North East Area
Staff Safeguarding Group

Working to prevent offences against staff
Anyone using physical violence, verbal threats or intimidation towards rail staff will not be tolerated.

British Transport Police and the Rail Industry Partnership are working together to protect staff at work.

Anyone who uses violence against rail staff will be arrested, prosecuted and may be banned from using rail services.
All public servants have the right to work without fear of violence.

British Transport Police (BTP) and the rail industry partnership is determined to provide a safe environment. By working together we will reduce workplace violence. Both Train Operating Companies (TOCs) and BTP recognise that it is a valid option for staff to withdraw, observe and report incidents, a decision which will be supported by managers. There is no expectation that any member of staff should engage in high risk situations with the public. There is no expectation that rail staff should seek to detain individuals pending the arrival of police.

No member of staff should feel that there is “no point” in reporting offences against them. BTP encourages the reporting of physical and verbal aggression, even if it is perceived by the member of staff to be “minor”.

Without reporting incidents such as this, BTP does not get a true image of what is happening to staff and cannot give the best possible response. If someone is verbally aggressive on several occasions but is not reported to BTP they could escalate to physical violence because they start to believe they can get away with it.

This document highlights some of the key issues arising from offences against staff in the North East Area. It is not a training package but can be used in conjunction with existing training packages to raise awareness of key points and outline some of the work that is already being done to prevent and detect offences.

There are many ways in which BTP and the TOCs work in partnership to reduce crime on the railway network. The Staff Safeguarding Group (SSG) is the latest example of how BTP and TOCs are working together to deliver a reduction in violence against staff.
The Staff Safeguarding Group (SSG) was established in December 2009 as a partnership approach between British Transport Police and the Train Operating Companies (TOCs) in the North East of England. The Group meets every 8 weeks.

The group was established with clear objectives relating to the creation of a safer working environment.

- To increase the confidence of rail staff
- To reduce crime and disorder affecting the safety of those who work on the railway
- To ensure that awareness of the problem and prevalence of staff assault and workplace intimidation is given a high profile in the industry & BTP regional partnership
- To facilitate and develop cross industry initiatives to combating and reducing staff assault and intimidation
- To be a central reference point, co-ordinating local and national information and supporting partners and individuals in dealing with workplace violence and anti-social behaviour affecting staff
- To assist in the development of, and encourage good practice in, all areas of reducing workplace violence
To provide practical problem solving to corporate members and individual staff members

The group is attended by all the train operating companies in the area. This innovative group offers a real hands on approach to practical problem solving and sharing of best practice in an area which is certainly high profile within the industry and has had some great results.

During 2010-2011 the number of staff assaults reduced by 24 offences.

This document gives TOCs and BTP an overview of staff assaults in the North East Area along with practical information aimed at reducing offences.

All Statistics referred to in this document are from the British Transport Police North East Area.
A potentially violent person will usually give off some warning signs prior to an assault. Some of these signs are obvious and need no explanation but some are more subtle and are worth becoming familiar with. The list below outlines both obvious and less obvious signs that someone is building up to an assault.

It is important not to make assumptions that some people are more likely to be aggressive than others based on a purely physical assessment. Do not allow any preconceptions you may have about body size in particular to influence your judgement.

**Obvious signs that an assault is potentially imminent**

- Fists clenching and unclenching
- Pacing up and down
- Waving fists or pointing fingers towards the victim’s face
- Loud abusive language & shouting
- Direct prolonged eye contact
- Facial expression changing, lips tightening over teeth, eyebrows dropping down and eyes glaring
- Body posture changing. Head dropping forward. Presenting more of the side of the body to the victim in a “fighting stance”. Entire body lowering and leaning forward
- Moving much closer into the victim’s personal space
- Throwing items around
- Questioning / challenging your authority and competence loudly and being increasingly sarcastic
- Erratic movements, slamming doors or waving arms around almost at random
- Accelerated breathing
# Less obvious indications that an assault is potentially imminent

- Hands begin to move around more and higher above the waistline
- Change in facial colour. More flushed and agitated
- Shoulders tensed
- Apparently disproportionate emotional response (over sensitive) to what you are saying
- Drumming fingers on a table or hand rail
- Sweating heavily
- Fidgeting. Whole body or just the hands. Especially the hands if they move specifically towards the ankle or inside any pocket / underneath clothing. This could indicate a concealed weapon
- Rapid mood swings. Moving from calm to agitated apparently at random
- Mentally withdrawn from surroundings. Person does not appear to be aware of their surroundings. In particular if they appear frightened they may lash out in the belief they are the one being attacked
- A sudden silence after initially being animated
- Increased speed of speech
- Someone who appears to be easily startled or generally fearful

The lists above show that not all the signs of physical aggression are obvious and there are many ways in which someone could indicate that they are potentially building themselves up to commit an assault. Being aware of some of the less obvious signs, such as fidgeting with items in a pocket, can help you to assess any risk there may be and judge your response accordingly.

