

Police Registry (4, 1 NC)
Police HQ



Agenda

COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE

6 September 2007

Bridgebury House, Woburn Road, Kempston, Bedford MK43 9AX

For further information, or to see the papers, please contact the Police Authority:



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Web-site:- www.bedfordshirepoliceauthority.co.uk

Email:- enquiries@bedfordshirepoliceauthority.co.uk

To: **Members of the Complaints and Professional Standards Committee**

(Mrs S Alexander, Mr S Choudhry, Mrs P Fletcher, Mrs S Gillard, Mrs L Hockey,
Mrs R Gutteridge, Mr P Hollick Mr R Saleem and Mr B Spurr

A meeting of the **COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE** of the **Bedfordshire Police Authority** will be held at Bridgebury House, Woburn Road, Kempston, at **2.00 pm** on **Thursday 6 September 2007**. Files will be available for Members' scrutiny from **10.30 am**.

JANET WARDELL
Member Services Support Manager

AGENDA

(*indicates that a supporting document accompanies this Agenda)

1. Apologies

2. To confirm the minutes of the meeting held on 14 May 2007

By Chairman - Minutes*

3. Declarations of Interest

To receive any personal or prejudicial interests from Members

4. Association of Police Authorities Guidance for Police Authorities on the Oversight and Scrutiny of Professional Standards Matters

To consider how the following changes to the Authority's scrutiny and oversight of the complaints process agreed by the Committee at its meeting on 26 January 2007 can be progressed

1. An annual report to be published on the analysis of statistics and trends and on the action taken in response to the Committee's concerns
2. A periodic Strategic Analysis of an area of Professional Standards
3. Future statistics to contain information about the interaction with the IPCC, public satisfaction and the accessed used to make a complaint

Please bring with you to the meeting your copy of the APA's guidance on the Oversight and Scrutiny of Professional Standards Matters

5. Professional Standards Cases and Issues

Report* of the Chief Constable

6. Independent Custody Visitor Scheme

Minutes* of the meeting of the Independent Custody Visitor's Panel held on 12th June 2007

To consider the exclusion of the press and public from the meeting on the grounds that the items to be discussed are confidential and involve the disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972. Papers are not being sent to the press or made available to the public.

7. Summaries of Professional Standards Cases

The Chief Constable's report is available for collection by Members from the Member Services Support Manager

COMPLAINTS AND PROFESSIONAL STANDARDS COMMITTEE

14 May 2007

PRESENT

Mrs S Alexander (In the Chair)

Mrs R Gutteridge Mrs P Fletcher Mr P Hollick and Mr B Spurr

Mr Choudhry also attended the meeting

Apologies for absence were received from Ms C Atkins and Mrs S Gillard

07/qz/13 MINUTES

The minutes of the meeting held on 26 January 2007 were confirmed

07/qz/14 MATTERS ARISING

Minute 07/qz/7 – Revision of Association of Police Authorities guidance on Complaints and Professional Standards issues

It was agreed that an item be placed on the agenda for the next meeting on how the three areas identified at the meeting on 26 January 2007 for improving the Authority's scrutiny and oversight of the complaints process could be taken forward.

Minute 07/qz/14 Training For Members

The Chair reported that the joint training with Members of Hertfordshire Police Authority on professional standards issues and the complaint process would take place on 14th June 2007. She suggested that if there were sufficient places available the training be offered to other Members on the Authority and Members supported this approach.

07/qz/15 DECLARATIONS OF INTEREST

There were no declarations of personal or prejudicial interests from Members.

07/qz/16 POLICE AUTHORITY'S COMPLAINTS POLICY AND PROCEDURES

The joint report of the Monitoring Officer and the Interim Chief Executive was submitted which advised that the Authority was currently reviewing and where necessary recording its major policies and procedures. One area that had required to be documented was in relation to the arrangements for dealing with

those complaints handled directly by the Authority and the report set out the policy and process for handling complaints in the following areas:

- Complaints against Senior Police Officers.
- Complaints against the Police Authority.
- Complaints against Police Authority Members.
- Complaints against the Monitoring Officer (Clerk), Chief Executive -Treasurer or other Authority staff

In presenting the comprehensive guidance the Chief Executive asked the Committee to review the process documented for each area of complaint and the following comments were made around the process for persistent complainants and complaints against senior officers:

(a) Persistent Complainants

It was agreed that a framework for dealing with such persistent complaints be drawn up which could be adapted as required for individual cases.

(b) Complaints against Senior Police Officers

It was understood that the Chief Constable had not seen the papers that had been presented to Members and the Deputy Chief Constable wished to seek her views on any sensitivities that may arise if complaints against Senior Police Officers on inappropriate conduct were to be entered into the current system. He also wished for clarification that the Director of Corporate Services, which was an ACPO appointment, would follow the same procedure.

RESOLVED:

1. That the Complaints Policy and Procedures as now amended be endorsed subject to the Chief Constable being satisfied with the process outlined for complaints against Senior Police Officers.
2. The Chair of the Committee be authorised to approve any resulting minor amendments to the document

07/qz/17 **CASES OF COMPLAINTS AND DISCIPLINE**

The Committee considered a report of the Chief Constable on the current

position with regard to Professional Standards issues.

It was reported that between 1 January and 31 March 2007 151 complaints had been received. During the past year complaints in the categories of neglect of duty, breach of Code C of PACE, and incivility had consistently seen the highest number of recorded complaints. Mrs Alexander, the Chair of the Committee stressed again to Members the importance of their involvement in the probationer training sessions to raise awareness about prevention of complaints arising around these areas. Superintendent Darlow added that the Department had identified some of the causal factors leading to complaints particularly around incivility and Breach of Code C of PACE matters and spoke of the initiatives that had been put in place to reduce the current levels.

Superintendent Darlow also highlighted that during the year increases in the level of complaints received in the categories of Breach of Code A, which related to Stop and search, lack of fairness and impartiality and improper disclosure of information had begun to emerge and this trend would be monitored during the forthcoming year.

Superintendent Darlow was pleased to inform Members that the complaint rate vis a vis arrests and OIS incidents remained low – 2% arrests and 0.2% of OIS incidents.

The report had highlighted that the end of year figure for the number of complaints received was 521 and in comparison to the previous year, indicated a 34% increase. The Deputy Chief Constable emphasised that whilst the level of complaints had increased but there was a downward trend in the number of substantiated complaints and Members could seek reassurance from this.

With regard to the total workload of the Department there had been a 34% increase on the previous year.

