

# Crime recording: A matter of fact

An interim report of the inspection of crime data integrity in police forces in England and Wales

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## Glossary

accuracy	in the context of HMIC's audit of crime records for this inspection, the number of crimes that are correctly recorded as a crime, as a proportion of the total that should be recorded; accuracy also refers to the correct classification of crime
accurate crime record	a crime record that has been correctly recorded according to the Home Office Counting Rules (HOCR) and the National Crime Recording Standard (NCRS); this means it must be recorded as a crime, classified according to the correct crime type for the offence, and assigned the correct category according to the counting rules
ACPO	Association of Chief Police Officers
additional verifiable information	information which can be verified by the police to show that a recorded crime did not occur, thereby enabling the police to reclassify a recorded crime as a no-crime (HOCR, General Rules Section C, No Crimes)
Association of Chief Police Officers	a professional association of police officers of Assistant Chief Constable rank and above, and their police staff equivalents, in England, Wales and Northern Ireland; leads and coordinates operational policing nationally; a company limited by guarantee and a statutory consultee; its president is a full-time post under the Police Reform Act 2002
audit	the means of checking upon and monitoring the accuracy of recorded data in order to oversee the effectiveness and efficiency of the recording system and the accuracy of the records it contains; HMIC audits incident reports to check whether they should have been reported as crimes, crime records to check whether they have been recorded accurately in accordance with the

	rules and standards, and no-crime records to ensure that they have been reclassified correctly
auditable route	the route by which a crime is reported and subsequently logged into the system to create a crime record that can be checked by internal police force auditors and also by HMIC auditors. Predominantly, the auditable route in police forces is through the IT systems in force crime bureaux and call-handling centres where crimes are initially recorded and where each record is opened and closed at the start and end of an investigation
Audit Commission	a statutory body established first under the Local Government Finance Act 1982 and latterly maintained under the consolidating Audit Commission Act 1998; responsible for auditing a range of local public bodies with the objective of ensuring that public money is spent economically, efficiently and effectively to achieve high quality local and national services for the public. Its work covers housing, health, criminal justice and fire and rescue services. Under the Local Audit and Accountability Act 2014, it is to be disbanded during 2015
balance of probability	the test applied to determine whether an event occurred according to whether, on the evidence, the occurrence of the event was more likely than not; the HOCR state that: <i>“An incident will be recorded as a crime (notifiable to the Home Secretary) for offences against an identified victim if, on the balance of probability (a) the circumstances as reported amount to a crime defined by law (the police will determine this, based on their knowledge of the law and counting rules), and (b) there is no credible evidence to the contrary”</i>
call-handling centre	a facility in each police force where call-handlers answer telephone calls from the public, determine the circumstances of the incident, decide what

	needs to be done by the police, and initiate or implement that response
Code of Practice for Victims of Crime	a code, established under the Domestic Violence, Crime and Victims Act 2004, which places obligations on organisations providing services within the criminal justice system (including the police) to provide a minimum level of service to victims of criminal conduct
College of Policing	a professional body for policing in England and Wales, established to set standards of professional practice, accredit training providers, promote good practice based on evidence, provide support to police forces and others in connection with the protection of the public and the prevention of crime, and promote ethics, values and standards of integrity in policing; its powers to set standards have been conferred by the Police Act 1996 as amended by the Anti-social Behaviour, Crime and Policing Act 2014
crime categories	specific groups which bring together crimes of a similar nature; for example, there are a number of different crimes of violence which depend on the severity of the violence used; these all fall within one general crime category of violence
crime classification	categorisation of crimes by the police based on their understanding of the applicable law and of what has been reported; the Home Office Counting Rules require the police to classify the crime at the time the crime is recorded
crime record	record that must be made under the Home Office Counting Rules in the case of a report of a crime
crime-recording centre	a facility in a police force dedicated to taking in reports of crime and recording them in accordance with the Home Office Counting Rules
Criminal Records Bureau	a public body established under Part V of the Police Act 1997 to conduct criminal background

