The deployment of officers was increased to ensure the railways remained a safe and secure place for passengers and staff, and that railway property was protected. Officers were deployed to stations close to where rioting was taking place to ensure groups involved in the disorder remained off the rail network. Where necessary some stations were closed to prevent people traveling to the site of disorder. At other locations BTP went to the assistance of MPS officers who were few in number to control large groups intent on disorder.

4.3 BTP liaised with the rail industry throughout. The DCC updated TOC MDs during a conference call arranged by Network Rail. Locally, communication took place with station managers and through daily intelligence briefs to the industry. The support and cooperation received from the rail industry during this period was excellent. The Chief Constable has received feedback from stakeholders praising the significant efforts by the Force to ensure the railways were largely unaffected by the disorder.

4.4 Ongoing discussion is taking place at government level regarding cost recovery for the police service for the additional costs incurred during this period. Early indications forecast £1.3m for BTP's policing operation during the disorder.

4.5 During the disorder, the Chief Constable attended daily COBR meetings chaired by the Prime Minister and Home Secretary, in both his role as Chief Constable of BTP, and also representing the ACPO President. He also briefed the Minister of State for Transport ahead of her attendance at COBR. The Chief Constable also participated in a number of media interviews representing the wider police service, including a panel discussion on the Murnaghan Programme. The Chief Constable received a letter of thanks from the ACPO President in which he said 'having a colleague of your experience to bounce ideas off and to provide advice was invaluable.'

5. 2012 OLYMPIC & PARALYMPIC GAMES

5.1 BTP's Olympic and Paralympic period will run from 8 July to 9 September 2012. During this period there will be annual leave restrictions imposed and all training, other than initial recruit training, will be suspended. These restrictions, together with mutual aid officers (agreement has been reached on the provision of 350 police officers as mutual aid for the Olympic Games) and DfT additional budget provision, will ensure that BTP can meet all of its Games operational requirements without detracting from business as usual.

5.2 BTP is sharing best practice with Home Office forces in their preparation for the Games. For example, BTP presented the HOT principle, which is used by BTP and the rail industry to risk assess unattended packages, to Dorset Police who have stated it is their intention to adopt the principle as part their policing response both during the Games and longer term.

5.3 BTP's Games Project continues to progress its 148 work packages (103 have been completed and 45 are currently live) to ensure all necessary planning and security tasks are complete. Work continues on the operational plans in partnership with Network Rail, train operating companies, TfL, London Underground and the Docklands Light Railway.

5.4 BTP's original 2008/13 £24.9 million Olympic and Paralympic budget was agreed by DfT Rail Investment Board on 18 November 2009. This has now reduced to an overall forecast project spend of £22.1 million, through savings made during 2009/10 and 2010/11.

6. FIREARMS CAPABILITY PROJECT

6.1 BTP's Firearms Capability Project is progressing on target and within allocated budget to deliver an operational core team early in 2012.

6.2 The contract for authorised firearms officer training was awarded to Cheshire Constabulary, who have the necessary facilities, experience and flexibility to meet BTP's requirements. BTP's appointed firearms officers commenced the shooting and tactics course at Cheshire on 5 September 2011. Command training has also commenced. Whilst internal applications to join the core firearms team have been less than required, an external advertising campaign is running to recruit experienced officers to make up the core team.

6.3 The Firearms Unit will be located with the Counter Terrorism Support Unit in Blundell Street. Work to fit out an armoury, administrative area, and additional locker facilities has commenced. Orders have been placed for vehicles, weapons, body armour, ballistic shields and ancillary uniform items and equipment. Development of the policies, procedures and protocols relating to operating a firearms capability continues, and BTP is receiving support from other forces and the NPIA in this critical area.

7. LEVEL CROSSINGS

7.1 RAIB commissioned a report into general safety of all Automatic Open Level Crossings following a fatal accident at Halkirk level crossing in September 2009. Paragraph 92 of the report states more should be done to ensure offenders are prosecuted for the correct and more serious road traffic offences.

