
Report to: Police Authority
Agenda item: 3
Date: 24 June 2020
Subject: Chief Constable's Report
Sponsor: Chief Constable
For: Information

1. Purpose of report

1.1 The Chief Constable's report brings to the attention of Members of the Police Authority the most pressing issues for the Chief Constable at the time of producing the report. Matters covered in this report include COVID-19; Resourcing; BTP's County Lines Task Force; Inclusion, Procedural Justice & Legitimacy and key estates decisions.

2. COVID-19

2.1 The Force's operational response to COVID-19 continues. The Chief Constable provided an in-depth briefing to Members on 1 June 2020. From this date, the Department for Transport (DfT) have confirmed a funding cap increase from £1.5m to £3m. This has been made available to provide enhanced policing deployments in London in response to the progressive relaxation of travel restrictions. A flexible approach has been agreed over the coming weeks to provide the Chief Constable with appropriate discretion to adjust the policing response in line with demand as it evolves.

2.2 BTP is fully linked in to Public Health England, resilience forums and National Police Chiefs' Council (NPCC) in interpreting the latest position. The Gold Group is well established and ensures the continuation of a robust approach to risk management whilst maintaining operational effectiveness. The Force and Authority are actively managing stakeholder expectations and concerns in response to the enhanced policing approach, through continuing the open dialogue with industry colleagues. The Authority Chair's positive comments on BTP's COVID-19 efforts are welcomed.

2.3 As the environment remains complex, demands on BTP transpire and evolve rapidly. The Chief Constable will give a more comprehensive verbal update to Members at the Police Authority meeting.

3. Resourcing

- 3.1 On 14 November 2019, the Strategy & Planning Committee indicated that recruitment should proceed up to the gross FTE establishment, although concerns were raised as to whether the Force was over confident in believing it could achieve full establishment by mid-year. As such, a budget cap was applied. The Force has proactively recruited up to full establishment levels. Affordability is managed centrally by Finance, providing the maximum opportunity not to significantly underspend as has been the case in previous years.
- 3.2 As a result of this model, along with the proactive and sustained efforts throughout 2019/20, the Force has now hit full officer establishment. Stability is anticipated as turnover has reduced to half of the pre COVID-19 position. Recruitment to police staff positions previously held due to the ongoing transformation work has moved at pace, with most positions filled or at the interview or offer stage, whilst turnover has also decreased dramatically.
- 3.3 The TfL Workplace Violence Unit set up to proactively police staff assaults consists of 50 proposed officer positions. Due to the delay in reaching agreement on funding, the two July intakes planned to fill these posts have now been cancelled. The Chief Officer Group have considered the proposal for TfL to fund the 50 officers through an EPSA. However, the deployment envisaged relates to a core policing function. Given that, and the uncertainty that an EPSA creates, plus the risks associated with early cancellation, there is no desire to enter this through an EPSA. Accordingly, TfL have been advised that any uplift in resource will need to be assumed as core policing and built into the core budget. There is clear precedent for this. The additional resources for Night Tube and those for Medics and NIRT deployments are regarded as core policing, even though the latter two examples are non-core functions.

4. BTP's County Lines Taskforce

- 4.1 In December 2019, BTP created a dedicated County Lines taskforce, funded through a Home Office grant. The initial funding provided from December 2019 to March 2020 was £1m, with £3.3m provided for 2020/21. This equates to 42 officers, staff and safeguarding experts. The taskforce carries out operations at train stations and on routes across England, Wales and Scotland.

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- 4.2 Funding was also provided to the MPS, West Midlands Police and Merseyside Police to enhance their own County Lines activities. Since November 2019, the pilot forces have carried out 657 arrests, of which 276 were carried out by BTP. BTP has also seized £63,000 in drugs, £108,000 in cash, and removed 38 weapons from the rail network. The excellent work continues, drawing notable praise from the Home Secretary following a visit earlier this year.
- 4.3 A detailed update on the County Lines Taskforce was provided in the Chief Constable's report to Police Authority on 24 March and the team have continued to work tirelessly to tackle County Lines criminality throughout COVID-19. A description of the assurance arrangements and reporting mechanisms surrounding the Home Office grant was also presented to the Audit & Risk Assurance Committee on 15 June. The Force will continue to appraise the Home Office and BTPA Chief Executive of spend, deployments and outcomes throughout the duration of this enhanced policing.