	<p>checks of people working with children or vulnerable adults in schools, voluntary organisations or professional bodies; it merged with the Independent Safeguarding Authority on 1 December 2012 to form the Disclosure and Barring Service under the Safeguarding Vulnerable Groups Act 2006</p>
CRDMP	crime-recording decision-making process
crime-recording decision-making process	the process within police force crime-recording bureaux, or equivalent facilities, of making final decisions about the classification and correct recording of a crime
crime-related incident	a record of an incident reported to the police which would ordinarily amount to a notifiable crime, but is not recorded as a crime. This can happen for the following reasons: when the incident is reported by a third party (not on behalf of the victim) and the victim declines to confirm a crime occurred; where the victim cannot be traced; when the incident is being dealt with and recorded by another police force; or where the NCRS or HOCR direct that a crime should not be recorded (e.g. certain offences which occur in schools which are required to be dealt with by the school and not recorded by the police)
Crime Statistics Advisory Committee	a non-statutory body which functions as an advisory body providing independent advice to the Home Secretary, the Office for National Statistics and HMIC on matters relating to the measurement of crime, and the collection and presentation of crime data for England and Wales
Crime Survey for England and Wales	a quarterly independent survey of crime commissioned by the Office for National Statistics, involving the collection of information about people's experience of crime from several thousand households in England and Wales; formerly known as the British Crime Survey
CSAC	Crime Statistics Advisory Committee

CSEW	Crime Survey for England and Wales
DBS	Disclosure and Barring Service
dip-sample	a small, non-random sample of information; as such it is not statistically robust but is used as an information-gathering tool by inspectors
Disclosing and Barring Service	a public body established in 2012 under the Protection of Freedoms Act 2012 in the merger of the functions of the Criminal Records Bureau and the Independent Safeguarding Authority; responsible for processing requests for criminal records checks; deciding whether it is appropriate for a person to be placed on or removed from a barred list; placing or removing people from the DBS children's barred list and adults' barred list for England, Wales and Northern Ireland
evidence-gathering	in the context of this inspection, the process at the core of the work of HMIC inspectors who use templates to record specific and detailed information about crime data integrity. Inspectors work in pairs during the main interviews, asking questions and taking notes in order to complete the templates and assemble substantial and accurate evidence to support their findings
FCR	force crime registrar
force crime bureau	a centralised facility, generally at a police force's headquarters, which receives crime reports directly from the public and makes a record of the crime immediately, providing the victim with a crime reference number
force crime registrar	the person in a police force who is responsible for ensuring compliance with crime-recording rules. The HOCCR provide that he is ultimately responsible for all decisions to record a crime or to make a no-crime decision, as the final arbiter. The force crime registrar's responsibilities include training staff in the crime-recording process and

	carrying out audits to check that the force is complying with all applicable rules
he/him/his/she/her	the use of the masculine gender includes the feminine, and vice versa, unless the context otherwise requires
HOCR	Home Office Counting Rules
Home Office Counting Rules	rules in accordance with which crime data – required to be submitted to the Home Secretary under sections 44 and 45 of the Police Act 1996 – must be collected. They set down how the police service in England and Wales must record crime, how crimes must be classified according to crime type and categories, whether and when to record crime, how many crimes to record in respect of a single incident and the regime for the re-classification of crimes as no-crimes. The HOCR specify all crime categories for each crime type including the main ones of homicide, violence, sexual offences, robbery, burglary, vehicle offences, theft, arson and criminal damage, drug offences, possession of weapons, public order offences, miscellaneous crimes against society, and fraud; the NCRS is part of the HOCR
Home Office Statistics Unit	unit of the Home Office responsible for managing Home Office statistics
HOSU	Home Office Statistics Unit
incident reports	reports of events received by the police that require police attention. Whether or not an incident report becomes a crime record is determined on the balance of probability that a notifiable offence has occurred as set out in the Home Office Counting Rules. If an incident does not turn out to be a crime, it must still be logged on the force’s incident-recording system
Independent Safeguarding Authority	a public body established in 2006 under the Safeguarding Vulnerable Groups Act 2006 to



	oversee a vetting and barring scheme in England, Wales and Northern Ireland, which requires all those working with vulnerable groups to undergo an enhanced vetting procedure before being allowed to commence any relevant duties. The ISA existed until 1 December 2012, when it merged with the Criminal Records Bureau to form the Disclosure and Barring Service
National Crime Recording Standard	a standard of crime-recording introduced in 2002 and published as part of the Home Office Counting Rules; it has the twin objectives of ensuring the police focus more on victims of crime and ensuring consistency in crime-recording in all police forces
National Crime Recording Steering Group	a group of institutions and office-holders which meets regularly to review the HOCR and make recommendations for change; its members include the Home Office Statistics Unit, force crime registrars and representatives of ACPO, HMIC and the ONS; its recommendations for change are considered by the Home Secretary and CSAC; the HOCR are updated with approved changes each April; updates include changes which reflect changes in legislation and case law, and adjustments to improve clarity and consistency in recording by police forces
national policing lead	senior police officer with responsibility in England and Wales for leading the development of a particular area of policing
NCRS	National Crime Recording Standard
NCRSG	National Crime Recording Steering Group
no-crime	an incident which was initially recorded as a crime and has subsequently been established not to have been a crime on the basis of additional verifiable information; no-criming is the act of removing a crime classification for this reason
ONS	Office for National Statistics