7.2 Prior to the publication of this report, BTP was already working in partnership with Network Rail. Three mobile enforcement vehicles to tackle offending are in operation in Scotland (where the bulk of the open crossings referred to in RAIB's report are located), London North to cover Network Rail's Anglia route, and London South to cover Network Rail's Kent, Sussex and Wessex route. These vehicles have led to a significant increase in prosecutions, with over 1,200 motorists and pedestrians caught in a five month period by the vehicle operational in London South. The vehicles contain state of the art equipment. They are fully integrated with ANPR technology, have live recording and transmission capability, and contain the equipment necessary to produce all paperwork and evidence for court. Network Rail is now considering funding an additional 20 vehicles, and 3,600 static enforcement cameras.

7.3 Other initiatives to tackle misuse of levels crossings include:

- BTP has piloted a scheme of driver re-training for minor offenders as an alternative to prosecution, which has led to an improvement in driver behaviour.

- BTP has engaged with Her Majesty's Court Service and as a result there has been an increase in sentencing to reflect dangerous consequences of offending.
- BTP is working with Network Rail on the implementation of a number of fixed static cameras.
- BTP continues to work with Network Rail on awareness days. These successful initiatives highlight the dangers posed by the misuse of level crossings. The recent International Level Crossing Awareness Day saw over 100 offenders dealt with by police for misuse.
- A level crossing workshop with multi agencies including BTPA, ATOC, RAIB, Network Rail, ORR, RSSB and the Highways Agency is being held by BTP on 7 October 2011.

8. HMIC

8.1 Following the phone hacking scandal, the Home Secretary asked HMIC to undertake a Review of Police Integrity of all Home Office forces and BTP. HMIC visited BTP in August to complete this review, and interviewed a number of officers and staff, including the Deputy Chief Constable (DCC), Head of Media, Head of PSD, and Wendy Towers BTPA. There will be no individual feedback from HMIC for this review. Their findings will form part of a report for the Home Secretary which is due at the end of October, with an interim report expected at the end of September.

8.2 To mitigate against possible risk to the Force, BTP and the BTPA Chief Executive undertook a review of processes the Force had in place regarding contact with the media. Force policies around media engagement, gifts and hospitality, and secondary employment were republished with guidance issued to all staff.

8.3 The next review HMIC will be undertaking is a Review of Public Order Policing. Although BTP will not be visited, it is expected the Force will be required to provide information in support of this review. HMIC will then undertake a Review of Data Integrity which is scheduled to commence at the end of September for three weeks.

9. NATIONAL ACPO ACTIVITY

9.1 In his role as Chair of the ACPO Communications Advisory Group, the Chief Constable issued guidance to the police service on police integrity and relationships with the media. This included advice on managing media relationships, advice on responding to Freedom of Information requests, suggestions on management of meetings and interviews with the media, and a core script providing national media lines on current policing issues such as corruption, hacking and leadership.

9.2 The Chief Constable attended the first meeting of the Emergency Services Mobile Communication Programme Steering Group chaired by Dame Helen Ghosh, Permanent Secretary of the Home Office. This group will identify a suitable communication system for the

emergency services when the contract with Airwave, the current emergency services communication supplier, expires in 2015.

10. EVENTS

10.1 On 26 July the Chief Constable took part in an Endelman panel discussion 'London 2012 - the glare of the world's media - are you prepared for a crisis?' This event was to encourage businesses to develop their business continuity plans in the event of a crisis during the Olympics. The Chief Constable, as part of the panel, provided his thoughts on the following subject 'Transport is one of the organisational challenges that attracts the most attention. What should companies be thinking about in their planning and how can they best prepare?'

10.2 On 5 August the Chief Constable spent the day with Howard Collins, Chief Operating Officer of London Underground (LU). They visited a number of locations on the LU system, including the new Northumberland Park depot and the National Operating Centre. This day gave the Chief Constable an opportunity to speak to LU General Managers and staff, and gain a good insight into the operational issues faced by LU and how BTP can respond to them.

10.3 Lin Homer, DfT Permanent Secretary, visited the Force Control Room London on 19 August 2011. This was part of a visit to LU and she was accompanied by Peter Hendy, Transport Commissioner and Mike Brown, LU Managing Director.