Data on the number of complaints received based on a Police Officer's or Police Staff's geographic division was also reported. The end of year figures indicated that the two territorial Divisions had similar level of complaints. Complaints against Police Staff Special Constable's and Police Community Support officers had remained low throughout the year. The Deputy Chief Constable intended to review the way in which this data was presented to Members so that the information provided gave a better reflection on the actual numbers of complaints per Officer.

The report also provided statistics on the number of completed complaints and their results. The percentage of local resolutions recorded between January and March was 58%. The target set for 2006/07 for complaints dealt with by local resolution was 55% and the end of year figure was 57%. The number of dispensations and number of complaints that were withdrawn was lower than that of the previous year.

With regard to the Appeals process it was noted, that out of a total of 36 appeals arising from the local resolution process, refusal to record or on the outcome seven had been upheld.

Details on the total number complaints received and finalised in relation to Direction and Control Matters was also reported upon and the end of year figure was 212. 59% of the complaints received related to general policing standards. The average timescale for the completion of this type of complaint for the year was 38 days. The Home Office target for the completion of such complaints was 28 days and this was met in 43% of complaints.

With regard to timescales the 120-day closure target had been met in 84% of complaints which was an improvement from the previous year and in 71% of cases which was a slight reduction from that of the previous year. For investigations the target had been met in 53% of cases, which was a 20% improvement from the previous year.

Statistics on where Bedfordshire was placed within a number of Forces in the Eastern Region with respect to the numbers of complaints received, those resolved by local resolution, those substantiated and the 120 day performance target were set out in the report. The statistics indicated that for the final quarter of the year Bedfordshire was just above the average for the percentage of cases dealt with by Local Resolution, below average for timeliness and remained within the band of acceptability for substantiated complaints. Superintendent Darlow mentioned that the regional average for timeliness was still not yet a reliable figure as the Essex Police force was still using different computer software which did not enable them to include the 30 day appeal period in recording the completion of cases.

The report also provided information on complaints relating to discriminatory behaviour and it was noted that 19 complaints of race discrimination had been recorded during the reporting period. Members asked that future reports categorise the types of complaints about discriminatory behaviour using the six strands of diversity. Superintendent Darlow agreed to revise the format and present the data for each territorial division.

Statistics on the age, gender and ethnicity of the complainants were also provided. The figures continued to show that complainants were mainly male and most were aged between 25 and 44. The report also provided statistics on the age, gender, length of service location and ethnicity of the staff complained about.

As had been agreed at the last meeting detail was provided on the complaint allegations made by 16 year olds and under.

Members also noted that there had been 86 cases of misconduct relating to Police and Specials recorded during the year which was higher than that of the previous years. 94 Misconduct matters had been finalised. In relation to Gross Misconduct there had been over 50% increase from that of the previous year.

For Police Staff there had been over a 50% increase in Misconduct matters. The report summarised the findings of the hearings into these matters. The Committee was concerned that the current policy to remove the Authority's role in the final stage of the Police Staff Misconduct and Grievance process was likely to diminish the Authority's effectiveness in monitoring these matters. The Vice Chair of the Authority mentioned that she had recently raised this with the Chief Constable and discussions would be taking place on a way forward and the Committee would be kept updated.

It was noted that there was one Police Officer and one Police Staff currently suspended. Three Police Officers were on restricted duties.

There were currently 12 cases with the IPCC 8 were awaiting a decision on dispensation. Superintendent Darlow also briefly outlined some recent managed and supervised cases involving the IPCC.

Members noted that 91 civil claims had been received during the year and noted the category of the claims. 122 had been finalised out of a total had been closed during the second quarter of the year. Total settlements amounted to 52K out of a reserve of £325K.

There had been 5 allegations which had led to Employment Tribunals during 2006/07 of which 3 had led to settlements the details of which were set out in the report.

The Committee also received a progress report on the work currently being undertaken by the Information Security Unit.

RESOLVED

That the report be noted.

07/qz/18 MINUTES OF THE INDEPENDENT CUSTODY VISITORS PANEL

RESOLVED

That the minutes of the meeting of the Independent Custody Visitors Panel held on 13 March 2007 be received

The Vice Chair of the Authority orally reported that the Independent Custody Visitor Handbook had now been Equality Impact Assessed and would be circulated shortly to all Custody Visitors. She also mentioned that the new intake of Custody Visitors had led to an increase in the number of Custody visits and this was enabling the target number of visits to be made. She also encouraged all Members to attend the next meeting of the Panel on 12th June as she considered it would be useful for Committee Members to learn more about how the scheme operates.

07/qz/19 EXCLUSION OF PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during the discussion of the following item on the grounds that it is confidential and may involve the disclosure of exempt information as defined in paragraph 1 of part 1 of Schedule 12A to the Local Government Act 1972.

07/qz/20 SUMMARIES OF COMPLAINTS AND DISCIPLINE CASES (In Private)

A report of the Chief Constable was submitted which summarised those cases of complaints and civil claims which had been completed during the period 1 January – 31 March 2007.

The Chair reported that for the period under review Members had dip-sampled those complaints that had been resolved by local resolution and those that had involved Greystones Police Station.

To assist Members in the examination of the case files it was agreed that all Members would be notified at the same time as the Chair that the case summaries were available for collection from the Members Support Services Manager.

RESOLVED

That the report be noted

Chief Constable's Report
On
Professional Standards Issues



BEDFORDSHIRE POLICE

APRIL – JUNE 2007

Parts 1 and 2

Complaints & Professional Standards Committee
6th September 2007
Item No 5

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PART

1

A. DEPARTMENTS WORKLOAD

Workload Management

The table shows the workload levels for the department for the quarter and year to date.

	April – June		End of Year	
	2007/08	2006/07	2007 – 08 YTD	End of 2006/07
Complaint Allegations	161	151	161	521
Civil Claims ¹	11	25	11	91
Conducts Matters ²	19	17	19	96
Direction & Control Cases	29	54	29	212
TOTAL RECORDED	220	247	220	920
% Increase / Decrease	- 11%		- 76%	

Types of Investigations

The IPCC can independently investigate, manage or supervise conduct and complaint cases. Local refers to complaint cases only.

	COMPLAINT CASES		CONDUCT CASES	
	April – June 2007 – 08	End of 2006/07	April – June 2007 – 08	End of 2006/07
Independent	1	1	0	0
Managed	2	2	0	0
Supervised	3	0	0	2
Local	100	373	18	48
Cases Referred	2	20	0	0
Awaiting IPCC Decision	0	0	0	0

¹ Excludes 3rd party claims and employment tribunals

² This total includes misconduct against police staff so the total may vary from the table in section I that do not include them.

B. COMPLAINTS

Recorded Complaint Allegations

The table below shows the total number of *complaint allegations recorded*.