Sadly there are no absolute rules to follow in aggressive situations. The most important thing to remember is to remain as calm as possible and
get help as soon as possible. There is no expectation from BTP or the TOCs that you should be expected to tackle someone who is violent, and if you can withdraw to a place of safety and call 999 this is the best option, especially if the person is armed.

If you feel that you have no choice but to directly engage with someone who is armed, then the best option is to back away from them, then as calmly as possible ask them to place the weapon on the ground in front of them and step well away from it before you make any attempt to retrieve it.

There are numerous training packages available on the subjects of ‘conflict avoidance’ and ‘conflict resolution’. This section is not a training package but a simple checklist to look out for.
Staff Assault levels are thankfully low but arresting and convicting those responsible for assaulting staff remains a priority for BTP. BTP and TOCs work together closely to further reduce offence levels. BTP crime analysts monitor them very closely. Regular reports are produced to build up a detailed picture of staff assaults and to see if there are any common features such as repeat locations or offenders.

BTP break down and monitor offences against rail staff as follows:

- **Robbery** against staff
- **Sexual offences** against staff
- **Anti-social behaviour** directed towards staff
- **Less serious violence** usually meaning harassment / aggressive abuse without actual injury
- **Staff assault** which can be split into categories:
  - **Common assault** where the injury is minor
  - **Actual bodily harm (ABH)**
  - **Grievous bodily harm (GBH)** where the injury is more severe

If any of the above offences are **racially motivated** they are defined as racially motivated ABH or harassment and are recorded as offences in their own right.
Research shows a strong link between anti-social behaviour and staff assaults. Any location showing an increase in ASB is more likely to become the scene of an assault. Early identification of an increase in ASB can help in allocating resources and preventing assault offences. This emphasises the need to report even low level ASB offences at stations so that resources can be directed accordingly.

The data referred to in this section is from BTP North East Area over an 18 month period.

Key points from staff assault reports

Where offences occur:

- Mainline stations have the highest concentration of staff therefore report the highest number of offences
- Around 50% of staff assaults are reported as occurring at a station
- Around 43% are reported as taking place on a train
- The remaining 7% are reported from various other locations such as car parks and trackside

Staff assault offences within a station can be narrowed down still further into approximately:

- 52% on platforms
- 12% at ticket barriers
- 10% on concourses
- 7% in booking halls
- The remaining 19% are scattered around various other locations within the station
Peak times of day or day of week

- The majority of staff assaults take place on a Saturday. There is no definitive peak time of day for staff assaults. Offences predominantly take place from late afternoon through to late at night.

What causes staff assaults?

- The majority of offences arise from a minor revenue issue such as staff having to challenge an incorrect ticket. (See case studies on page 13 for more detail)

- Alcohol is also clearly a major factor in staff assaults with drunk people becoming aggressive over delays or missing their train.

What are kind of offences are occurring?

- Common assault without injury is the most commonly reported offence followed by various Byelaw and Public Order offences. Serious injury is thankfully very rare.

- Assaults with a weapon are also very rare. Most assault offences are spitting or grabbing clothes, and pushing victims.

Through daily monitoring of offences and regular reports, BTP is able to quickly update officers and TOCs as to any emerging problems at stations or a particular route. Major events, such as football fixtures, are prepared for well in advance and closely monitored with BTP and TOCs working together to deter offenders.
A “typical” assault does not exist although research shows that most offences are the result of a ticket dispute.

Each of the case studies in this section was chosen for discussion at the Staff Safeguarding Group as it demonstrated an underlying trigger point or issue which can be learnt from. This section gives real examples of assaults on staff and attempts to identify at what point the offender moved from verbal abuse to physical aggression.

Please note that there is no blame attached in any way to the staff raised in these case studies. There is no suggestion that staff handled situations badly. In fact, in many cases, their calm approach prevented the situation from getting worse. The offences listed below help to demonstrate the most likely points at which an offender moves from verbal to physical aggression, so that staff are aware of when they may be most at risk.

