



Home Affairs Committee

Oral evidence: [Police National Database](#), HC 960

Tuesday 20 January 2015

Ordered by the House of Commons to be published on 20 January 2015.

[Watch the meeting](#)

Members present: Keith Vaz (Chair); Michael Ellis, Paul Flynn, Dr Julian Huppert, Tim Loughton, Mr David Winnick.

Questions 1 – 76

Witness: **Chief Constable Paul Crowther OBE**, British Transport Police, gave evidence.

Q1 Chair: Could I call the Committee to order? The Committee from time to time hears from the Chief Constable of British Transport Police, but we have called you now, Mr Crowther, because of the concern about the way in which you operate the Police National Database and testimony that has been in the public domain by former employees, and those contracted to do work for the British Transport Police, in respect of the information on the database.

The Police National Database is of course a very important instrument. We saw for ourselves yesterday the mother of Breck Bednar and the lack of action by Surrey and Essex Police in checking against the Police National Computer and the Police National Database for concerns about her son and the gentleman who was trying to groom him. That is why we are concerned.

I have received a piece of information just now as a result of what was in the public domain yesterday, in which a former employee is quoted as saying that the BTP is institutionally incompetent and utterly dysfunctional, and that the subject of data protection and collation is at the very tip of a huge iceberg of incompetence and mismanagement, cover-up, corruption and bullying of staff who dare to question senior managers.

We also hear that there were 10,000 boxes containing material, the detail of which remains unknown to the BTP and a lot of information that has either not been put on the computer or has been put on the computer inaccurately. Do you dismiss all these criticisms of the organisation? Can I remind you what I reminded other witnesses about the seriousness of misleading a Committee of this House?

Chief Constable Crowther: Absolutely. Chairman, I do not dismiss the information. It is a significant issue that I take very seriously and have done as a result of some proactive investigation that we implemented into our whole approach to information management back in 2013. This particular issue that has been highlighted around the creation of nominal records was proactively identified as part of that review.

Q2 Chair: Yes. Could you tell the Committee what your definition of a nominal record is, in simple, plain, English?

Chief Constable Crowther: Yes. A nominal record is where a piece or pieces of information relating to an individual has come to our notice, where we are reasonably certain that that is the same individual, and then a nominal record is created, which is a formatted electronic document containing specific information around that person—date of birth, address and so on.

Q3 Chair: By name?

Chief Constable Crowther: By name.

Q4 Chair: This is not happening at the moment? It sounds like a pretty straightforward thing that you should do.

Chief Constable Crowther: It is happening at the moment, Chairman.

Q5 Chair: When did it start happening?

Chief Constable Crowther: The review that we carried out identified in May 2013 that not as many nominal records were being created as should be within BTP's legacy intelligence system, and that in turn feeds the Police National Database.

Q6 Chair: If I can stop you there, that is pretty serious, is it not? If "not as many" is the term, members of the public, Members of Parliament, would expect that everyone who has become known to the police will have a nominal record, simply because all police officers would go to the Police National Database in order to find out about what a person who they have an interest in has done. So this should happen to everyone, should it not, really?

Chief Constable Crowther: No, Chairman, no.

Chair: No?

Chief Constable Crowther: I can understand why people might take that view, but within the British Transport Police intelligence database there are some 800,000 intelligence reports that have been submitted and inputted into the system. The majority of those would, I suggest, have details of at least one person attached to them, and it is a physical impossibility, and would be a bureaucratic nightmare, to try to create a nominal record for every individual.

Q7 Chair: How do you know if you have the information and no one is looking at it and does not want to create a nominal record which are the important issues and which are the non-important issues? Of these 10,000 boxes containing material, the detail was not really known to you.

Chief Constable Crowther: The boxes issue is a separate issue, if I may come back to that. In terms of decisions about when to create a nominal there is some guidance and protocols about when you should, particularly around—

Q8 Chair: From whom?

Chief Constable Crowther: It comes within our own force.

Q9 Chair: All right. To help us, would the Metropolitan Police or Leicestershire Police do something different?

Chief Constable Crowther: They do something very similar.

Q10 Chair: All right, but there is not one national set of guidelines as to what you should create a nominal record for?