Code	Type of Complaint	April – June 2007/08	April – June 2006/07	2007 – 08 YTD	End of Year 2006/07
A	Serious non-sexual assault	0	0	0	0
B	Sexual assault	0	0	0	0
C	Other assault	16	7	16	42
D	Oppressive Conduct/Harassment	20	4	20	47
E	Unlawful arrest etc	6	5	6	25
F	Discriminatory Behaviour	6	4	6	19
G	Perjury/Irregularity in practice	2	3	2	5
H	Corrupt Practice	1	0	1	3
J	Mishandling property	5	1	5	10
K	Breach Code A	0	2	0	6
L	Breach Code B	2	2	2	9
M	Breach Code C	6	13	6	41
N	Breach Code D	0	0	0	3
P	Breach Code E	0	0	0	1
Q	Lack of fairness & Impartiality	10	2	10	23
R	Breach unspecified or multiple	0	0	0	1
S	Other neglect of duty	44	31	44	141
T	Other Irregularity in Procedure	8	2	8	15
U	Incivility	29	20	29	89
V	Traffic	2	0	2	5
W	Other	0	11	0	21
X	Improper disclosure of information	3	3	3	15
Y	Other Sexual Conduct	1	0	1	0
	Total	161	110	161	521

The top four complaint allegations recorded are consistent and if they continue to be recorded at the rate of this first quarter the end of year will see an increase in each allegation by 25% or more.

Complaint Allegations Per Staff – Geographical Location

The tables show the recorded data by geographic areas where the incident took place as required by HMIC. This is the number of complaint allegations not staff or complaint cases.

All Staff (officers, police staff, specials and PCSO)

Division	Total Complaint Allegations 2007/08	Divisional Strength	Complaint Allegations per Staff
C Division	60	532	0.11
J Division	97	804	0.12
Unknown	0	0	0
Other Force	4	0	0
FORCE TOTAL	161	2303	0.12

The following four tables show the complaint allegations by geographical location but separate the staff types. The total allegations from these tables will not be equal to force total as one allegation can involve one officer and one police staff.

Officers

Division	Total Complaint Allegations 2006/07	Divisional Strength	Complaint Allegations per Officers
C Division	104	317	0.32
J Division	103	466	0.22
Out of Force	3	0	0
FORCE TOTAL	210	1199	0.2

Specials

Division	Total Complaint Allegations 2006/07	Divisional Strength	Complaint Allegations per Specials
C Division	0	38	0
J Division	9	126	0.11
FORCE TOTAL	9	168	0.05

Police Staff

Division	Total Complaint Allegations 2006/07	Divisional Strength	Complaint Allegations per Police Staff
C Division	8	135	0.12
J Division	3	163	0.02
FORCE TOTAL	11	845	0.01

PCSO

Division	Total Complaint Allegations 2006/07	Divisional Strength	Complaint Allegations per PCSO
C Division	9	42	0.21
J Division	1	49	0.02
FORCE TOTAL	10	91	0.1

Discriminatory Complaint Allegations

It is possible that one complaint can allege multiple discriminative behaviours with the expansion of the discriminatory behaviour category. This year 6 discriminatory complaint allegations were recorded; of which 4 are related to race, 1 gender and 1 other.

Complaint Case Access

The table shows how complainants made their initial complaint. It does not include Interested Parties or Agent for Complainant.

	Email	Fax	Letter	Orally	Telephone	Visit	Website	Other	Unknown
2006/07	21	1	59	0	15	10	1	0	0
2005/06	32	1	245	15	49	51	2	2	2

C. COMPLAINT ALLEGATION RESULTS

All Results

The table shows the *allegation results* for the force.

Result	April - June 07	2007 – 08 YTD	End of Year 2006/07
Locally Resolved by PSD	39	39	214
Locally Resolved by division	30	30	37
Withdrawn – not proceeded with	11	11	48
Withdrawn	2	2	31
Unsubstantiated	10	10	60
Substantiated	5	5	8
Dispensation by force	17	17	7
Dispensation by IPCC (wavered)	19	19	37
Discontinued	0	0	2
Totals	133	133	444

Local Resolutions

The percentage of complaint allegations local resolved for the period is 52%

Substantiated

Complaint allegations substantiated this quarter is 5, therefore year to date is 4% compared to 1.8% last year.

Dispensations

The table below relates to dispensation applications made during the year. The number of dispensations granted will not reflect those applied for as they could have taken place during different periods.

	Applied for	Refused	Granted	Awaiting Decision
2007/08	7	1	5	1
2006/07	34	3	23	8

D. APPEALS

The tables show the number of appeals relating to each area. The results may not be the outcome of those recorded during the time of the report.

Local Resolution

	April – June 07-08	2007 – 08 YTD	End of Year 06-07
Total complaints Finalised as Locally Resolved	69	69	251
Number of appeals against the Local Resolution Process	5	5	9
Number of appeals upheld	0	0	0
Number of appeals not upheld	1	1	9

Non Recorded

	April – June 07-08	2007 – 08 YTD	End of Year 06-07
Total of non recorded	4	4	24
Number of appeals against the decision not to record	2	2	17
Number of appeals upheld	0	0	7
Number of appeals not upheld	1	1	9