Office for National Statistics	the UK's largest independent producer of official statistics and the recognised national statistical institute for the UK; it is the executive body of the UK Statistics Authority, established by the Statistics and Registration Service Act 2007
opening and closing codes	codes or descriptions for recorded incidents reported to the police. An opening code is used so that the police can easily see the nature of the incident. A closing code may be the same as an opening code but if, once the police have attended the incident, the information changes, then the closing code will describe what the incident actually was
out-of-court disposal	one of several methods of concluding the action of the criminal justice system in respect of a crime without proceeding to a prosecution; they are administered and effected by the police, and enable them to deal quickly and proportionately with low-level, often first-time offences; they include cautions, cannabis warnings, penalty notices for disorder, and community resolutions; some have a statutory basis, and some do not; they are explained more fully in paragraphs 3.53–3.55 of this report
PASC	Public Administration Select Committee
Penalty Notice for Disorder	a form of immediate financial punishment used by police to deal with low-level offending, such as being drunk and disorderly, retail theft and minor criminal damage
PND	Penalty Notice for Disorder
police community support officer	a uniformed non-warranted officer employed by a territorial police force or the British Transport Police in England and Wales; established by the Police Reform Act 2002
police officer	an individual with warranted powers of arrest, search and detention who, under the direction of

	his chief constable, is deployed to uphold the law, protect life and property, maintain and restore the Queen's peace, and pursue and bring offenders to justice
Protecting Vulnerable People Unit	a specialist unit in a police force responsible for incidents and crimes involving vulnerable people, including children, mentally ill and infirm people; these units may also have responsibilities for dealing with victims of sexual offences, including rape, where the force does not have a dedicated rape investigation unit
Public Administration Select Committee	a select committee of the House of Commons which considers matters relating to the quality and standards of administration within the civil service
Public Protection Unit	a specialist unit in a police force which deals with the protection of vulnerable people (see also Protecting Vulnerable People Unit)
UKSA	United Kingdom Statistics Authority
UK Statistics Authority	an independent body established under the Statistics and Registration Service Act 2007, operating at arm's length from government and which has the objective of promoting and safeguarding the production and publication of official statistics that serve the public good; the Authority's main functions are the monitoring of the production and publication of official statistics, the provision of independent scrutiny of all official statistics produced in the UK, and the oversight of the ONS, which is its executive body
Victim Support	an independent charity supporting victims and witnesses of crime committed in England and Wales; it was set up almost 40 years ago and has grown to become the oldest and largest victims' organisation in the world; Victim Support offers assistance to more than a million victims of crime each year and works closely with the police and other institutions and entities in the criminal justice system.

# 1. Summary

- 1.1 In its 2013/14 inspection programme, approved by the Home Secretary under section 54 of the Police Act 1996, HMIC is committed to carry out an inspection into the way the 43 police forces in England and Wales record crime data. This inspection, carried out between February and August 2014, is the most extensive of its kind that HMIC has ever undertaken into crime data integrity.
- 1.2 This is an interim report of that inspection. It explains the purposes and methods of the inspection and the criteria that govern crime-recording practice in the police. So far, we have completed the inspection of 13 forces. As two of the largest metropolitan forces (the Metropolitan Police and Greater Manchester Police) have been inspected, the inspection has already covered approximately 60 percent of the reviews to be done. Whilst the inspection has yet to be completed in the remaining 30 forces, we can report on a number of emerging themes.
- 1.3 The inspection provides for the auditing of a sample of reports of crime to check whether or not they have been correctly recorded as crimes. By listening to around 8,000 telephone calls which resulted in the creation of incident reports, we will be able to produce a nationally representative sample of approximately 5,500 reported crimes. From these data, our final report in October 2014 will include an assessment of the accuracy of crime-recording in England and Wales. (Annex C sets out the statistical method in more detail.)
- 1.4 Sampling data from each force is being used only as indicative of the accuracy of force crime-recording; it is not of a size to be of statistical significance in any one or group of forces other than all 43. To have taken statistically significant samples of crime-recording data from every force would have necessitated an inspection so large as to be impractical, untimely and unaffordable. Each force sample does, however, contribute to the overall national sample from which we will be able to report a statistically robust figure for the accuracy of crime-recording within England and Wales as a whole.
- 1.5 Good quality crime-recording is materially reliant upon sound management. Our experience shows that the proper management of crime-recording critically depends on three interlocking factors: leadership and governance, systems and processes, and the knowledge and skills of the people involved. Our inspection tests these areas.