These case studies give staff a better awareness of how to assess the risk level if they find themselves in similar situations.

In some of the case studies below no actual assault took place but staff were at risk from needles and weapons. Whilst assault on a member of staff with a knife or needle is extremely rare these case studies are included as staff should be aware that a small minority of passengers do carry such items.
Possession of an offensive weapon
2010, on board train, Derbyshire
(staff did not get assaulted on this occasion)
Conductor witnessed a young female self harming with a knife. The conductor asked the female to give him the knife but she refused and hid it up her sleeve. When the train arrived at Bingley she continued to self harm and was restrained by station staff who took the knife from her.

Key factor:
• Staff Member saw offender had a knife and communicated to station staff and BTP. No person was injured

Affray and violence against the person
2010, on board Freight Train, North Yorkshire
Driver of a freight train sees a male standing in the four foot and has to stop the train. Male is clearly very drunk and demands that the driver opens the cab door. The driver refuses but the male forces entry to the cab by pulling at the door until the lock pops open. The male repeatedly demands that the driver start the train and becomes increasingly agitated when the police are seen outside. He confesses to attacking and injuring his brother earlier that evening.

The driver remains calm and handles the situation very well. He keeps a conversation going despite being threatened and struck by the offender.

Key factors:
• Cab door was easily forced by the offender
• Offender was clearly drunk
• Driver remained calm despite being threatened
Possession of a knife and public order offences
2009, West Yorkshire (not a staff assault but offender was verbally aggressive and carrying a knife)
Member of staff on platform advises a male with a bike that he will need a cycle reservation for the next train but the male attempts to board the train anyway. He is prevented from boarding and told that if he waits for the next train he does not need a reservation on a Northern Service. He then becomes aggressive and starts shouting. He abandons the bike on the platform and goes to another platform. Staff have to remove the bike and place it in a storage area. Male then returns and bursts into a mess room screaming for his bike back, he then runs back out onto the platform, produces a Stanley knife from his bag and starts slashing timetables and posters. He is arrested at the scene.

Key factors:
• Offender was increasingly agitated by being told he could not board the first train and having his bike removed
• Male was able to enter a staff only area
• Male was in possession of a knife and has some mental health issues

Actual Bodily Harm
2010, at station mess room, South Yorkshire
Victims are in mess room when offender on platform smashes windows causing glass to fall in and injure staff.

Key factor:
• Mess room windows did not provide protection to staff
Actual Bodily Harm
2009, West Yorkshire
Drunk male offender is seen urinating on the station wall by a member of the public who reports it to staff. Member of staff then approached offender who is still urinating and speaks to him. Offender becomes abusive and pushes the member of staff. Member of staff then follows the offender and is assaulted a second time by being punched. A BTP PCSO arrives and is also assaulted before the male is arrested.

Key factors:
• Member of staff approached offender alone
• Offender was followed by the victim
• Presence of a uniformed PCSO did not deter further offences

Common assault
2010, Tyne & Wear
Female member of staff is busy dispatching a Train. Male offender asks her a question. She asks him to bear with her until the train is empty and continues to dispatch the train. Offender then grabs her arm and shakes her, demanding her name, saying he “won’t forget it”.

Key factor:
• Offender took offence as member of staff could not immediately respond to his question

Common assault
2010, East Midlands
Male member of staff was dispatching a train when he was asked about another train by the offender. Member of Staff asked offender to wait but was immediately pushed in the back and verbally abused.

Key factor:
• Offender took offence as member of staff could not immediately respond to his question
Disorderly conduct and endangers safety
2010, Tees Valley
Member of staff reports a male had assaulted a conductor but the victim’s train had already left. BTP officers were unable to contact him until he arrived at Newcastle where he stated he had not been assaulted and was unable to make an immediate statement.

When a statement was taken several days later it emerged that after a verbal altercation the drunk offender had tried to punch the conductor through an open window. The conductor had blocked the punch by closing the window but had been distracted from the safety critical duty of observing the platform as the train moved off.

Following this additional evidence of the seriousness of the offence, the offender was later arrested.

Key factors:
- Offender was drunk
- Offender was nearly undetected as the seriousness of the offence was not fully understood until several days after the offence due to delays in obtaining a full statement.

Common assault
2009, North Yorkshire
Member of staff was cleaning the concourse when they see a male urinating on the floor. He shouts across to the male at which point a second male appears. The second male is a friend of the urinating male and he verbally abuses then head butts the cleaner.