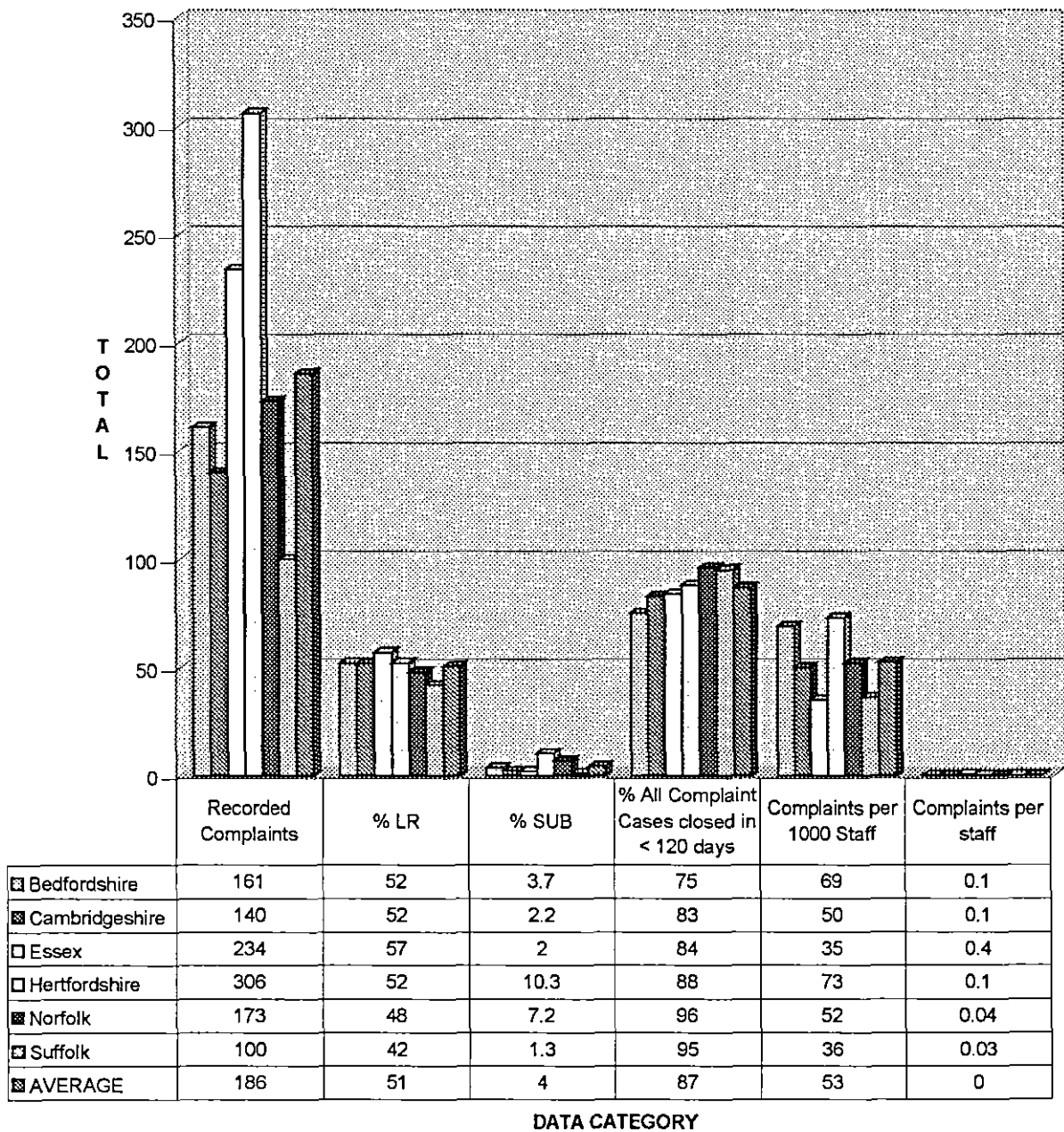
Final Decisions

Excludes LR	April – June 07-08	Projected 07/08	End of Year 06-07
Total of all finalised complaints	64	64	193
Number of appeals against the final decision	3	3	10
Number of appeals upheld	0	0	0
Number of appeals not upheld	0	0	11

E. BENCHMARKED COMPLAINTS DATA – 2006/07

Complaint data is regularly compared between forces and Bedfordshire is benchmarked against the Eastern Region.

EASTERN REGION BENCHMARKED DATA - APRIL 2006 - MARCH 2007



F. TIMESCALES

Complaint Case & Allegations

The case time scale is measured from the date received into force until the complainant is informed, therefore excluding the 30-day appeal time. Other days excluded are *sub judice* and days at the IPCC whereby an application for dispensation has been submitted. The target time for closures is 120 working days.

Allegation time scale is measured from the date the allegation was received into force until finalised.

The table below shows the percentage of all complaint cases and allegations finalised within the stated timescale for the year to date.

	Year to Date 07-08	06-07
Complaint Cases	75%	68%
Complaint Allegations	78%	75%

Complaint Case Investigations

A case investigation time is calculated from the date an investigator is appointed until the date the complainant is informed. The outcome of a full investigation is either substantiated or unsubstantiated. The percentage of these completed within 120 working days is 75%.

G. COMPLAINANT CHARACTERISTICS

The tables below show the number of complainants within each group for finalised complaint allegations. Totals exclude Interested Parties.

Gender

Male	Female	Company	Unknown	Total
62	42	0	0	104

Age

0-16	17-24	25-44	45-64	65+	Unknown	Total
4	18	48	34	0	0	104

Ethnicity

Asian	Black	White	Mixed	Other	Unknown	Total
11	16	73	0	2	2	104

Complainant Type

Directly Affected	Adversely Affected	Agent	Witness	Total
84	16	1	3	104

Complaint Allegations made by 16 year olds and under

Breakdown and summary for the above based on finalised complaint allegations

CO/238/05

OTHER ASSAULT

The complainant alleged that he was punched by an off-duty Police Officer following a disturbance in the street close to the officer's house. The assault is said to have happened on 29/10/2005. The case has been dispensed

CO/271/05

OTHER ASSAULT

Complainant alleged that her son was assaulted by an off-duty officer, whilst the officer was attempting to detain her son. The case has been dispensed

CO/317/06

OTHER NEGLIGENCE OF DUTY

The allegation is that the officer neglected to properly investigate a case, in particular to clarify discrepancies in the complainants' statement before decisions were made on the case. This case has been locally resolved.

CO/341/06

BREACH OF CODE C

The allegation is that neither the detained person (juvenile) nor the responsible appropriate adult (father) were given a copy of the Custody Record on their request and also that the Custody Officer has failed to keep accurate records. This case has been locally resolved.

BREACH CODE D

The allegation is that neither the detained person (juvenile) nor the responsible appropriate adult (father) were given a copy of the Custody Record on their request and also that the Custody Officer has failed to keep accurate records. This case has been locally resolved.

OTHER NEGLIGENCE OF DUTY

The allegation is that the officer in the case has not carried out a diligent investigation in that named witnesses have not been interviewed. This case has been locally resolved

H. STAFF CHARACTERISTICS

The tables below show the number of staff within each group for finalised complaint allegations. A staff member is counted once even if linked to more than one case.

Gender

Male	Female	Unknown	Total
108	28	1	137

Age

17-24	25-44	45-64	65+	Unknown	Total
24	101	11	0	1	137

Length of Service

0-5	6-10	11-15	16-20	21-25	26-30	31+	Unknown	Total
94	12	13	8	7	2	0	1	137

Staff Location

HQ	C	J	Prot.Serv	Unknown	OF	Total
1	43	78	14	1	0	137

Ethnicity

Asian	Black	White	Other	Unknown	Total
5	1	126	4	1	137

The actual number of unidentified staff complained of this year is 2, but the tables above show 1; the reason for this is that there is a generic nominal for unknown as all staff and therefore counted once.

J. CONDUCT**Police and Specials Misconduct Matters Recorded**

There were 14 misconduct matters recorded year to date; the table does not include those of misconduct for police staff. This is total allegations and not staff.