11. SCOTTISH POLICE SERVICE REFORM

11.1 On 7 September 2001 the Scottish First Minister announced the Scottish Government will introduce a Bill to create a single Scottish police force. This follows work undertaken by the Sustainable Policing Project, which led to a decision that the preferred model for delivery of police services in Scotland would be by means of one single national police force. The Parliamentary stages commence on 1 December 2011 and the aim is for the new single police force to commence on 1 April 2013. Neither the First Minister nor the Cabinet Secretary for Justice made mention of BTP being involved in the new arrangements. However, BTP are aware there is a desire by Scottish Government to incorporate BTP Scotland Area into the new national force at some time in the future. ACC McCall remains in close liaison with Scottish Ministers and the Sustainable Policing Project and will keep members informed of developments.

12. OPERATIONAL OVERVIEW

12.1 This section provides members with an overview of operational activity, including recent operations, incidents, investigations and court results.

12.2 <u>Notting Hill Carnival</u>
The number of officers deployed to police this year's Notting Hill Carnival was increased due to the recent disorder and associated threat arising from it. BTP deployed 708 officers to police the

Carnival on the Sunday and 734 officers on Bank Holiday Monday. This included the deployment of four Police Support Units (PSUs).

The presence and activity of officers provided an effective layer of security and, through Operational Shield and stop and search tactics, prevented people from taking weapons to the Carnival. Over the course of the event BTP made a total of 58 arrests for a number of offences.

The DCC joined officers on patrol on Monday evening at Notting Hill Gate and Westbourne Park stations. At 20.51 whilst the DCC was at Notting Hill Gate, a fatality occurred at Latimer Road LU station, which is within the footprint of the Carnival. Officers attended the scene to find a body disrupted under a carriage. Based on witness accounts the incident was deemed non suspicious and the train moved to allow removal of the body. The line was handed back to LU within 39 minutes which prevented any serious delays or overcrowding to those traveling home from the Carnival. This is a good example of how officers dealt professionally with an incident whilst minimising disruption to the network.

The Carnival was a success and the police operation ensured not only the safety of rail staff and passengers, but also no serious incident on the rail network. Planning for next year's Carnival will reassess the resource levels to meet the requirement at that time.

12.3 Hoax device at Canterbury

On 26 August 2011 BTP were called to Canterbury to reports of a suspect device near the railway line. The item was described as a black cylinder with a remote control device attached to the outside. At a similar time, the local police and fire service were called to Marks & Spencer in Canterbury City to reports of a fire in the public toilets in the store. Kent Police closed off the city centre. Southeastern train services from Faversham to Dover were stopped, and a replacement bus service put in place. Army bomb disposal units attended and conducted a controlled explosion. The device was declared a hoax. A full crime scene was setup and forensic recovery conducted. Network Rail and Southeastern were updated throughout the incident. The tracks were handed back the following morning after completion of a full scene investigation in daylight. CCTV from the scene has been recovered and Kent Police are leading the investigation.

12.4 Project Spiderweb

Project Spiderweb, a multi agency initiative led by BTP, aims to reduce theft by 10% across all of London's public transport by July 2012. Working in partnership with the MPS and TfL, Project Spiderweb had its first major success in tackling organised pickpocketing with the sentencing of two prolific pickpockets who targeted elderly people on the public transport system. The defendants were jailed for two years and 15 months respectively when they appeared at Southwark Crown Court in August 2011. They were also served with post-conviction ASBOs. They were charged with eight theft offences between October 2010 and March 2011. Five of the eight victims were elderly or vulnerable members of society. The defendants were arrested by the MPS and BTP Joint Investigation Team, which is tasked with prosecuting and disrupting organised Bulgarian pickpocket gangs.