- 1.6 Police force crime data are reported to the Home Office and published by the Office for National Statistics with other independent data from the Crime Survey of England and Wales to provide as clear as possible a picture of the levels of crime. For 20 years, these national data have shown what amounts to dramatic reductions in crime, during a time when the rules and standards governing crime-recording practice have been tightened significantly.<sup>1</sup>
- 1.7 These statistics are evidence of a general downward trend in crime, which is of course very welcome, but there remains appreciable public concern that real crime levels are not truly represented in the statistics, particularly those recorded by police forces.<sup>2</sup> A factor in public concern, and a probable cause for scepticism about national crime figures, is the culture in the police – as in other major government organisations – of pursuing targets and being under pressure to demonstrate good performance. One of the concerns of this inspection is to find any instances where crimes are not recorded or are classified inappropriately. It is essential that crime recording is done honestly and within the rules. Police officers need to understand and properly apply the rules, and appropriate mechanisms must be in place to ensure due compliance, so that the users of crime statistics can rely upon them with confidence.
- 1.8 Previous and recent HMIC inspections into crime and incident recording practices – inspections which did not have as broad a scope as this one<sup>3</sup> – have shown crime was under-recorded to varying extents in a sample of police forces. These inspections also revealed a lack of accuracy in crime-recording practice in areas such as rape and other sexual violence, which is of particular public concern.
- 1.9 The purpose of the current inspection<sup>4</sup> is to provide the answer to the question:

*“To what extent can police-recorded crime information be trusted?”*

<sup>1</sup> The introduction of the National Crime Recording Standard in 2002 and its place in the Home Office Counting Rules are detailed in the section ‘How do the police record crime’, on page 30 of this report.

<sup>2</sup> See page 24 of this report, particularly in relation to the issues raised by the Public Administration Select Committee in April 2014.

<sup>3</sup> See ‘Previous HMIC inspections’ on page 26 of this report.

<sup>4</sup> The HMIC 2013/14 inspection programme (available at [www.hmic.gov.uk](http://www.hmic.gov.uk)) provides the basis for this inspection.

- 1.10 To achieve this, the integrity of crime data in each force is being examined and assessed in terms of leadership and governance, systems and processes, and the people and skills involved. The scope of the inspection is necessarily broad. HMIC is examining how each force applies the standards and rules for crime-recording laid down by the Home Office; how police culture and behaviours affect recording; how victims of crime are being served by police crime-recording practices; and how the police use out-of-court disposals when dealing with offenders, such as cautions, cannabis warnings, community resolutions and penalty notices for disorder.
- 1.11 This inspection considers particularly closely allegations of rape and other sexual offences and how these are recorded. We also examine how the police are recording crimes that cause general harm in the community, such as criminal damage and other crimes related to anti-social behaviour.
- 1.12 The inspection also looks closely at the sometimes complex issue of no-criming, which is when police reclassify a recorded crime as a no-crime. This is supposed to happen when the police have additional information which they can verify showing that in reality no crime was committed.
- 1.13 This inspection was designed with the benefit of advice and assistance from several authoritative sources. They include the national crime registrar, the national policing lead on crime statistics and the Crime Statistics Advisory Committee. The inspection is being conducted by means of a national audit of crime records and force inspection visits. This enables us to build substantial evidence at a national level to establish what are the strengths in crime-recording practice, and to reveal areas of weakness.
- 1.14 In this report, we explain the rules and standards that govern crime-recording practice, why the National Crime Recording Standard was introduced in 2002, and what this standard aims to achieve (see paragraphs 3.20–3.26). On the issue of the police duty to record crime, we describe the principles behind such decisions, including whether or not to record an incident as a crime and when to reclassify a recorded crime as a no-crime. We then explain our methodology and provide an update on the progress of the inspection, as well as present our emerging findings.
- 1.15 We are grateful to all police forces in England and Wales for their time and support in the inspection process.