CODE OF CONDUCT	April – June 07-08	April – June 06-07	2007 – 08 YTD	End of Year 06-07
A. Honesty & Integrity	2	11	2	24
B. Fairness & Impartiality	0	0	0	8
C. Politeness & Tolerance	2	1	2	5
D. Use of Force & Abuse of Authority	1	0	1	1
E. Performance of Duties	2	2	2	10
F. Lawful Orders	0	0	0	0
G. Confidentiality	1	1	1	6
H. Criminal Offences	1	4	1	9
I. Property	0	0	0	3
J. Sobriety	0	0	0	0
K. Appearance	0	0	0	0
L. General Conduct	5	5	5	20
TOTAL	14	24	14	86

Police and Specials Misconduct Matters Finalised

There were 18 misconduct matters finalised this year to date, the table does not include those of misconduct for police staff. This is total allegations and not staff.

CODE OF CONDUCT	April – June 07-08	April –June 06 -07	2007 – 08 YTD	End of Year 06-07
A. Honesty & Integrity	3	3	3	28
B. Fairness & Impartiality	2	0	2	3
C. Politeness & Tolerance	1	0	1	3
D. Use of Force & Abuse of Authority	0	0	0	7
E. Performance of Duties	2	2	2	19
F. Lawful Orders	0	0	0	0
G. Confidentiality	1	0	1	4
H. Criminal Offences	1	4	1	15
I. Property	1	0	1	2
J. Sobriety	0	0	0	0
K. Appearance	0	0	0	0
L. General Conduct	7	0	7	13
TOTAL	18	9	18	94

Gross Misconduct Matters for Police Staff Recorded

Currently there are no set police staff conduct regulations, therefore they are currently best placed in the police officers conduct categories. This is total allegations and not staff.

CODE OF CONDUCT	April - June 07-08	April - June 06 - 07	2007 – 08 YTD	End of Year 06-07
A. Honesty & Integrity	2	1	2	5
B. Fairness & Impartiality	0	0	0	0
C. Politeness & Tolerance	0	0	0	0
D. Use of Force & Abuse of Authority	0	0	0	0
E. Performance of Duties	1	0	1	7
F. Lawful Orders	0	0	0	0
G. Confidentiality	1	0	1	1
H. Criminal Offences	0	1	0	1
I. Property	0	0	0	0
J. Sobriety	0	0	0	0
K. Appearance	0	0	0	0
L. General Conduct	1	3	1	4
TOTAL	5	5	5	18

Gross Misconduct Matters for Police Staff Finalised

Currently there are no set police staff conduct regulations, therefore they are currently best placed in the police officers conduct categories. This is total allegations and not staff.

CODE OF CONDUCT	April - June 07-08	April - June 06 - 07	2007 – 08 YTD	End of Year. 06-07
A. Honesty & Integrity	2	1	2	4
B. Fairness & Impartiality	0	0	0	0
C. Politeness & Tolerance	0	0	0	0
D. Use of Force & Abuse of Authority	0	0	0	0
E. Performance of Duties	7	0	7	4
F. Lawful Orders	0	0	0	0
G. Confidentiality	0	0	0	2
H. Criminal Offences	0	0	0	1
I. Property	0	0	0	0
J. Sobriety	0	0	0	0
K. Appearance	0	0	0	0
L. General Conduct	1	0	1	1
TOTAL	10	1	10	12

Misconduct Hearings

There have been no hearings finalised this year.

Gross Misconduct Hearings

There has been no gross misconduct hearings finalised this year.

K. CRIMINAL PROSECUTIONS

Recorded

A summary of each prosecution recorded during the year is as follows:

PR 1/07

Traffic

Charged - Guilty

Conviction of a Criminal Offence, Namely, riding a Motorcycle with No Insurance.

PR 02/07

Other Assault

The complainant alleged that a PCSO assaulted him after he approached the PCSO and requested a light from another PCSO.

Finalised

There has been no prosecution cases finalised.

L. DIRECTION AND CONTROL CASES**Recorded**

Home office categories

Type	April – June 07-08	2007 – 08 YTD	End of Year 06-07
General Policing Standards	14	14	125
Operational Management Decisions	2	2	41
Organisational Decisions	9	9	19
Strategy and Policy on Operational Policing	4	4	27
Total	29	29	212

Finalised

Home office categories

Type	April – June 07-08	2007 – 08 YTD	End of Year 06-07
General Policing Standards	17	17	124
Operational Management Decisions	5	5	39
Organisational Decisions	8	8	17
Strategy and Policy on Operational Policing	3	3	29
Total	33	33	209

Timescales

Type	YTD 07-08	End of Year 06-07
Total finalised	33	209
Total days	1190	8002
Average time scale	36	38

PART

2

A. SUSPENDED STAFF

A summary of staff that were suspended as at 30th June 2007:

MC 28/06

Honesty and Integrity

Date Susp: 19/09/06 Resigned 18/05/07 whilst suspended before charges preferred

B. STAFF ON RESTRICTED DUTIES

A summary of staff that was on restricted duties as at 31st March 2007:

CO 11/07 Supervised by IPCC – PR 02/07

1 x Other Assault

Officer restricted non-operational duties - working in crime management in Luton

The complainant alleged that a PCSO assaulted him after he approached the PCSO and requested a light from another PCSO.

MC 25/06

1 x General Conduct

On the 3rd June 2006 whilst off duty in a public place, namely St Neots Road, Sandy, it is alleged that an officer made deriding sexual remarks to a member of the public, which were overheard by complainants sister thereby behaving in such a manner which is likely to bring discredit upon the police service.

MC 06/07

1 x Criminal Offences

The officer, after having received a criminal caution from Thames Valley police (MK station) has continued to contact via letter/e-mail/text and phone his ex-partner. She has made a further allegation of harassment against him; the offence allegedly took place in the Bedfordshire area.

C. COMPLAINTS WITH THE IPCC

Currently there are two complaint cases at the IPCC:

CO 2/07

1 x Other Assault

The complainant alleges an unknown officer attacked her friend which caused him to fall and injure himself.

1 x Incivility

It is alleged that when the complainant approached the officer concerning his actions, the officer became abusive and swore at her.

CO 11/07

1 x Other Assault

The complainant alleges that a PCSO assaulted him after he approached the PCSO and requested a light from another PCSO.