Chief Constable Crowther: I believe there is some guidance from the NPIA as it was, probably from the PND project around it, and it is broadly if there is more than one bit of intelligence about an individual, and specifically if it is at the more serious end of offending, so for example there are things called MoPI 1 category of offenders, MoPI stands for Management of Police Information, and that is at the higher end, so sexual offenders, violent crime.

Q11 Chair: Yes, but how will you know they are more serious than somebody who has a traffic offence before you put this on the computer?

Chief Constable Crowther: We don't.

Q12 Chair: Is that not the issue? You do not?

Chief Constable Crowther: Someone only is elevated to a nominal record if there is a collection of data, but perhaps I might explain a little bit more about the system. The creation of a nominal record allows any police force to collate different sources of information about an individual in one place.

Chair: Sure, we understand that.

Chief Constable Crowther: It makes it easier to search, but it is not the only way it can be searched.

Q13 Chair: No. The other way is to get a BTP reference, but if you have the BTP reference you would not need to look at a nominal record, would you?

Chief Constable Crowther: You would not, but you can in any case search in a free text mode. Within the BTP system many of the searches, which I think is behind—

Q14 Chair: As a result of the review what did you find and what have you changed to reassure this Committee that you know that this is a problem?

Chief Constable Crowther: As a result of the review we commissioned some urgent work. We identified the scale of the problem. We set aside some specific resources to carry out a back record review of all records. So for example the Police National Database link between BTP and

PND was established in 2011, but we did not go back just to 2011. We went back many years before that, to make sure that the data within our own system was structured and created nominals.

Q15 Chair: We are now in January 2015, so since May 2013 how many new nominal records have been created?

Chief Constable Crowther: I do not have that figure. What I can tell you is we are up to within 2012, so from the point when we identified it we put steps in place—

Q16 Chair: You identified it in May 2013, not 2012.

Chief Constable Crowther: No, so we identified it in May 2013. We put immediate steps in place to make sure that going forward nominals were created and we did a back record review going back as far, I believe, to 2001, looking at people and creating nominals. We have reached 2012.

Q17 Chair: What is the percentage, then? If you do not know the numbers, what is the percentage that you have now created?

Chief Constable Crowther: I would be having a stab at that, Chairman. We are at 2012.

Q18 Chair: Should you not want to know that? Should you not have that information, given the criticisms that have been made about the way in which you are running the BTP?

Chief Constable Crowther: What I do know is that we think that we will have completed that work by June of this year, and I have asked for some more resource to be applied to it, to bring that forward.

Q19 Chair: Completed what work? You will have nominal records for all the information you have by June?

Chief Constable Crowther: We will have nominal records for all of the MoPI 1 category offenders that we have identified going back over this process.

Q20 Chair: Until then, what is going to happen if someone in Sussex, for example, uses the Police National Computer to try to access the name of a particular individual who does not have a nominal record that has been created by the British Transport Police?

Chief Constable Crowther: There are a number of ways that we contribute to the Police National Database. Within BTP we record crimes according to the National Crime Recording Standard, which the Committee will be very familiar with. We record any suspect or offender data that is appended to those. Uniquely within BTP we record a whole raft of information.

Q21 Chair: It is a longer process than the process of having a nominal record, is it not?

Chief Constable Crowther: Not really, Chair, because in fact—

Q22 Chair: Why are you bothering to have a nominal record, then?

Chief Constable Crowther: There is an issue around that, which says we have a legacy intelligence system, we have a crime system, and then there is a nominal that is created on the Police National Database. The position that we have found ourselves in, and it is not unique, is that we have—

Q23 Chair: It is not unique? You mean if we went to other police forces they would be in the same position as you, having boxes and boxes of files there?

Chief Constable Crowther: No, that is not what I am suggesting.

Chair: So it is just unique to you? It is just the British Transport Police?

Chief Constable Crowther: I do not know what the position is in other forces.

Chair: Have you asked?

Chief Constable Crowther: What I have been concentrating on is—

Q24 Chair: You meet your fellow chief constables on a regular basis. You are a member of ACPO. When this first came to light in May 2013 and you discovered that all this stuff was going wrong, did you not ask another chief constable, maybe the one from Bristol or South Wales, because that is in your area, whether they had the same problem?