Key factor:
- The offender was a friend of the male challenged for urinating, not the original cause for concern.
Racially aggravated harassment and common assault

2009, South Yorkshire
Female is asked for ticket at barrier but asks why she needs to show it when it is also shown on the train. She then racially abuses the member of staff and continues through the barrier onto the train. The train manager then approaches her and asks her to leave the train due to her racial comments. She then hits two members of staff.

Key factors:
- Multiple offences arising from the initial offence
- Escalation from verbal abuse to assault

Common assault x2
Allegation and counter allegation

2009, South Yorkshire
Male is approached by member of staff asking why he is at the station. Male states he is collecting his daughter. Member of staff does not believe him and grabs the male’s arm when he attempts to walk off. Member of staff makes allegation of assault stating male pushed him. The second allegation is from the male stating the member of staff grabbed him. Neither party had any visible injuries.

Key factor:
- Member of staff grabbed hold of the alleged offender without being threatened. This left him open to counter allegations of assault
Actual Bodily Harm
2009, Yorkshire
Driver asks male to leave train as he is behaving in an anti-social manner. Male refuses. Driver takes hold of the offenders bag and walks towards the exit. He is then pushed off the train onto the platform by the offender and receives cuts and bruises.

Key factor:
• Situation escalated after victim took hold of offender’s bag

Actual Bodily Harm
2010, Humberside
Offender presents an invalid ticket on the train. Conductor confiscates the ticket and offender becomes aggressive, screaming to have it back. Conductor attempts to take refuge in his cab but the offender follows him down the train and smashes through the cab window, reaching through to grab hold of the conductor.

Key factor:
• Situation escalated when conductor was obliged to seize the invalid ticket

Common assault
2009, West Yorkshire
Five youths board a train without tickets. The guard asks them to dismount and purchase tickets, which they do. On returning to the train two of the five youths become abusive to the conductor and one spits at him. The conductor uses the spit kit and an offender is identified and charged as a result.

Key factor:
• Prompt use of the spit kit assisted in identifying offender

Common assault
2011, West Yorkshire
Conductor is dealing with group of rowdy youths and one of them spits at him through the window. The spit kit is used to obtain a sample but there is no resulting DNA hit so no arrest is made.

Key factor:
• Even though there was no DNA result from the spit kit, the test will go on file. If this individual comes to light again for a future offence this offence could still be detected
Common assault
2010, on board train in South Yorkshire
Train guard has opened toilet to see two males injecting heroin. Offender dropped a syringe on the floor. Guard attempted to retrieve the needle but was shoulder barged by the offender who then picked the needle up and threatened the guard with it.

Key factor:
- **What expectation is there of staff when dealing with hypodermic needles?**

From these real offence case studies the SSG identified the following learning points and ideas for future best practice:

- Staff would benefit from guidance in dealing with someone who is self harming or appears to have mental health problems
- Staff would also benefit from guidance in how to deal with someone in possession of a knife or a hypdermic needle
- Where sharps such as needles and knives are found loose on a train there may be no option to leave them in situ until they can be professionally removed. A Sharps Box might be beneficial
- Are staff aware of what to do if they receive a needle stick injury? (See Section 12; NHS website address on page 45)
- Any damage to locks and doors needs to be reported and fixed quickly. The more secure “staff only” areas are the better they can protect staff
Environmental factors do have an impact on staff assaults. If an area has material to hand that can be used as a weapon, this increases the risk. Items could include loose stones in a car park, signage that is easy to lift, thin “float” glass in windows and insecure doors leading to ‘staff only’ areas.

When staff use spit kits promptly, there is a much better chance of identifying the offender and getting a successful prosecution.

Staff remaining calm is a key factor in minimising harm.

Even when a spit kit does not bring back an immediate result, the DNA remains on file. Should the offender be caught for another offence in the future, this offence could still be detected. It is always worth doing the spit kit even when the offender is not immediately identified.

Once a situation has escalated, multiple offences can occur in a short period of time. This is another reason why remaining calm is essential.

Staff at risk are not always frontline customer service staff, but can include contractor staff such as cleaners. Personal safety guidance is needed for contractor staff as well as TOC permanent staff.