D. COMPLAINTS WITH THE CPS

Currently there are no cases at the CPS

E. CIVIL LITIGATION CLAIMS

Recorded Claims

The table below relates to claims and not cases

Category	April – June 07-08	April – June 06 - 07	2007 – 08 YTD	End of Year 06-07
Anxiety / Distress	2	3	2	12
Assault/battery	0	2	0	3
Consequential Loss	1	0	1	2
Dog Bite	1	0	1	1
Loss Of Earnings	2	0	2	11
Embarrassment / Humiliation	1	0	1	1
False Imprisonment	0	1	0	4
Harassment	0	0	0	0
Malicious Prosecution	0	1	0	2
Misfeasance	0	0	0	0
Negligence	0	0	0	4
Other	0	0	0	2
Payment For Services	0	0	0	0
Personal Injury	1	1	1	16
Property Damage (buildings)	1	5	1	14
Property Damage (personal)	1	2	1	7
Property - Loss Of	0	3	0	5
Property - Unlawful Retention	1	0	1	0
Property, Seizure	0	1	0	6
Property - Trespass Onto	0	0	0	0
Racial Discrimination	0	0	0	0
Sexual Discrimination	0	0	0	0
Sexual Harassment	0	0	0	0
Shock	0	0	0	0
Slander / Libel / Defamation	0	0	0	0
Trespass Person	0	0	0	0
Unlawful Arrest	0	0	0	1
Unlawful Search	0	0	0	0
Total	11	19	11	91

Closed Claims

The table below relates to claims and not cases

Category	April - June 07-08	April - June 06 - 07	2007 – 08 YTD	End of Y 06-07
Anxiety / Distress	1	1	1	10
Assault/battery	0	0	0	1
Consequential Loss	0	0	0	0
Dog Bite	0	0	0	3
Embarrassment / Humiliation	0	0	0	16
False Imprisonment	0	7	0	0
Harassment	0	0	0	15
Loss Of Earnings	0	0	0	1
Malicious Prosecution	0	0	0	0
Misfeasance	0	0	0	0
Negligence	0	2	0	6
Other	0	0	0	3
Payment For Services	0	1	0	1
Personal Injury	1	2	1	30
Property - Loss Of	1	5	1	17
Property Damage (buildings)	1	3	1	6
Property Damage (personal)	0	2	0	8
Property, Seizure	3	1	3	0
Property - Unlawful Retention	0	0	0	2
Property - Trespass Onto	0	0	0	0
Racial Discrimination	0	0	0	1
Sexual Discrimination	0	0	0	0
Sexual Harassment	0	0	0	0
Shock	0	0	0	0
Slander / Libel / Defamation	0	0	0	0
Trespass Person	0	0	0	0
Unlawful Arrest	0	0	0	2
Unlawful Search	0	0	0	0
3 rd Party	0	0	0	0
Total	7	24	7	122

Costs

Total costs for the year 2007/08 are as follows:

Category	Claimant Costs	Defence Costs	Settlement	Total
Personal Injury	0	4380.05	7600.00	11980.05
Property - Loss Of	0	0	2000.00	2000.00
Property Seizure	0	55.00	2300.00	2355.00
	0	849.00	0	849.00
Property Damage Buildings	0	0	50.00	50.00
Unlawful Arrest	0	0	500.00	500.00
Total	0	5284.05	12450.00	17734.05

F. EMPLOYMENT TRIBUNAL ALLEGATIONS

Recorded Allegations

The table below relates to allegations and not cases

CATEGORY	April – June 07- 08	2006 - 07
Sex Discrimination	0	1
Constructive Dismissal	0	0
Breach of Contract	0	1
Disability Discrimination	0	1
Unfair Dismissal	0	2
TOTAL	0	5

Finalised Allegations

The table below relates to allegations and not cases

CATEGORY	April – June 07- 08	2006 - 07
Sex/Race Discrimination	0	1
Constructive Dismissal	0	0
Breach of Contract	0	1
Disability Discrimination	0	1
TOTAL	0	3

Costings

Category	2007- 08	2007- 08 Costs		
		Settlement	Defence	Claimant
Sex/Racial Discrimination	0	0	0	0
Breach of Contract	0	0	0	0
Disability Discrimination	0	0	0	0
TOTAL	0	0	0	0

G. INFORMATION SECURITY

Three areas were identified as requiring remedial work to improve compliance with the ACPO Data Protection Guidance Manual.

Bedfordshire Police is making good progress against the Community Security Policy matrix.

The Force is currently exploring the centralisation of the vetting function.

H. CONCLUSIONS

The Force continues to meet the requirements of the provisions of the Police Act 1996 with regard to the handling of Complaints and Misconduct and the Police Authority remained properly informed of the workings of Sections 67 to 76 of that Legislation.

I. RECOMMENDATIONS

That the report be accepted and noted by members of the Police Authority.

INDEPENDENT CUSTODY VISITORS' PANEL

12th June 2007

PRESENT

Mrs P Fletcher (Chair)

Mrs P Brown, Mr M Rudd, Mr G Dykes, Ms A Sigurdur, Mr A R Malik, Mr H Pratt, Ms C Atkins, Mr N Hill, Mr A Moore, Mrs J Laws, Mr P Fensom, Mr P Jerred, Mr R Singh, Mrs L Hockey, Ms. J Dowsing

Apologies for absence were received from Mrs S Edghill, Mrs S Fairs, Ms N Jacobi, Mr H Kobir, Ms T Lawrence, Dr S Spencer, Mr I Webster, Ms H Yadav, Ms V Yadav, Mr G Hudspith, Insp. P Harris, Insp. E Devlin

The Chair opened the meeting by welcoming Mrs. Linda Hockey, a newly appointed Independent Member of Police Authority, to the meeting. The Chair and members of the panel expressed thanks for the work of Bridget Murphy who had recently relinquished her post as Scheme Administrator and welcomed Pat Brown who had replaced her.

1 MINUTES

The minutes of the Independent Custody Visitors' Panel held on 13th March 2007 were amended to record Ms Jacqueline Dowsing as present and then confirmed.

2 MATTERS ARISING

There were no matters arising.

3 CUSTODY SUITE MANAGERS

Luton Custody Update

Insp. Paul Harris was unable to attend the meeting so had supplied a written update report on 'C' Division Custody Suite. The Report included:

Luton custody continued to be a very busy environment to work in.

Custody records show that 4251 prisoners had been arrested since 1st January 2007 with an average of 73 people returning on bail.

Drug Testing

Drugs testing continued to increase – For the year April 2006 to March 2007, 2072 tests were completed of which 44% were positive. The test was only given to those who had committed 'Trigger Offences' The Home Office had given a target of 95% tests to be taken. A rate of 99% average had been attained for the year.

While only two months figures were available for year 2007 it showed 413

tests completed with 198 tests proving positive or 48%. A 100% rate had been attained over this period against a target of 95%. If this rate continued another 500 tests would be expected to be taken over the year or a 24% increase.

Resource Levels

In the last report the weekend cleaners had been made redundant and staff were cleaning cells when they could. Cleaning staff had again been employed to clean the cells at weekends.

