

DISPROPORTIONALITY IN POLICE PROFESSIONAL STANDARDS

AN INVESTIGATION OF INTERNALLY RAISED MISCONDUCT PROCEEDINGS IN GREATER MANCHESTER POLICE WITH ADDITIONAL STATISTICAL ANALYSES OF WEST MIDLANDS POLICE AND BRITISH TRANSPORT POLICE DATA: AND STATISTICAL ANALYSES OF COUNTER-CORRUPTION DATA IN THE THREE SERVICES

EXECUTIVE SUMMARY

Background

- I. Research into disproportionality in police professional standards, commissioned by Greater Manchester Police (GMP), West Midlands Police (WMP), British Transport Police (BTP), Greater Manchester Police Authority (GMPA), West Mercia Police, the Home Office, Association of Chief Police Officers, National Policing Improvement Agency and Independent Police Complaints Commission, commenced on 1 March 2011.

Methods and data

- II. Descriptive and inferential quantitative research methods were applied to statistical data provided by GMP, WMP and BTP and qualitative research methods were applied to GMP data, including analysis of investigating officer reports, internal reports, minutes of meetings, training materials and interviews with BME officers who had been subjected to internally raised misconduct proceedings, staff association representatives, serving and former PSB supervisors and investigators, Command officers and members of the GMPA.
- III. For the purpose of the research two types of disproportionality were defined:
 - Numerical disproportionality: descriptive statistical methods were used to identify if there was disproportional representation of different ethnic groups in internally raised misconduct proceedings and counter-corruption intelligence data provided by GMP, WMP and BTP and inferential methods were used to confirm the statistical significance of findings.
 - Procedural disproportionality: qualitative research methods were used to identify if members of different ethnic groups in GMP were subjected to disproportional treatment in internally raised misconduct proceedings.
- IV. The objectives of the research were:
 - i. to determine whether or not numerical disproportionality on grounds of ethnicity was identifiable in internally raised misconduct proceedings in

- GMP, WMP and BTP between 2007/08 and 2010/11 and counter corruption intelligence in the three services in 2010/11; and
- ii. to determine whether or not procedural disproportionality on grounds of ethnicity was identifiable in internally raised misconduct proceedings in GMP.

Documentary analysis

- V. Documentary analysis presented in Chapter One revealed that concern with disproportionality in internally raised misconduct proceedings came to the fore in GMP in 2003, about the same time as in other police services in England and Wales. Four reports published between March 2004 and March 2005 were of particular significance:
 - Ghaffur, T. (2004). *Thematic review of race and diversity in the Metropolitan Police Service*. Published by the Metropolitan Police Service.
 - Morris, Sir W. (2004). *The Case for Change: People in the Metropolitan Police Service*. Published by the Metropolitan Police Authority.
 - Lowe, J. (2005). *GMP Internal Affairs Branch Discipline and Policy Unit Research Report*. GMP unpublished report.
 - Commission for Racial Equality (2005). *The Police Service in England and Wales*. Published by the Commission for Racial Equality.
- VI. In these reports, subsequent publications and internal GMP documents concerns have been consistently expressed with disproportionality in internally raised misconduct proceedings on a number of grounds, including:
 - presentations of statistical analyses that indicate disproportionate over-representation of BME personnel in proceedings;
 - perceptions of a tendency for managers to resort to formal measures more quickly when dealing with the behaviour of BME personnel than white personnel; and
 - perceptions that disproportionality in internally raised misconduct proceedings are connected to the under-representation of BME officers in senior ranks.

Structure and working practices of GMP Professional Standards Branch

- VII. The structure and working practices of GMP Professional Standards Branch (PSB) are presented in Chapter Two. Analyses of PSB investigating officer reports started and completed between April 2007 and March 2011 are presented. These support the perception identified in Chapter One that GMP BME officers and staff are more likely to be referred to PSB compared to white officers and staff.

Is there evidence of numerical disproportionality in GMP, WMP and BPT?