These points are intended to form the basis for Best Practice in TOCs and where these ideas are implemented staff would benefit from a safer environment.
From the above case studies, it is possible to identify some common factors in staff assault offences. This section shows “trigger points” at which offenders have escalated from verbal aggression to physical assault. It is very rare for a violent offender to commit an offence without some form of build up. This section outlines some of the triggering factors that have emerged from staff assaults in the North Eastern Area since the Safeguarding Group was established and outlines those factors in detail.

Victim touches the offender
Staff should be aware that if they attempt to touch someone when in a verbal altercation - for example taking an arm to encourage them to leave - that this potentially increases the risk of assault. It also leaves them open to counter allegations of assault. Keeping a good distance between yourself and the offender is always advisable. Only touch a passenger if it considered absolutely necessary and where possible ensure that you are accompanied by a colleague and covered by CCTV.

Victim touches the offenders property
Staff should be aware that moving an offenders belongings – a bike or bag for example - is a potential trigger for an assault.
Victim is unable to immediately respond to offenders query
Train dispatchers are unable to respond to questions when undertaking a safety critical function. This has a personal safety implication as offenders have become aggressive when not answered immediately. Unlike most offences there is very little build up or warning given.

Victim is dealing with one individual but is attacked by a second individual objecting to the situation
When dealing with a problem individual (for example someone urinating) it is not always the initial individual who commits the assault offence. Situations can become more aggressive when a family member or friend decides to intervene. Try to ascertain if someone is alone before deciding how best to challenge their behaviour.

Victim is obliged to confiscate an item such as a fake pass, alcohol or invalid ticket from the offender
In some cases a passenger becomes verbally abusive when their ticket is challenged, but the verbal abuse escalates to actual assault when the ticket in question is confiscated. The member of staff has to decide if the passenger is calm enough for them to risk confiscation and not feel as if they have to hang on to the ticket after they start to feel threatened.

Where confiscation of an item is absolutely necessary, staff should first have a visible back up in place to deter offences.
Victim has to follow the offender through a station or train.

Where a member of staff feels they have to supervise the movement of a problem passenger through a train or station, they are more likely to get assaulted. Alternatives to following an offender could be to use CCTV or issue a description to station staff so that more than one person can watch the offender as they move though the station. This can reduce the risk to an individual while a police officer is called.

These trigger points can be used in training sessions to raise awareness of when staff may be at most risk. They can also help managers to identify when their staff may be most at risk and plan ahead accordingly.
In any offence, a key factor in getting a successful prosecution is the circulation of a good offender description as soon as possible.

The form on the following page is a template intended to give witnesses or victims of an assault or any other crime, the best possible chance of giving a good description of the offender at the earliest opportunity.

The form should be kept somewhere that is easy to access at all times and staff should be encouraged to complete it as soon as they feel able. The form can also be used to gather evidence against individuals causing a regular nuisance as part of obtaining an Anti Social Behaviour Order (ASBO).

Where staff see something suspicious but no actual offence has taken place, the information can still be used and recorded within Staff Incident Logs. This means staff on other shifts are aware of what to look out for. This can help both staff and officers to get a better picture of suspicious activity and could even give investigations a head start when offences occur.

If you wish to have this form electronically it can be downloaded from your company intranet.
# Offender Description Form

If you have witnessed an incident or been the victim of an offence this form is intended to help you remember details about the offender. Note any details you can remember as soon as possible.

<table>
<thead>
<tr>
<th>TIME:</th>
<th>DATE:</th>
</tr>
</thead>
<tbody>
<tr>
<td>LOCATION:</td>
<td></td>
</tr>
<tr>
<td>NAME / NICK NAME OF OFFENDER IF KNOWN:</td>
<td></td>
</tr>
</tbody>
</table>

| APPROXIMATE AGE: | |
| MALE OR FEMALE? | |
| SKIN COLOUR / RACE: | |
| APPROXIMATE HEIGHT: | |
| BUILD: | |
| EYE COLOUR: | |
| ANY FACIAL HAIR? | |
| HAIR COLOUR / LENGTH: | |
| TATTOOS / MARKS / SCARS / BODY PIERCING? | |

| CLOTHING (INCLUDE ANY JEWELLERY, LOGOS, BADGES, HATS OR OTHER HEADGEAR ETC) | |
| FOOTWEAR (TYPE, COLOUR, LOGO ETC) | |

| WAS THERE ANY VEHICLE INVOLVED? BIKE, CAR ETC. TYPE, COLOUR, REGISTRATION NUMBER ETC. | |

| ANY OTHER UNUSUAL OR DISTINCTIVE FEATURES SUCH AS MANNERISMS OR ACCENT? | |
Clarification of the law surrounding photography in Public Spaces

Even the most basic of mobile phones now has a camera on it. Until a few years ago, it was unusual for people to carry a camera with them everywhere they went. Now it is commonplace and phones not only take pictures and video footage but can upload these images onto the internet, within a few minutes, for the world to see. This section outlines how best to deal with someone taking your picture at work and when you should inform your management and BTP.