Chief Constable Crowther: I think it was pretty clear what we needed to do. We went back to the—

Q25 Chair: Did you not ask anyone else?

Chief Constable Crowther: We referred back to the very clear guidance of what we should have been doing.

Q26 Chair: Did you ask any other serving chief constable whether they had the same problem?

Chief Constable Crowther: I did not, no. I concentrated on fixing the problem and have applied significant resource to that. We put it on our Strategic Risk Register; we have looked at some of the underlying issues around it. So it is the fact that we have legacy systems that do not talk to each other. We are about to invest £10 million this year in a new integrated system, which will create the golden nominal and we will overcome this.

Q27 Chair: Thank you. Tell me about these 10,000 boxes containing material. Are they now empty because you have looked at it all?

Chief Constable Crowther: No, they are not.

Q28 Chair: How many boxes remain?

Chief Constable Crowther: There are 10,000 boxes.

Q29 Chair: What is in them?

Chief Constable Crowther: A variety of documents. Some of them are case files, some of them are administrative files relating to, for example, timesheets and finance issues, and we have actively engaged with the Information Commissioner's Office to develop a strategy for how to deal with them. There are three options.

Q30 Chair: Why did you need to go to the Information Commissioner about boxes of information that you have? Is the issue not either archive or delete them?

Chief Constable Crowther: No.

Q31 Chair: There is a middle way?

Chief Constable Crowther: There is a consideration around it. One is that within those boxes you have to have regard to what type of information it is. If any information there relates for example to a MoPI 1 offender we are obliged to keep it for 100 years.

Q32 Chair: Is there still information in these boxes that could be relevant to MoPI 1s?

Chief Constable Crowther: Indeed.

Q33 Chair: You would need to look through them pretty quickly?

Chief Constable Crowther: We need to look through them, and we discussed with the Information Commissioner's Office the balance between taking a date-based approach to destruction, which could of course mean we destroy stuff we need to keep, as against retaining them and working through them systematically and that is what we are doing.

Q34 Chair: Finally from me, is the figure of 11,000 intelligence reports awaiting deletion current?

Chief Constable Crowther: I do not recognise that figure, and I have made extensive inquiries around that.

Q35 Chair: How many do need to be deleted?

Chief Constable Crowther: At the moment there are 1,100 and that is a figure that is added to and taken away from each day. I mentioned the 800,000 records. There are about 6,000 records a month that are created. As individuals identify a record that should be deleted they mark it as such, but it goes through a screening process, because we do not want people to be able to delete stuff they shouldn't, and someone makes that decision. So we are taking some away, and they are added to each day. It is at 1,100 and that is a figure that averages out most of the time.

Q36 Michael Ellis: Whistleblowing. What safeguards and procedures do you have in place at the British Transport Police to give people confidence to come forward if they have something that they think ought to be in the public domain? What is your policy on reporting of wrongdoing?

Chief Constable Crowther: We have a very clear policy that encourages people to report any sense they have of wrongdoing. It identifies a range of means through which they can do that. Some of them are internal, which could be through line managers, but we also have an anonymous confidential reporting line through which they can report it. We also identify the police authority they can report to, the Independent Police Complaints Commission, and various other bodies that externally people can report to.

Q37 Michael Ellis: Are you confident that you have structures in place that would support those who wish to report wrongdoing; including external routes that did not involve their own line managers?

Chief Constable Crowther: I am.

Q38 Michael Ellis: For example, if a relatively new constable was to come under your command and he did not like something that he saw, and he did not want to mention it to his sergeant, what route would he take?

Chief Constable Crowther: He could go through a number of the support organisations. He could report it confidentially through an online system, which is untraceable, which comes into the Professional Standards Department, and enables them to engage, if the person wants to, in a two-way confidential discussion about it, or they could go to the Police Authority. I know that the system works because on average we have around 100 reports a year where people report things and then those are investigated.

Q39 Michael Ellis: Of those average 100 a year, how many result in disciplinary action of one sort or another against one of your people?

Chief Constable Crowther: I do not have an exact figure, but a number of them do. They are investigated. What we seek to do is sometimes people are clearly by the nature of it reluctant to come forward as a witness, so we talk to them about how we might be able to obtain evidence from another route.