## Emerging themes

- 1.16 The HOCR were established in their current form in 1998 and the NCRS was implemented in 2002. Together they provide a clear and simple framework and set of rules for the sound and consistent recording of crime by the police. They are not especially complicated; nor are they optional. Every police officer should be able to understand and properly apply them. Every police force should adhere to them.
- 1.17 This inspection is concerned with how the HOCR and NCRS are applied. It is an inspection of the integrity of police-recorded crime data. It is not an inspection or inquiry into the integrity of the police.
- 1.18 As explained, this is an interim report. So far, 13 forces of the 43 Home Office forces have been inspected, but since two of the largest – the Metropolitan Police and Greater Manchester Police – are among them, the number of incidents and crimes examined is over 60 per cent of the total which will have been done by the end of the inspection. It is therefore timely that we report now on what we have found.
- 1.19 Before doing so, it is appropriate to remind readers that the only statistically significant figures in this inspection are those which will be published in our final report in October 2014. However, we can – and do – report on the cases which we have examined.
- 1.20 We are seriously concerned at the picture which is emerging. It is one of weak or absent management and supervision of crime-recording, significant under-recording of crime, and serious sexual offences not being recorded (14 rapes). Some offenders have been issued with out-of-court disposals when their offending history could not justify it, and in some cases they should have been prosecuted.
- 1.21 If the findings for the first set of forces are representative across all forces and all crime types, this implies that 20 percent of crimes may be going unrecorded. Some forces have of course performed better than others. The figures for the forces inspected so far are given in the table at paragraph 6.19.
- 1.22 The reasons for these failures will sometimes be a combination of factors, and sometimes one or two. In some cases, it is simply poor knowledge of the rules and inadequate or absent training in their content and application. In others, poor supervision or management of police officers will be responsible. Pressure of workload, where police officers have been managed in such a way as to overload them with cases, is also a likely factor.

- 1.23 An inspection of this nature is not a criminal investigation<sup>5</sup>. We cannot establish in every case what were the motives – if any – of a police officer who has wrongly failed to record a crime. However, in the light of what we have so far found – which could conceptually be contradicted by later results – it is difficult to conclude that none of these failures was the result of discreditable or unethical behaviour. The failure rate is too high. What is not possible is any measurement of this factor; that is beyond the scope of this work.
- 1.24 The consequences of under-recording of crime are serious and may be severe:
- (a) victims are failed because the crimes against them are not investigated, they have no hope of justice according to law, and they will not receive the services to which they are entitled and which they need;
  - (b) the community is failed because our system of public justice requires offenders to face the law and its sanctions, and if they escape justice not only is it denied, but more victims may be created, increasing the harm done to the community and its safety and security;
  - (c) the levels of crime will be wrongly under-stated, and so detection rates may as a consequence be artificially high, presenting a misleading picture of crime and disorder to the community, police and crime commissioners and senior police management;
  - (d) police chiefs will lack the reliable information which they need to make sound decisions on the deployment of their resources in order to maximise the efficiency and effectiveness of their assets; this in turn jeopardises public safety and security.
- 1.25 The picture is of course not all bad. Later in this report (see section 6), we explain strengths in the system of police-recorded crime as we have observed it. We then proceed to describe and evaluate the weaknesses we have found.
- 1.26 Further work in the remaining forces will enable us to provide a fuller picture of crime data integrity in our final report for this inspection, to be published in October 2014.

<sup>5</sup> If HMIC were to find evidence of any criminal activity, we would provide it to the professional standards department of the police force in question or the Independent Police Complaints Commission, as appropriate.



## 2. Introduction

- 2.1 The duty of Her Majesty's Inspectorate of Constabulary is to inspect and report on the efficiency and effectiveness of police forces in England and Wales.<sup>6</sup>
- 2.2 This is the interim report of an HMIC inspection into the accuracy and integrity of crime-recording in all 43 Home Office-funded police forces in England and Wales.
- 2.3 This inspection provides for the audit of a sample of reports of crime to check whether they are correctly recorded as a crime. Taken together, the samples from each force are designed to produce a nationally representative sample of 5,500 reported crimes. From these data, our final report in October 2014 will include an assessment of the accuracy of crime-recording by the police in England and Wales. (Annex C sets out the statistical method in more detail.)
- 2.4 Good quality crime-recording is materially reliant upon sound management. Our experience shows that the proper management of crime-recording critically depends on three interlocking factors: leadership and governance; systems and processes; and the knowledge and skills of the people involved. Our inspection tests these areas.
- 2.5 In this report, we explain the standards and rules that are laid down by the Home Office which apply to crime-recording by the police service. We also describe emerging themes but do not present conclusive findings at this stage.
- 2.6 Our in-force audit and inspection work started in February 2014. We have so far completed our inspections in 13 of the 43 Home Office police forces. By August 2014, we will have completed sample checks of incident and crime records and extensive fieldwork visits in all 43 forces. In October 2014, we will publish our full report and recommendations.
- 2.7 This is the most thorough inspection into crime-recording integrity that HMIC has carried out to date. In this report, we explain: why such a review is needed to protect the public and serve the victims of crime; how we carry out the inspection; and what are the main rules and standards