One detention officer had been made redundant from 24th May 2007. The establishment is 15 staff, there were now 12 which were split into 4 teams of 3. Due to continuing increase in workloads this was not enough when abstractions are taken into account. However all the team were working very hard to maintain their high standards.

Prisoner Meals

In order to cut costs/time and improve quality prison meals were now supplied, as of 7th May, by the Buxton Bistro from Monday to Friday, At weekends the Hospital is still being used.

Detention officers were no longer driving across Luton to collect meals twice a day, which could take more than 3 hrs from their duty. Also waste had been reduced and thereby costs but it was still early days.

Cell Block Refurbishment

In September last year when the cellblock was shut for 3 weeks for refurbishment the cells and other areas of the block were not painted due to budget restraints.

Estates were now looking to carry out that process this year (no date had been given) however the paint used requires 3 coats, each coat takes 24hrs to cure and gives off unpleasant fumes. Estates want to keep the cell block open during this procedure. A Health & Safety report has been requested by the Custody Manager because of concerns for staff and detainees if this work is carried out while the custody area remains open.

CCTV

A new CCTV system was being considered for all custody areas in Bedfordshire.

'J' Division Custody Update including Operation Safeguard

Insp. Ed Devlin was unable to attend the meeting so had supplied a written update report on 'J' Division Custody Suites and Operation Safeguard at Amphill Police Station. The report included:

Operation Safeguard

Operation Safeguard was the response of the Police Service in England and Wales to the shortage of space in the Prison Estate for remand and convicted detainees.

Bedfordshire Police were making a small but important contribution to the Operation and accommodating detainees at Amphill Police Station.

Amphill Station had a cell capacity of three. Detainees arrived late afternoon after Court hearings and were lodged overnight before being

collected the following day and taken into Prison. On some occasions detainees could be received in the early hours of the morning having travelled from further afield but in the main detainees were from London and the Home Counties.

At the weekend detainees would spend two days at Amptill before transfer to Prisons.

The Home Office was meeting all costs relating to Operation Safeguard. This included salaries, cleaning, laundry, meals and medical services.

The officers working Operation Safeguard were drawn from J and C Division; the staffing levels were one custody sergeant and either two constables or one constable and one detention officer per shift. Two shifts covered the 24 hour period 0700hrs to 1900hrs and 1900hrs to 0700hrs. The Operation was fully staffed seven days a week however if no detainees were in residence over the weekend the police officers were redeployed. The Luton officers returned to their own division, as did the detention officers but the J Division Officers patrolled the mid county with their Amptill colleagues.

Operation Safeguard in Bedfordshire had to date housed 136 detainees since 29 January 2007 and was expected to continue for some time.

The detainees were either sentenced detainees or on remand and whilst held in Police cells were subject to Prison Regulations. Members were encouraged to visit the detainees although not within the remit of the ICV. Observations would help assist in the maintenance of the standards expected from Custody Staff.

A complaint that on occasions the staff working Safeguard could not find the appropriate forms for use to record ICV visits had been received. The forms had been in stock since the start of the operation and were held in a folder appropriately marked behind the charge room desk and a reserve supply was in the storeroom off the charge room.

There was only one shower within the custody area and while it had an adequate supply of hot water and good water pressure it did tend to spray the water over the bathroom floor, which was a slip hazard. Unfortunately shower curtains were not an option due to the slight possibility a detainee could use it to hang himself. The building supervisor was aware of the problem and steps were in hand to modify the shower head to stop the flooding problem.

One of the toilets within the custody area had been out of commission for some time but had now been repaired.

Bedford and Dunstable Custody Suites

The NSPIS Custody Computer was operational at both suites and was a fully electronic system. The Custody Manager advised that once trained custody sergeants were 75% efficient on the system after two days but needed between two and three weeks working the system to become totally familiar with it.

Custody Visitors could still be provided with a paper copy of the detainee's individual record if necessary.

There were a number of strengths and weaknesses with the new system but in the main it was mostly positive.

Building works

Bedford Custody would in the near future have a small food preparation area built within the suite. This would avoid the need for staff to leave the area and go to the 4th floor of the station to prepare food and then carry hot food and liquids through the station.

Dunstable Custody would have the floor coverings replaced in the two detention rooms and the Sergeants Office.

CCTV

The Custody Manager had recently travelled to Lincoln City Custody Suite to inspect their CCTV set up and was impressed by the suite but not by the CCTV. However it was the first step on the process of installing a more comprehensive and user friendly CCTV system for Custody Units in Bedfordshire.

Other Initiatives

The Custody Manager was concerned about the small number of Sergeants who were competent to work in the custody environment and the difficulty extracting staff from Custody to undertake training and discuss good practice. He believed that the Operational Superintendent shared this concern, and a number of solutions were being looked at. It was hoped that an update would be given at the next meeting.

The Custody Manager would like to see more visits to Custody Suites at weekends and during the early hours of the morning when the night-time economy is in full swing.

The contribution of the ICV scheme in maintaining standards and highlighting concerns was acknowledged and Custody Visitors were thanked for their efforts.

Superintendent. Criminal Justice Unit

Supt. Neil Wilson advised that Custody Visitors must report all issues that concern them and any matter that are not satisfied with on their visits. In the first instance they should report to the Custody Officer and should then ask to speak to the Duty Inspector if they feel it appropriate. The matter should also be noted on the Independent Custody Visitor Record.

Concerns were raised about some custody staff being unaware of the ICV scheme. Supt. Wilson would send a memo to Custody staff explaining the importance of the scheme, and of having good communication links with the Custody Visitors.

Supt. Wilson informed the panel that a Police Officer was required to watch over a detainee who was suspected of being suicidal. The Officer would sit outside the open door of the cell and observe the detainee. Officers carrying out this work had usually been withdrawn from patrol and were not custody staff.

In more modern custody suites glass doors/walls or advanced CCTV monitoring enable observation of high-risk detainees using less manpower.

It is hoped that the new custody suite, when it is built, will have the best design and up-to-date technology available. Supt. Wilson hoped to be able to show the plans for the new custody suite, when they were available, to the panel for their comments.

Issues identified by Custody Visitors were:

- Ceramic toilet pans in cells.
Custody Visitors had witnessed the destruction of a ceramic toilet pan *during a visit and questioned why stainless steel ones were not used for safety reasons.*
- There was found to be no panic strip in the Medical Room in Dunstable Custody Suite.
- The IT server in the Medical Room at Luton was surrounded by paper and a question was raised as to whether or not this was a fire hazard.
- The female bathroom at Greyfriars was to be converted to a shower facility and the Chair requested an update on this matter.

Supt. Neil Wilson agreed to look into these matters.