Q40 Michael Ellis: On a different subject altogether, do you disagree with the Metropolitan Police Commissioner when he has said in an interview he would like as many officers as possible? He would love a wider police service, if it could be afforded. Do you feel you are fully staffed? Would you like more officers?

Chief Constable Crowther: I think we are in a pretty good position, if I might say that. There are always challenges around budgets, and it is right that we are trying to drive out efficiencies. We have a huge transformation programme.

Q41 Michael Ellis: What about specials?

Chief Constable Crowther: We have something in the region of 280 to 300 specials and we currently have a campaign to attract about 300 specials from within our own staff. We have come up with a campaign to increase it.

Q42 Michael Ellis: Why have you rejected two Members of Parliament who have served as special constables for some years and for the first time they have been told that they are no longer permitted to be special constables? Was it you who made that decision, and why are you different from your predecessors who for many years have been very happy to see Members of Parliament serving their community in that way?

Chief Constable Crowther: The difference is the College of Policing developed and published their Code of Ethics, which was approved by Parliament, and it is very clear within the Code of Ethics that it is incompatible for a police officer to be actively involved in politics. I take the Code of Ethics very seriously and I have looked at not just MPs, I have looked at all sorts of—

Q43 Michael Ellis: Has it not always been the case that police officers ought not to be involved actively in politics?

Chief Constable Crowther: It has.

Q44 Michael Ellis: Members of Parliament have been able to serve as special constables for some time and you have decided that they now can't.

Chief Constable Crowther: I think the previous guidance that was issued by the MPIA, the forerunner of the College of Policing, left discretion to chief constables. That has changed. The Code of Ethics leaves no discretion.

Q45 Michael Ellis: You do not believe you have discretion?

Chief Constable Crowther: I do not believe I have discretion. I believe in the Code of Ethics. In the same way I am looking at other roles where people have an enforcement or a licensing function and unfortunately there are certain roles that are not compatible. The two Members have served incredibly well, and it is unfortunate that that is the Code of Ethics that we are working towards and it is important that I apply that without fear or favour.

Q46 Dr Huppert: I expect you should let the Home Secretary know you operate an untraceable communications system. She will be very upset.

Can I just turn back to these boxes? You say there are 1,100 items for deletion.

Chief Constable Crowther: On the computer system.

Dr Huppert: How long have they been there?

Chief Constable Crowther: They turn over on a daily basis, so there is a member of staff, and we funnel this into a particular member of staff for the purposes of security of the system. That member of staff reviews the record. There is a principle that you should not delete in isolation, so

we research whether there are any records applicable to this person, and when you aggregate the intelligence you can then take a view whether it should be deleted or not.

Some of those take longer than others but hopefully you can gather from that that there are new ones being added, and some being taken off the list, so it is a rotational process.

Q47 Dr Huppert: I appreciate that, but I am still trying to get a sense of how long it is on average, of the longest from going on to that list to be deleted to being deleted. Is it a day, a month, or a year?

Chief Constable Crowther: I do not have that information, but I could certainly write to you.

Q48 Dr Huppert: It would be useful to have an average, but also the longest ones. Similarly with the 10,000 boxes. Is any new information going there or is that now an old backlog that needs to be processed? Are there still archives being added to that pile?

Chief Constable Crowther: We are still archiving documents, as you might imagine, but for some time we have had a process that is already weeding those documents out. If any boxes from the 10,000 are withdrawn they are reviewed and weeded before they go back in, so there is that process in place.

Any new documents are indexed and accounted for in a very different way. We are left with this group of documents, group of boxes, and we have been looking at what is the most appropriate means to dispose of those, while making sure that we are retaining the important stuff that we need to, but that we get quickly through that backlog.

Q49 Dr Huppert: One last thing from me. You have a very different accountability structure to any of your colleagues, a completely differently structure. How do you find that works? Are they jealous of you, or are you jealous of them?

Chief Constable Crowther: I find our structure works very well.

Q50 Dr Huppert: It works very well for whom?