<sup>6</sup> Section 54(2), Police Act 1996.

that govern police-recorded crime. We provide examples to illustrate some of the important characteristics of crime-recording as a day-to-day policing function and as a highly-regulated process that is influenced by different systems and procedures.

- 2.8 We are grateful to all police officers and staff who have provided or are providing time, assistance and co-operation to facilitate our inspections. Each force inspection makes a material contribution to the assembly of a full and clear picture. It is the means of building a substantial and valid base of evidence about the accuracy of crime-recording across England and Wales. This evidence is measured against standards laid down by the Home Office for crime-recording and is gathered by HMIC to fulfil particular aims, which we explain in the next section.
- 2.9 Our inspectors are producing individual force reports with our inspection findings and recommendations where appropriate. These reports are intended to underpin and, where necessary, assist each force in the discharge of its duty to record crime accurately and consistently.
- 2.10 The force reports will describe the audit findings for the force, as well as our findings in respect of the effectiveness of the leadership and governance of the force and the systems and processes that are in place to secure accurate crime-recording. We will also provide our findings about the level of knowledge and skills of the people involved. The first group of force reports are presently scheduled to be published in June 2014. They will also form the basis of our full report in October 2014.

## Terms of reference

- 2.11 HMIC's 2013/14 inspection programme, approved by the Home Secretary under section 54 of the Police Act 1996, provides for HMIC to carry out inspections in all Home Office police forces to answer the question:

*"To what extent can police-recorded crime information be trusted?"*

## Scope

- 2.12 The inspection has been designed to assess:
- how well each force applies the standards for crime-recording laid down by the Home Office and known as the Home Office Counting Rules;
  - the culture and behaviours surrounding crime-recording, and the service the police provide to victims;

- the accuracy of police recording of reported crimes which cause significant harm, such as crimes of violence, sexual offences, robbery, burglary, criminal damage and other crimes relating to anti-social behaviour;
- police decisions about out-of-court disposals, such as police cautions, penalty notices for disorder, cannabis warnings and community resolutions; and
- police decisions to no-crime (not to count as a crime) a report of an incident that has already been recorded as a crime.

## **Aims**

2.13 The objective of the inspection is to provide to the public, police and crime commissioners and chief constables information, assessments and recommendations which, if implemented, will be used to improve the ways in which the police record crimes, leading to increased public trust in those data.

2.14 HMIC's inspection sets out to establish:

- how confident the public can be in the accuracy of police-recorded crime data;
- how effective police leaders are in their oversight and assurance of crime data integrity in each force;
- how well victims are served by the police when crime-recording decisions are made;
- whether the results of out-of-court disposals are the right ones for victims, offenders and the wider public, and are in accordance with national guidelines; and
- whether decisions to change a recorded crime into a non-crime (commonly called a no-crime) keep to the relevant rules.

2.15 The full terms of reference for the inspection are contained in Annex A.

## Why accurate crime-recording matters

2.16 In the 12 months to December 2013, over 3.7 million crimes<sup>7</sup> were recorded by police forces in England and Wales. HMIC understands that reporting rates vary for different types of crime and that forces can only record what is reported to them, although of course they should work actively to encourage the reporting of crime. By recording crime data accurately, victims of crime can be looked after and attended to properly. Crime problems in local force areas can be identified so the police's efficiency and effectiveness are strengthened, and police performance can be properly understood and accordingly the police can be held properly to account both locally and nationally.

