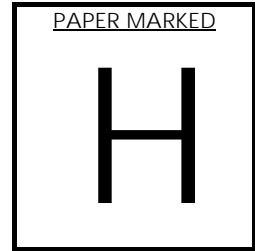


LEICESTERSHIRE POLICE AUTHORITY



Meeting **PROFESSIONAL STANDARDS COMMITTEE**

Date **THURSDAY 3 SEPTEMBER 2009 - 2.00 P.M.**

Report of **DEPUTY CHIEF CONSTABLE**

Subject **RECORDING OF POLICE /STAFF CONVICTIONS**

Purpose of Report

1. This report provides members with information concerning a recent article in the Police Review detailing responses from Forces asked to provide statistics relating to Police Staff convictions and outlines the Force position in relation to the recording of this information.

Commentary

2. The article in the Police Review was published on 10 July 2009 pages 18 – 21 and titled 'The Unusual Suspects' and was by Sarah Bebbington.
3. In the second paragraph of the article Bebbington states that Police Review has asked all forces: "How many members of police staff had been convicted of criminal offences in 2008?" This is factually incorrect. The actual question to all forces was: "How many criminal convictions committed by civilian police staff has the force been notified of in the 2008 calendar year?" The difference in the meaning of these two questions is significant.
4. This was followed by four subsequent questions which did not apply to Leicestershire as we did not have any.
5. The results of the Freedom of Information (FOI) request were displayed as a table and formed the basis of the article. The response from Leicestershire was 'no information held'. This response is the recognised response to FOI requests in cases where the answer to the question is '0'. The other Forces who responded 'nil' should, in fact, have answered 'no information held', like ourselves and Wiltshire.
6. The FOI response was provided from Professional Standards Administration and factually correct for the calendar year 2008. If the question asked had been, "How many police staff currently employed have criminal convictions?", the response would be "One".

7. Police officers and staff are 'notifiable' occupations and the Professional Standards Department in a Force is notified upon conviction of a member of staff. However, a number of factors impact on the ability of a Force to maintain accurate records in relation to criminal convictions and arrests:
- **Honesty** – individuals who are aware that the Force will be notified of their arrest/conviction lie about their occupation. There is no requirement to provide proof of occupation upon arrest. Some individuals obviously go further than this and provide entirely false details. To mitigate against these issues, it is included within police staff contracts that HR must be notified of a change in circumstance which includes receiving a conviction and HR issue Latest News publications reminding staff of this obligation. For police officers, the requirement to notify of arrest/conviction is contained within the Standards of Professional Behaviour (Standard 9). However, if someone has already given false details or lied about their occupation they are unlikely to report this.
 - **Special Constables** – more likely to give their substantive occupation if arrested/convicted and as above, the onus would then be on them to notify the Force under Standard 9.
 - **Temporary/Agency staff** – likely to give the agency details rather than the fact they are currently 'sub contracted' to a Police Force.
 - **Misconduct proceedings** – where officers or staff have received convictions as a direct result of an investigation conducted by the Force, the Professional Standards Department are always notified.
 - **Data Quality** – Forces such as Leicestershire which uses the NSPIS Custody system have an added 'complication' in that there are two occupation fields in the form and it is the second of these that is several pages into the record, which automatically notifies the notifiable occupation postholder. A notification will not take place if this field is not completed.
8. In conclusion, information relating to Police officers and staff with convictions, that are either directly notified to us by the individual or via vetting and disclosure, is collated and maintained by the Professional Standards Department. It is possible, however, that police officers, specials, police support staff and others working for or with the Force could be obtaining convictions both in Leicestershire and in other forces which this force would never become aware of either through deliberate action by the employee to give false details, or failure by another employee to complete the relevant details on a custody system.

Recommendation

9. The Authority is recommended to note the process relating to the recording and notification of convictions.

Implications

Financial: none. Legal: none. Diversity: none. Risk Management: none.

Background Papers

Police Review Article.

Officer to Contact

Mr C Eyre, Deputy Chief Constable.