5. Inclusion, Procedural Justice and Legitimacy

- 5.1 In recent days, the circumstances surrounding the death of George Floyd has led to widespread expressions of anger and grief, notably being seen by public reaction across the United States but also in cities around the world including the UK. The Chief Constable contributed to the joint statement published by NPCC on 4 June and has since issued a personal statement to all BTP personnel on 16 June.
- 5.2 Although the community-based model of policing in the UK is different, there is more we can and must do to ensure we build and maintain confidence from all our communities. The understandable public anger has led to widespread Black Lives Matter protests, likely to continue over the coming weeks. The public's right to protest undoubtedly creates a complex policing position, given the current government restrictions relating to COVID-19.
- 5.3 Belly Mujinga: Concurrently, there has been considerable media focus on the death of Belly Mujinga, a member of rail staff based at Victoria Station, who sadly died after contracting Coronavirus. Following a thorough investigation, BTP concluded that there was insufficient evidence. As such, the circumstances did not support a prosecution case being put forward to the CPS. As a result of the decision not to pursue a prosecution, many concerns have been raised with the Chief Constable, from members of the public and MPs on behalf of their constituents.

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- 5.4 In recognition of the wider public interest in the circumstances of this case, the Chief Constable has invited an independent review by the CPS of the available evidence, and whether there are any further lines of enquiry and opinion in relation to BTP's position on the prospect of meeting the general principle of a successful prosecution. The Force has continued to support the family of Mrs Mujinga and keep them apprised of the approach being taken. Given the potential impact on confidence in the response of the Force in this tragic case, either from the family and wider public, the Chief Constable has asked the Deputy Chief Constable to chair a Gold group.
- 5.5 BME Employee Welfare: In recent weeks, data has come to light which suggests that the COVID-19 pandemic has affected some sections of the population more than others. There are growing concerns that the UK's minority ethnic groups are being disproportionately affected. In May 2020, the Institute for Fiscal Studies (IFS) reported that impacts are not uniform across ethnic groups.
- 5.6 The IFS found that occupational exposure may partially explain disproportionate deaths for some groups. The UK's minority ethnic population are disproportionately represented as key workers, who in turn are at a greater risk of infection. Underlying health conditions likely to increase the risk of mortality are also especially prevalent among older Bangladeshi, Pakistani and black Caribbean people.
- 5.7 The Chief Officer Group commissioned a review of BTP workforce and COVID-19 abstraction data to understand any disproportionate effects within the Force. BTP is working with our Staff Associations to ensure that our BAME employees feel supported and we mitigate risk wherever possible. This includes proactive contact with colleagues who might be at increased risk and completion of an individual assessment in consideration of mitigating adjustments.
- 5.8 Inclusion & Police Legitimacy: Supporting out workforce fairly and in accordance with their needs is a fundamental enabler of procedural justice and consequently, police legitimacy. As part of the BTP Equality & Inclusion Strategy, the Deputy Chief Constable has commissioned a comprehensive review into the potential external and internal manifestations of disparity and disproportionality to more clearly understand the impact on BAME employees and the wider public. This review will consider BTP powers and policies such as stop and search, arrests, search powers under PACE, detention, offence disposal methods and use of force. Further, the review will consider internal procedures and data in relation to public complaints, discipline outcomes,
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internal conduct, CARS reports, grievances, ETs, vetting and workforce metrics such as rank, length of service etc.

- 5.9 By intrusively challenging our approach to policing, the Force can more fully understand where and how to address inequality, improving relations and building the confidence of the UK's minority ethnic groups in addition to our own BAME workforce. The Chief Constable along with the Deputy Chief Constable and Director of People & Culture, met with the Chair of S.A.M.E to discuss BTP's response to the current issues and those covered in this report, BTP's early findings and to begin to jointly develop a wider plan to improve inclusion, committed to looking beyond the obvious. Early discussions with an external advisory body to support the development of the approach have begun. Members will be apprised of developments and the Force will proactively link with the lead member for People issues.

6. Key Estates Decisions

- 6.1 The next four years will involve a series of major decisions in the Force organisational design, in particular in relation to new ways of working and the wider estate. These decisions must take account of the learning from COVID-19 in relation to virtual and agile capabilities. The key sites under consideration are Axis House, TfL funded London police posts financed through a PFI arrangement and Force Headquarters.
- 6.2 With regards to Axis House, the developer (LCR) has recently conducted a review and amended their development plan. Their new proposal recommends that prior to any new build, the existing site is demolished in December 2021. BTP is working with BTPA Chief Executive, DfT Estates, DfT DG Resources and LCR on the potential options. As a contingency, the Force is also developing a relocation plan, taking into consideration the initial insights from COVID-19 on the possibilities for new ways of working and space utilisation.
- 6.3 TfL provide a number of sites in London through a PFI arrangement. The largest and most operationally significant is Central London Police Station (CLPS), which accommodates around 300 officers and staff. The PFI arrangement concludes in February 2022 and TfL have expressed a desire to step away from this arrangement on grounds of efficiency. The Force are continuing to work closely with TfL on potential options for each site location, including a re-location of CLPS based functions.