- **Help which is available to victims of crime is dependent upon accurate crime records.** For example, when a crime is recorded, the victim is entitled to a minimum level of service as set out in the Code of Practice for Victims of Crime. In some cases, a clear and correct record of the crime also means that victims have support from other organisations such as the national charity, Victim Support.<sup>8</sup> The statutory provisions by virtue of which victims are granted rights to the services of Victim Support only extend to cases where a crime has been recorded properly under the National Crime Recording Standard (explained in section 3).<sup>9</sup>
- **Accurate crime records provide vital information.** Police forces use the data in crime records to analyse the numbers, types and locations of crimes in their areas. While the overall picture of crime is more complex, the actual recorded crime data contribute to an understanding of the risk, threat and harm that the public face. This helps the police make decisions about where to send police resources to counter crime effectively and to protect the public.
- **Police-recorded crime data are widely accessed and used.** Crime data are made available on a street-by-street basis on

<sup>7</sup> Recorded crime rates for police forces in England and Wales, including the British Transport Police, as reported by the Office for National Statistics for the 12-month period from 1 January 2013 to 31 December 2013.

<sup>8</sup> Victim Support provides free and confidential help to victims of crime, witnesses, their families, friends and anyone else affected by crime across England and Wales ([www.victimsupport.org.uk](http://www.victimsupport.org.uk)).

<sup>9</sup> Domestic Violence, Crime and Victims Act 2004.

[www.police.uk](http://www.police.uk)<sup>10</sup> so that members of the public can establish the levels of crime in their own neighbourhoods. Records of crime are also widely used by third parties; for example, Victim Support, local authorities and health authorities use police-recorded crime data to allocate resources. Incorrect data can therefore adversely affect the way third parties target their support, potentially reducing the availability of help for victims.

- **Crime data are regularly published.** This makes it possible for the public and their elected representatives<sup>11</sup> to hold their forces to account for their performance in preventing and tackling crime. This can only be effective if the data are accurate.

## Public trust in crime data

- 2.17 There is significant local and national interest in crime levels and the accuracy of police-recorded crime data. When there are doubts about the integrity of crime data recorded by the police, this can have an adverse effect on the public's trust and confidence in the police service.
- 2.18 Doubts have been intensified recently in several ways. Recent HMIC inspections, which we describe below, have identified distinct weaknesses in crime-recording processes. In January 2014, due to concerns about the accuracy of the data, the UK Statistics Authority removed the designation of police-recorded crime as a National Statistic under section 12 of the Statistics and Registration Act 2007, and set specific conditions for returning this data to its former place.<sup>12</sup> The Authority said that there is accumulating evidence that suggests the underlying data on crimes recorded by the police may not be reliable.
- 2.19 In April 2014, the House of Commons Public Administration Select Committee published a report<sup>13</sup> of its own investigation into police-

<sup>10</sup> Crime data are published at street level ([www.police.uk](http://www.police.uk)), police-force-area level ([www.hmic.gov.uk](http://www.hmic.gov.uk)) and national level ([www.ons.gov.uk](http://www.ons.gov.uk)).

<sup>11</sup> Police and crime commissioners for police areas outside London; the Mayor's Office for Policing and Crime for the Metropolitan Police Service; and the City of London Corporation for the City of London Police.

<sup>12</sup> See the section on 'Assembling crime data statistics' on page 31 of this report.

<sup>13</sup> House of Commons Public Administration Select Committee (PASC), *Caught red-handed: Why we can't count on Police Recorded Crime statistics*, Thirteenth Report of Session 2013–14, HC 760, 9 April 2014

recorded crime data. PASC identified under-recording of crime by police forces as an issue of serious public concern, and made particular reference to the detrimental effects of performance targets on police crime-recording practices.

2.20 The report criticised the use of targets based upon police-recorded crime data and stated that this tended to distort recording practices and created perverse incentives to misrecord crime. It said that the evidence for this is incontrovertible.

2.21 The report made twelve specific recommendations for the UKSA, Home Office, ONS, College of Policing, HMIC and the Committee of Standards in Public Life, to improve the quality of police-recorded crime data.

2.22 Those recommendations include the following:

- the Home Office should undertake a comprehensive analysis of no-crime rates for sexual offences across all police forces within two months of the PASC report;
- the Home Office and the College of Policing should make an explicit statement of how the Code of Ethics' enforcement will impose a duty of data integrity on police officers in respect of crime recording practices, and that penalties will apply in the event of deliberate non-compliance;
- officers must be familiar with the victim-focused principles of the NCRS and the distinction between recording standards and charging standards;
- senior police leaders and HMIC must ensure that emphasis is placed on data integrity and accuracy, not on the direction of recorded crime trends;
- formal performance appraisals should be based upon data integrity and accuracy and not on targets derived from police-recorded crime data or other administrative data on their own;
- HMIC should confirm that a rigorous external audit of crime recording integrity will form a permanent part of its annual audit of forces, and the current audit of data integrity by HMIC should examine the reasons for misrecording crime;
- the force crime registrar should be suitably trained and have the necessary authority, HMIC should identify a minimum rank for the

role, and the force crime registrar should report directly to the force commander;

- HMIC should examine the effect of PCCs' target-setting on crime recording practices and culture; and
- the Home Office should make it clear in its guidance to PCCs that they should not set performance targets based on police-recorded crime data.