It is important to remember that there are no legal restrictions on taking photographs in public spaces in England. This includes railway stations.

Every public sector worker should be aware that if they are going about their duties in a public space and someone takes a photograph of them, they have no legal grounds to object to this and have no right to ask the person taking the photograph to see it or delete it. They have no right to detain that person or make a complaint against them.
If someone attempts to photograph you whilst you are responding to their enquiry or complaint at a station, it is not pleasant but the best way to respond is to remain calm, not comment on their action, and to continue dealing with their problem. If they are also verbally abusive or physically aggressive then these are offences in themselves and should be reported to BTP immediately. However, if the customer is otherwise calm and polite there is no legal basis to protest about the photograph.

Some confusion over photography in public spaces has arisen since the 2000 Terrorism Act was introduced, and there have been subsequent amendments attempting to clarify the law. The legislation was intended to make it easier for the police to tackle terrorism suspects but it has led to a series of publicised cases where people lawfully taking photographs have been wrongfully challenged and, in some cases, have successfully applied for compensation.

Staff have been encouraged by the police to report people seen taking photographs in busy places such as airports and railway stations. It is known that terrorists sometimes photograph locations when planning attacks and reporting such incidents helps the police to gather intelligence. This has led to a belief that it is now illegal to take photographs in such places. This is not the case. If there are other “suspicious circumstances” surrounding the photograph being taken then Officers can challenge it but obviously there is a broad definition of “suspicious” and the issue requires experience and sensitivity to be handled correctly.

In carrying out your daily duties in a public area there is no legislation that will prevent someone taking your photograph or give you the right to challenge someone taking your photograph. Please remember this when dealing with the public. Any attempt to challenge the photographer, prevent them from leaving, or request the image is deleted could result in a complaint being made against you.

There are times when action may need to be taken against a photographer and these are listed below.
Occasions when action will need to be taken against a photographer

- If there appears to be a sexual element to the photograph. For example, if someone attempts to take a picture up a skirt or down a top. Or if taking the photograph is accompanied by comments of a sexual / offensive / aggressive nature. No member of staff should feel this is something they have to “put up with”.

- If the photograph is part of harassment and intimidation of staff, for example someone visiting on more than one occasion and deliberately causing alarm and distress to staff as part of a pattern of behaviour.

- If you have any reason to believe that the photograph is being taken as part of reconnaissance / preparation for terrorism or criminal activity.

In each of these cases the best course of action is not to address the photographer directly but to report the incident to your management and BTP as soon as possible providing as much detail about the incident as you can.

Any form of harassment or intimidation is taken very seriously by BTP and will be thoroughly investigated.
Photographing customers

It is not recommended that any member of staff attempts to photograph problem passengers. If you are dealing with a problem customer in a location not covered by CCTV then be aware that attempting to take their photograph may leave you more vulnerable to attack. You will have to take your eyes off the offender to access your phone and it leaves you less able to react quickly to defend yourself. It could also escalate the situation as the offender tries to grab the phone from you. If you feel the need to take a photograph of an offender to assist with identification then only do so if the image can be taken from a place of safety where they will not be able to see / reach you. Never feel that you should put yourself at risk to obtain an image.
Scene preservation

When an offence has taken place there is usually a short period of time to preserve evidence before anything useful is lost.

This section gives a list of bullet points to remind staff of what they can do to increase the chances catching the offender.

Use the spit kit
Spit kits are widely available and if someone spits at you the sooner they are used the better. Spit kits regularly come back with DNA results and help to identify offenders. It is always worth checking that you have plenty around and that staff are experienced in using them. If no spit kit is available, please do not wash or discard clothing and inform the investigating officer where the spit landed.
What else did the offender touch?
You may need to prevent an area being cleaned, for example, if the offender held onto a rail on a busy train or had their hands on a table. If they grabbed the victim's clothing or used a ticket machine, the victim should inform a Crime Scene Investigator (CSI) and not wash the clothing, wipe the machine or allow cleaners to clear the scene until it has been tested.