4 CUSTODY VISITING UPDATE

Handbook

The handbook had been updated and revised and copies were given to those attending. All Custody Visitors not attending would be sent copies by post.

The Chair requested feedback on the amended Handbook from Members of the panel. They should email Pat Brown or post their comments.

Meeting Rooms

The matter of providing Custody Visitors with somewhere to meet and hold informal meetings had been resolved.

The Divisional commanders, Ch. Supt. Andy Frost- 'J' Division, and Ch. Supt. Nicky Dahl - 'C' Division, had agreed to allow Visitors to use rooms at Greyfriars and Luton Police Stations for their meetings.

Mike Rudd, Scheme Co-ordinator, is to liase with Pat Brown, who will make arrangements to use the rooms.

The Chair expressed that it is hoped that one outcome of these meetings would be that the Panel would be instrumental in influencing the agenda and bringing matters of their concern to meetings.

Probation Interviews

Probation Interviews were in the process of being arranged for all Custody Visitors who had joined the scheme in March. The interviews would be held in September.

Freepost Address

The Chair expressed appreciation of the work carried out by the Custody Visitors and stressed that the Authority had no wish for any of the volunteers to be out of pocket. The Police Authority Freepost address was given to Custody Visitors to use to return their custody visitor records and expenses forms.

The address is:

Bedfordshire Police Authority
Freepost ANG 5778
Bridgebury House
Kempston
MK43 9AX

5 MONITORING REPORT

Supt. Neil Wilson, Criminal Justice Unit, presented the joint report of the Chair and Deputy Chief Constable. This included:

Key issues identified by custody visitors: -

A copy of the issues log for the period under review was distributed to members of the panel prior to the meeting. The issues raised were:

- The cleanliness of the custody suite at Luton at weekends, as the number of cleaners on duty had been reduced. This was discussed at the last meeting. Arrangements have been made to ensure the custody suite at Luton is kept clean at weekends
- The use of the female bathroom as a store at Greyfriars was also raised. The female bathroom at Greyfriars has been cleared.
- The issue of smoking in the exercise yard at Dunstable. Staff had been reminded of the no smoking policy.
- The custody officers dealt with other problems that were pointed out by the visitors at the time.

Attitude of custody staff

There were only positive comments about the custody staff during the period under review.

Developments of interest to custody visitors.

The national custody system was now operational at Bedford and Dunstable. The introduction had been relatively smooth and the system appeared to be working well overall. Rollout to Luton was expected during July and staff abstractions for training on the new system were expected to add to the pressure prior to its introduction.

Operation Safeguard was introduced during the period covered by this report and Ampthill was used to house the prisoners allocated to Bedfordshire.

Summary of visits.

Information on custody visits carried out during the period under review was distributed to members of the panel prior to the meeting. Visitors were asked to note that this was for a 3 monthly period, whereas previously 4 month's worth of data had been shown. This would in time allow comparison with other force data that is compiled quarterly and for financial years rather than calendar years.

The total number of visits during the period under review was 24, very close to the target of 27. This was rather more than the number of visits made during the last period reviewed. There was a big increase in visits in March following the training of a number of new Custody Visitors. Fifty-one detainees were seen, and the average number of detainees seen per visit was 2. At the time of the visits the total number of detainees was 135, therefore just over 17% of detainees had chosen to be visited. This is much lower than the rate noticed previously. Ampthill received a total of 2 visits, Bedford 6, Luton 9 and Dunstable 7; the target figure was 9, 12 and 6 visits to Bedford, Luton & Dunstable respectively. There was no target for Ampthill, which was only in use to house Operation Safeguard prisoners at present.

Overall, the visits were spread out, with visits on every day of the week. Visits were reasonably spread throughout the day, although, very considerably, there were none at mealtimes.

Supt. Wilson stressed that all issues of concern should be reported at the time to the Custody Officer where possible.

Custody Managers had requested that more visits were carried out during unsociable hours and at weekends at all custody suites.

The introduction of the NPSIS system had been rolled out in Dunstable and was due to go live at Luton in July.

Members of the panel were advised that there was a change in legislation due in July 2007 that allowed Police Forces to employ Custody Officers who were not Police Officers. Bedfordshire Police had not yet taken a view on this matter. An update would be provided for the next meeting.

It was agreed that this matter be discussed at the next Human Resources Committee of the Police Authority.

6 OPERATION SAFEGUARD

A report on Operation Safeguard had been included in the 'J' Division Custody Update Report - Minute Item 3.

7 UPDATE FROM SCHEME CO-ORDINATOR

Mr Mike Rudd was reappointed Scheme Co-ordinator. This appointment was to be reviewed on an annual basis.

The job of the Co-ordinator is to encourage Custody Visitors to visit and

advise which custody suites to visit to enable the scheme to meet monthly targets.

Mr Rudd reported that the monthly targets for visits had been met for all custody suites in May 2007.

Mentors to new Custody Visitors were thanked for their hard work.

New Custody Visitors were commended on their enthusiasm and commitment to the scheme.

Mr Rudd advised that Custody Visitors at Dunstable were now required to wait in the corridor outside the office so that they were not able to have sight of the whiteboard with detainee's details.

All Custody Visitors should be encouraged to attend the panel meetings. One reason is that they provide an opportunity to arrange visits with colleagues in a way that is easier than by telephone or email.

8 COUNTER TERRORISM

The Chair informed members of the panel of current national and regional discussion on the subject of increased vetting of Independent Custody Visitors visiting terrorist suspects.

The two options being discussed are:-

- 1) Should all Independent Custody Visitors be vetted to a higher level
- 2) Should some Independent Custody Visitors be vetted to a higher level

The view of ACPO was that there needs to be enhanced vetting for terrorist suspects.

Bedfordshire Police Force had not made a decision on this matter.

Independent Custody Visitors for the Metropolitan Police already have enhanced vetting for some high security custody suites.

Members of the panel were invited to give their views on the matter. They should email or post their comments to the Chair through Pat Brown, Scheme Administrator.

A report on Independent Custody Visiting and Counter Terrorism would be presented at the next meeting.

9 DIVERSITY TRAINING

All Custody Visitors were invited to attend a six week course of Diversity Training in September and October. They were encouraged to attend at least three of six modules of the course. Responses were required by the end of June.

10 DATE OF NEXT MEETINGS

Tuesday 9th October 2007 at 6.30pm at Bridgebury House, Woburn Road, Kempston.

11 ANY OTHER BUSINESS

The Chair requested feedback on the amended Handbook and reminded the Panel that agenda items for Panel Meetings were most welcome.

Members of the panel were informed that their identity cards will now enable them access to Bridgebury House via the first barrier from the road.