Chief Constable Crowther: It works very well for the stakeholders, so our stakeholders as well as the public, the rail industry operators. I think it provides them with a very high degree of oversight and transparency about what we do. It means that we are able to present options for ways of working that are beneficial to the public and beneficial to them. That in turn brings in further investment and has allowed me to expand the number of police officers I have at a time when others are contracting.

Q51 Dr Huppert: Am I right in saying that every single one of yours is personally appointed by the Secretary of State for Transport?

Chief Constable Crowther: No. I am appointed by the Secretary of State for Transport, and the deputy is. Everybody else is an employee of the British Transport Police Authority.

Q52 Dr Huppert: Sorry, I meant the Authority.

Chief Constable Crowther: Yes, they are. They are appointed by the Secretary of State.

Chair: Dr Huppert is keen to see a cyclist on the board of the authority, in view of his interest.

Q53 Chair: On the issue of whistleblowers, you have suspended, have you not, those who have come forward and made comments about these issues that are now in the public domain? Why have you done that, knowing that they have done you a service, because you have admitted that things have gone wrong?

Chief Constable Crowther: Chairman, you will know that there is an outstanding employment tribunal where these matters—

Q54 Chair: I do not want to do the tribunal here. I am saying that you suspended them. Is that the right way to treat people? Mr Ellis talked about whistleblowers. Do they not provide a public service? Should we not know when things are going wrong?

Chief Constable Crowther: First of all, I do not accept that they are whistleblowers, and that will be tested in the hearing.

Q55 Chair: What is another description of them? If they are not whistleblowers, what is their description?

Chief Constable Crowther: These were people who were employed as part of the programme to review documents and highlight issues to us, which they were doing. That was what we paid them to do.

Q56 Chair: That is their function. What would you describe the process by which this has come into the public domain? If they are not whistleblowers what are they? Traitors to the United Kingdom?

Chief Constable Crowther: No, I think they are people who have a sense of grievance and they are pursuing that through an employment tribunal. They feel very passionately about it.

Q57 Chair: Passionate about going to the tribunal, or passionate about exposing what is happening?

Chief Constable Crowther: Passionate about the subject that they have been working on.

Q58 Chair: You feel passionate about it as well. So do we, because it is not right that the public should feel that these records are not going on. You have admitted this is unsatisfactory, have you not?

Chief Constable Crowther: I have.

Q59 Chair: What about the issue of the rest of the database? Where is the database held? I have been asking people where it is. Some people think it is with the old NPJA. Some people think it is in the College of Policing. Is there a database somewhere that we can go and worship?

Chief Constable Crowther: Someone might pass me a note from behind, Chair, because I am not entirely certain.

Chair: So you do not know where it is either?

Chief Constable Crowther: It is in South Wales.

Q60 Chair: The Police National Database is in South Wales, so it is not that far away from you.

Chief Constable Crowther: I am in London.

Q61 Chair: All right, so the National Database is in South Wales?

Chief Constable Crowther: Yes.

Q62 Chair: You have not been to see it?

Chief Constable Crowther: I am not sure there is anything to see.

Q63 Chair: Why do we keep referring to it as if it is a thing?

Chief Constable Crowther: That is a very good point. It is a repository into which 200 separate databases are input from around 50 organisations. It provides the ability for, in effect, what I would describe, perhaps technically incorrectly, as a search engine that collates the data and brings it together.

Q64 Chair: Given what you have discovered with your own police force, are you worried that this is happening elsewhere? Should this Committee worry? You have not had a conversation with anyone else about it. You have got on with the job, you are telling us, of opening the boxes and speaking to the Information Commissioner. Should we be worried?

Chief Constable Crowther: What I have done, and perhaps I should have made this clear earlier, is I have spoken to the national lead for intelligence.

Q65 Chair: Who is that?

Chief Constable Crowther: Chief Constable Barton, and I have spoken to the expert around the Police National Database.

Q66 Chair: From Durham? So you did have a conversation with him?

Chief Constable Crowther: Not specifically about our issues, but more generally around PND and how to contribute to it. There are some very important developments going on.

Q67 Chair: You do not know if we look under the covers in Sussex, Leicestershire or Northampton if they have also not put data on the database there?

Chief Constable Crowther: No.