Were they eating or drinking?
You may need to stop litter being cleared from the scene of the crime if the offender was seen to eat something, drink from a can, bottle or chew gum. Ensure that no-one touches the items and that they are pointed out to officers and or CSI if they attend.

Did they leave anything else behind?
Is there an item of clothing or a bag that they may have dropped as they left the scene? If so ensure that no-one touches it and tell the investigating officer as soon as possible.

Is there any blood spatter?
When an assault takes place the blood at the scene is not always from the victim. Sometimes when defending themselves the victim injures the offender. Blood from the offender can be used to identify them and place them at the scene, and so needs to be preserved until CSI can retrieve it.

Do not wash your hands or clothes
If you have had any physical contact with the victim there may be samples under your fingernails that can be used to get DNA. If the offender grabbed your clothing this can also be tested for DNA.

Minimise the number of people allowed in the crime scene
The fewer people moving through the scene of a crime the better the chance of evidence being recovered. Please consider this and try to restrict access where possible.
Operation Connection

Operation Connection is run by BTP in full partnership with the Train Operating Companies. It was initiated by the SSG in December 2010. It is an opportunity for every member of frontline rail staff in the North East Area to individually speak to a BTP officer about their personal safety at work. Over the next 12 months a BTP Officer will arrange to speak to staff at a time convenient to them and take them through a short survey.

Operation Connection has already made contact with the majority of East Coast frontline staff, and is currently surveying Transpennine staff. It will be rolled out across the North East Area until all TOC frontline staff have had one to one contact with their local BTP Officer.

The survey focuses on how safe staff feel at work and any areas in which staff feel their security can be improved. It is not mandatory and can be filled out anonymously if the member of staff wishes.

Of the 238 surveys reviewed so far the following preliminary findings have emerged.

- Over the last 12 months Anti Social Behaviour, verbal abuse and events related to disorder (football matches for example) were the biggest causes for concern amongst staff and were when they felt least secure. Lone working was also something that many staff expressed concern over.
- 46% of staff responding to the survey had been the victim of at
least one crime in the preceding 12 months, mostly verbal abuse

• Of those staff members stating they had been the victim of an offence 43.5% stated they had not reported that offence to BTP because they felt it was either too minor or was something they felt was “part of the job”

• Many staff felt that increased BTP Officer presence would be beneficial, especially at times such as weekend evenings

• The biggest factor in causing staff assaults was felt to be alcohol. Followed by delays / cancellations and problems with ticket purchases, such as being told that the wrong ticket had been purchased

Updated reports on the findings will be made available as more survey results are collated.

The results of Operation Connection will be used to improve the way BTP works with train operating companies to tackle violence and anti-social behaviour against staff.

If you have any questions about Operation Connection feel free to contact the BTP Mailboxes ecml.npt@btp.pnn.police.uk or westyorkshire.npt@btp.pnn.police.uk
Conviction information

When a case comes to court and the accused is found guilty there are several sentencing options open to the court.

This section gives the type of sentence, what it means and gives an idea of the sort of offence that it would be given for.

This information is correct as of June 2011 but sentencing structure is subject to occasional review and may be altered over time.

Absolute Discharge
When the court decides that someone is guilty but decides not to punish them further at this time they will be given a “discharge”. A discharge is given for minor offences. An Absolute Discharge means no more action will be taken but the offender will still have a criminal record.

Example:
• Offenders found guilty of assaulting a member of staff are not usually given an Absolute Discharge

Conditional Discharge
The same as the Absolute Discharge above but in a Conditional Discharge the offender won’t be punished unless they commit another offence in a set period of time.

Example:
• A female made racial comments to staff and then hit two staff members with her handbag. She was given 3 separate conditional discharges. One for each offence
Fine
Fines are the most common criminal sentence given. They punish the offender financially. They are usually given for less serious offences that do not merit a custodial or community sentence. How much the offender is fined depends on the seriousness of the offence and the offenders ability to pay.

Example:
- Offenders found guilty of a staff assault are not usually just fined but they may have a fine imposed as part of a wider community sentence with other sentence requirements.

Community Sentence
When the court gives a community sentence the offender does not go to prison but the court states there are things the offender can, can’t and must do while serving their sentence. The magistrate or judge decides which combination of “requirements” will most effectively punish the offender and reduce the risk of them offending again. They may be banned from certain locations or put on a curfew for example.