- VIII. Statistical analyses findings of the 2007/08 to 2010/11 internally raised misconduct proceedings and 2010/11 counter-corruption intelligence data are presented in Chapter Three.
- IX. In GMP numerical disproportionality on grounds of ethnicity was not identified for officers or staff in internally raised misconduct investigations. Statistically significant over-representation of BME officers and staff was identified in the GMP counter-corruption intelligence data. Asian officers and staff were 2.79 and 3.59 times more likely than white officers and staff, respectively, to be subjected to counter-corruption intelligence. Black status was not significant for officers or staff.
- X. In WMP statistically significant over-representation of BME officers was identified in internally raised misconduct investigations. Disproportionality was more pronounced for Asian officers who were 2.08 times more likely to be subjected to investigation than white officers. There was no over-representation of BME staff in WMP. Over-representation of BME officers and staff was identified in the 2010/11 WMP counter-corruption intelligence data (inferential analyses were not conducted and it is not possible to state if these finding were statistically significant).
- XI. In BTP there was statistically significant over-representation of BME officers and staff in internally raised misconduct investigations. Black officers and staff were 2.41 and 2.73 times more likely than white officers and staff, respectively, to be subjected to investigation. Asian status was not significant for officers or staff. Disproportionate over-representation of BME officers (marginal) and staff was identified in the 2010/11 BTP counter-corruption intelligence data, but this was not statistically significant.

Is there evidence of procedural disproportionality in GMP?

- XII. GMP qualitative research findings are presented and analysed in Chapter Four and Five. The evidence in support of the existence of procedural disproportionality in internally raised misconduct proceedings in GMP was compelling. The experiences and perceptions of BME officers interviewed were of a two tier misconduct system in which they were subjected to unjust and punishing treatment and white officers were dealt with informally. There was broad consensus among interviewees of the preference of divisional managers and supervisors to refer BME officers to PSB.
- XIII. Since introduction of the 2008 Police (Conduct) Regulations (the Taylor Reforms) PSB have developed a regulatory approach to internally raised misconduct referrals and have worked to encourage consistent supervisory practice across GMP divisions.
- XIV. Despite agreement among Command, PSB personnel, investigated BME officers and staff association representatives about the principal problem

associated with disproportionality in internally raised misconduct proceedings, these key stakeholders were divided in their perceptions of the cause of the problem. On the one hand, Command officers and PSB personnel attributed referrals to PSB and formal approaches to the behaviour of BME officers to the fear of being accused of racism. To BME officers and staff association representatives, on the other hand, these practices were perceived to amount to a subtle form of racism.

- XV. The ways in which GMP attempts to 'deal with difference' was identified as a primary cause of concern. Investigated BME officers and staff association representatives were of the view that the service does not understand difference, that to be different is wrong and misconduct proceedings serve as a means of dealing with difference. In contrast, Command and PSB personnel pointed to the vulnerability of Asian personnel to cultural pressures and the need for GMP to safeguard against risks to the integrity of the service.
- XVI. It is evident GMP experience major difficulties when attempting to deal with difference. In Chapter Five the impression of a haphazard and ineffective 'dealing with difference' process is presented of 'top down messages colliding, and mixing, with bottom up cultural norms' which persons of different cultural backgrounds feel excluded from.
- XVII. It is concluded that procedural disproportionality in internally raised misconduct proceedings in GMP, and associated concerns with limited career development prospects of BME officers and low BME recruitment numbers, are symptomatic of a flawed approach to dealing with difference.

Conclusions

- XVIII. Although numerical disproportionality was not identified in the 2007/08 and 2010/11 GMP internally raised misconduct proceedings statistical data, small numbers of investigations, substantiations and sanctions were observed in GMP in comparison with the WMP and BTP data. This was particularly the case in regard to proceedings involving white police officers. In total 429 white GMP officers were investigated, the substantiation rate was 25.87 percent and 25.23 percent of substantiated cases resulted in the issue of sanctions.
- XIX. It is suggested that concern with disproportionality and unresolved conflicts dating back at least to 2003, the year the BBC broadcast its 'Secret Policeman' documentary and three signal misconduct cases commenced which involved BME officers often referred to by interviewees, have contaminated professional standards practice in GMP. The small number of substantiations of internally raised misconduct proceedings, 27.77 percent of all investigations of officers and staff between 2007/08 and 2010/11 (resulting in the issue of a total of 37 sanctions) suggests GMP's internal misconduct system is suffering from paralysis as a consequence of failure to address these longstanding problems.

- XX. In light of numerical disproportionality having been identified in the WMP and BTP 2007/08 to 2010/11 data, and concerns with disproportionality in internally raised misconduct proceedings on grounds of ethnicity, limited career development prospects of BME officers and low BME recruitment numbers across police services in England and Wales, it is held that the GMP qualitative research findings presented in this report are generalizable.
- XXI. There are four recommendations of the research:
- Recommendation 1: the findings of this report should be critically appraised, at the first opportunity, by a GMP working group that is broadly representative of its hierarchical structure, cultural diversity and operational breadth.
 - Recommendation 2: further research into covert investigations in GMP should be undertaken.
 - Recommendation 3: further research into misconduct and covert investigation procedures and practices in WMP and BTP should be undertaken.
 - Recommendation 4: this research report should be published online as soon as practically possible.

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