Q68 Paul Flynn: Just briefly, where in South Wales are they? Are they possibly in the old LG site where there are a number of databases?

Chief Constable Crowther: It is at Bridgend, sir.

Q69 Paul Flynn: The other point I wanted to make is how did this backlog build up? Was it gradual or sudden? It does seem to be an extraordinarily large backlog that has not been attended to.

Chief Constable Crowther: Yes. It comes about from the fact that we are a national organisation. We operate in England, Wales and Scotland. We have 150 sites and in the past what has happened is that those individual sites would archive their own documents. Sadly, that was not done in a corporate and standardised way, and that meant that we were left with this issue. We have identified it and put it right going forward, but now we have to work out the best way to quickly deal with it.

Q70 Chair: Mr Crowther, do you not lie at home at night and worry that you have missed some name in one of these boxes, or some of the intelligence you have received, who is doing what has happened with this poor young man elsewhere in this case, where their names have not gone on the computer because of a failure of the Transport Police to put it on there? Do you not worry about that?

Chief Constable Crowther: I think these are two different issues.

Chair: Do you worry about that?

Chief Constable Crowther: I do not worry about what is in the boxes.

Chair: So you are not concerned?

Chief Constable Crowther: Of course I am concerned about the boxes and we need to deal with them. I think the data that is in there, if it relates to crime, so if it is crime files, those will be on that system—

Q71 Chair: In relation to the other data that has not gone on there, do you worry about that?

Chief Constable Crowther: Of course it concerns me that data that we ought to be providing into the Police National Database has not been. That is why I take it very seriously indeed, and elevated it to the highest levels within our force, and with the Police Authority.

Q72 Chair: You are the highest level in your force, so you have elevated it to yourself?

Chief Constable Crowther: What we have done is made sure that it is on the agenda regularly, at all of the strategic meetings, to make sure that we are driving it forward. A chief officer chairs a Gold group and has been monitoring it and driving it forward.

Q73 Chair: Of course. Will you write to us in a month's time to tell us what progress you have made?

Chief Constable Crowther: I will do.

Chair: Two very quick points, Mr Winnick and then Mr Flynn.

Q74 Mr Winnick: I am not sure why I should be quick, Chair. I hope you do not make that a ruling on future occasions.

Chair: I never make that a ruling, Mr Winnick.

Mr Winnick: I am pleased.

Chief Constable, I share the concern of the Chair very much so about the documents and I don't quite understand about your refusal to accept that the people concerned were whistleblowers, but I am not pursuing it. The Chair has made the appropriate comment.

I want to briefly change the topic. In view of the acute terrorist danger, and I know of course that the British Transport Police are doing their utmost at all times to safeguard the community, but are there further steps? Of course you are not going to go into details in a public session, but one takes it that even more so steps are being taken to protect the public?

Chief Constable Crowther: Indeed. I meet regularly with colleagues from the Metropolitan Police and the Counter Terrorism Command. Since the events in Paris, and even before that, we have been constantly reviewing the threat. There have been a number of additional measures we have put in place around the whole situation, but it is a reality that we operate an open transport system, and you can never put in place the same checks that you can at an airport. Nonetheless we constantly review it. There are a number of additional steps we have taken over the last 10 days or so and we are continuing to look at what more we can do.

Q75 Paul Flynn: Can you help me with my burden of guilt? In 1987 I advised a sixth former to go into politics and to my great shame he is now the Conservative Member for Monmouth. I get some consolation from the fact that one day a fortnight he was a policeman and he was doing something useful with his life. You have ended that. You think you have helped the public by giving him an extra day to be a right-wing Conservative MP rather than doing something useful.

Chief Constable Crowther: I am meeting Mr Davis tomorrow and I can assure you it is on very good terms, as I have said earlier. The Code of Ethics has been published, it was approved by Parliament. I have applied my mind to that issue in the same way that I have done for people who are in licensed trades.

Q76 Chair: Indeed, and you did make a full explanation to Mr Ellis. This is very bad, Mr Crowther. We are not pleased, we are not satisfied and we want to see this put right immediately.

Chief Constable Crowther: So do I, sir.

Chair: Please write to us in a month and tell us what you have done.

Chief Constable Crowther: I will.