Example:
- Offender was given a 12 month Community Order with conditions and a supervision requirement plus 98 hours of unpaid work, after being verbally abusive and pushing a security guard.
Suspended Sentence
A court may give an offender a suspended sentence if the time they would otherwise spend in prison is less than 12 months. With a suspended sentence the prisoner doesn’t go directly to prison but they do have to meet conditions in the community set by the court. These conditions can last up to two years. If the offender breaches these conditions or commits another offence they will have to serve the original sentence in prison.

Examples:
- Offender head butted staff member after being asked to stop smoking. He was given a 9 week suspended prison sentence for 18 months. He was fitted with a tag and was not allowed to leave home between 19.00 and 07.00 daily. If he re-offended or breached his curfew within 18 months he would be imprisoned for 9 weeks.

Immediate custody (Prison)
Prison sentences are given when an offence is so serious that it is the only suitable punishment. A prison sentence will also be given when the court believes the public must be protected from the offender. There are three types of custodial sentence. Suspended sentences (see previous) Determinate sentences and Indeterminate sentences which include life sentences.

Example:
- A woman was given a 6 week custodial sentence and had already served some time in prison on remand. She had physically assaulted two members of staff by hitting them and spitting at them. She also made a series of threatening phone calls.
Various other Orders such as Confiscation Orders and Anti Social Behaviour Orders
These can confiscate property believed to be the proceeds of crime, such as large quantities of cash or valuable personal possessions or, in the case of an ASBO, restrict who the offender can associate with and where they can go. Subsequent breaches of the conditions or failure to comply with the terms of the order can then result in a custodial sentence.

Example:

• Male aggressively begs at a Station causing distress to passengers and staff until the ASBO bans him from entering any railway property and threatening anybody.

Cautions
A Caution is different from the above sentences in that it is not dealt with by the Courts but by the Police and the Crown Prosecution Service. Police Officers can issue a Caution instead of going to court. A Caution is an official warning that your behaviour is unacceptable and is especially used for people who are clearly first time offenders.

Example:

• Male verbally abuses a Guard, hits the train window but causes no damage and tries to prevent a train door from closing.
It is important to remember that the courts are totally independent from the Police. The Police will conduct an investigation, identify a suspect, prepare the evidence against the alleged offender and present this information to the court. Whether the offender is found guilty or not guilty and what punishment is then given to the offender is entirely a decision for the court.

All of the above sentences and most cautions will show up on a Criminal Record Bureau check. Should the offender apply for a job that requires a check of his or her background even the most minor sentences could still be a barrier to finding employment.

Any staff member who becomes a victim of assault is kept updated with the progress of the case. The BTP Victim Manager ensures that Officers adhere to The Victim Code of Practice by regularly updating victims with any progress in the investigation. Where someone has been arrested, bailed, charged or received a Fixed Penalty Notice etc, then vulnerable victims should be notified within one day and non-vulnerable victims within five days.

If the offender pleads guilty the victim will probably not need to appear in court at all. If a court appearance is necessary Witness Care Managers ensure that victims are fully aware of the procedures, court dates and given any support they need to attend court.
Conclusion

The Staff Safeguarding Group will continue to monitor all staff assaults in the North East Area and identify any learning points or best practice arising.

If you have any information or ideas on best practice then please contact the Staff Safeguarding Group. Either through your local Neighbourhood Policing Team officer or by emailing Linda.chandler@btp.pnn.police.uk or Paul.hardy@btp.pnn.police.uk
List of sources and useful publications

The websites and documents referred to in this section are good sources of further information. They have been used in researching this document.

- **NHS**  
  www.nhs.uk/chq/Pages/2557.aspx?CategoryID=72&SubCategoryID=726  
  The NHS website gives advice on what to do if you have had a needle stick injury.

- **Railway Safety and Standards Board**  
  www.rssb.co.uk  
  Research documents available to download on various railway related subjects including workplace violence.

- **Suzy Lamplugh**  
  www.suzylamplugh.org  
  The Suzy Lamplugh Trust is a not-for-profit organisation dedicated to the memory of estate agent Suzy Lamplugh who went missing in 1986 after meeting an unknown client at a property. Her body was never found. The trust provides detailed advice and support on all aspects of personal safety, in particular lone worker safety.

- **Victim Support**  
  www.victimsupport.org  
  Victim Support provide free and confidential counselling and support to any victim of crime regardless of when it took place. They are a completely independent not for profit organisation.

- **British Transport Police**  
  www.btp.police.uk

- **Official Criminal Justice System**  
  www.sentencing.cjonline.gov.uk