12.5 Graffiti on National Express East Anglia (NXEA)

On 6 June 2010 extensive graffiti was carried out on a stabled train at Colchester depot. These events were recorded on CCTV and a suspect identified. On 17 August 2010 the defendant was arrested at his home address, a premises search was conducted, and a number of spray cans, a mural expressing hatred of BTP, and a computer were seized. The computer was analysed and revealed in excess of 670 images, primarily pictures of graffitied NXEA trains. On 9 March 2011 the defendant pleaded guilty to criminal damage at Harwich Youth Court and was ordered to pay £750 compensation to NXEA, and given a two year ASBO and six month referral order. Following his arrest a case review was conducted into damage reports provided by NXEA and the images on the computer. Conservative estimates show damage to the value of £250k. The CPS has since authorised a charge of criminal damage to the value of £201k based on the evidence of cost to the industry. This covers 22 recorded crimes and approx 30 unreported matters. The defendant has been charged with this latest charge and is awaiting trial.

12.6 Serious assault at Leeds Staton

On 18 June 2011 a man was the victim of serious assault at Leeds station. Whilst on board a train he was involved in a verbal altercation with two suspects. Upon arrival at Leeds station the suspects set about the victim punching him to the floor and kicking him repeatedly in the head before running from the station. The victim suffered serious injuries including a depressed fracture of the skull and a displaced right eye socket. He spent three days in hospital and later had surgery to insert 5 titanium plates into his skull to correct the damage. There were numerous witnesses and due to excellent CCTV at Leeds station stills went out to the press the next day and received very good coverage both in the written press and on local media. As a result, both suspects handed themselves in. They were charged with wounding with intent, and pleaded guilty at Court. Good liaison with the CPS led to a swift prosecution and both suspects are due to appear for sentence at Leeds Crown Court on 15 September 2011.

12.7 Metal theft jail sentence

A defendant was sentenced at Pontefract Magistrates Court on 2 August 2011 to 12 months' imprisonment after pleading guilty to two counts of stealing cable from the railway in Castleford in April 2011. The suspect was identified through anonymous information via Crimestoppers. Subsequent checks carried out by BTP with local scrap metal dealers provided further evidence. When officers arrested the defendant a quantity of railway cable was recovered from his premises. Earlier this year, thousands of residents in the Castleford area received a leaflet from BTP through their doors highlighting the affects of metal theft in their community, and warning of the dangers and likely punishment of stealing cable. Since the campaign was launched, 16 arrests have been made in the local area.

12.8 Jail sentence for threats to LU staff

A man who racially abused and threatened members of LU staff at Leicester Square station was sentenced to 12 weeks jail at City of Westminster Magistrates Court on 20 July 2011 after being convicted of a racially aggravated public order offence. Two days earlier the suspect was seen drinking a can of lager and smoking at the bottom of the escalators at the station. LU staff asked him to leave but he threatened to kill them both and then racially abused one of the staff

members. BTP officers arrested the suspect. Victim and witness statements and CCTV evidence was quickly secured. The suspect was interviewed the following morning, charged and remanded in police custody to appear at court the next day when he was sentenced.

12.9 Male known for extreme violence

Officers were called to a man sat on a parapet at Stockport Viaduct. The man was agitated and abusive and threatening towards officers. He had left a suicide note after absconding from a mental health unit. He was also known for extreme violence and had a record for firearms, weapons, violence and drugs. This incident had the potential to cause significant impact on the railway as a stop on one line and extreme cautions on overheads had been put in place. A BTP officer was speaking directly with the man to talk him down, when he jumped off the parapet and made off along the tracks. BTP officers followed the man who became extremely aggressive. An officer drew his Taser and issued clear and concise instructions to bring the man under control. He was arrested under the Mental Health Act and returned to secure accommodation.

12.10 Birmingham New Street disorder

Social networking sites were monitored after the serious disorder in Birmingham City Centre on 9 August and intelligence suggested that a large number of risk football supporters were due to arrive in Birmingham City centre on 10 August for a demonstration in the Bull Ring. At 16.50 an officer who was part of the PSU on New Street station observed a group of young males on the station front and recognised two of them to be part of a risk group that followed Birmingham City football club. The group were stopped and searched and five, aged between 5 to 20, were charged - one for possession of a firearm (CS gas canister) and four for offensive weapons (knives). They have since appeared before court and sentenced to between 6 – 16 weeks in a Young Offenders Institute.

13. RECOMMENDATIONS

13.1 That members note the contents of this paper.