2.23 PASC concluded that police-recorded crime data should not be used as the basis for personal performance appraisals, or decisions about remuneration or promotion. PASC regarded such a practice as a flawed leadership model, contrary to the policing Code of Ethics.

2.24 The findings in the PASC report are not entirely consistent with our findings to date; however, HMIC will take into consideration its recommendations as part of this inspection. The HMIC response to the PASC report will be included in the response provided by the Home Office.

2.25 The police's duty to the victims of crime may be neglected or stand undischarged when a crime is improperly recorded, leading to a lack of investigation or poor quality service. As we emphasise in this report, this inspection has placed victims of crime, and how they are served by the police, at its heart.

2.26 There are therefore clear links between accurate crime data, police effectiveness, and public confidence in policing.

2.27 At this stage of the inspection, we can already provide some indications of both positive and negative aspects of crime data integrity, as set out in section 6 of this report: 'Emerging themes'. The full picture will be reported in the final report in October 2014. This will contain our definitive conclusions on the strengths and weaknesses of the operation of the existing system, and will make recommendations for improvements. Until all 43 forces have been inspected in this respect, it would be premature for HMIC to come to final conclusions or make recommendations.

## Previous HMIC inspections

- 2.28 In October 2009, we published our first report on crime data integrity, *Crime Counts – A review of data quality for offences of the most serious violence*.<sup>14</sup> This was followed in January 2012 by our publication, *The Crime Scene – A review of police crime and incident reports*.<sup>15</sup>
- 2.29 The first report focused on data recorded on serious violence; the second was much wider in scope. Both reports examined how effective forces were in ensuring that incident records, which included details of recordable crimes, resulted in correct crime data recording.
- 2.30 *The Crime Scene* considered the quality of crime and incident data, and the arrangements in place to ensure they are recorded and managed correctly (i.e. in a way that complies with HOCR). The inspection focused on whether crimes were correctly recorded from incident records, and the standards used to close a reported incident.
- 2.31 The samples used in *The Crime Scene* inspection were, on their own, too small to provide a definitive assessment of the accuracy of crime-recording nationally. At force level, however, we found that the arrangements most forces had in place were sufficient to make correct crime-recording decisions from reports of incidents, given the information available within an incident record. It established that there were variations in crime-recording practices which could have a corresponding detrimental effect on the accuracy of published crime statistics.

### Crime-recording in Kent in 2013

- 2.32 In February 2013, the police and crime commissioner for Kent commissioned HMIC to conduct an inspection to determine whether the people of Kent could have confidence in the force's crime figures. In June 2013, HMIC published *Crime-recording in Kent – A report commissioned by the Police and Crime Commissioner for Kent*.<sup>16</sup>

<sup>14</sup> *Crime Counts: A review of data quality for offences of the most serious violence*, HMIC, London, 2009. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)

<sup>15</sup> *The Crime Scene – A review of police crime and incident reports*, HMIC, London, January 2012. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)

<sup>16</sup> *Crime Recording in Kent – A report commissioned by the Police and Crime Commissioner for Kent*, HMIC, London, June 2013. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)



- 2.33 This inspection found that appreciably more needed to be done before the people of Kent could be confident that the crime figures published by the force were as accurate as they should be. HMIC found that the force had under-recorded approximately one in every ten crimes (+ / - 5 percent), and that it did not interpret the HOCR correctly. This meant crime was not correctly recorded. We explain the central role of the HOCR and NCRS later in this report.<sup>17</sup>
- 2.34 It is important to note that the findings for Kent cannot be extrapolated to make judgments about the accuracy of crime-recording in other forces.
- 2.35 The 2013 report found that Kent Police had made improvements to the way in which it dealt with the declassification of recorded crimes (no-crime) since 2012, and had reduced the total number of occasions where this occurred. However, we found that the decision to no-crime was still incorrect in more than 25 percent of the cases we reviewed. It was of particular concern – and unacceptable – that this inaccuracy was evident in serious crimes such as rape, robbery and violence.
- 2.36 In January 2014, HMIC published an interim progress report reviewing the improvements that had been made by Kent Police since publication of the 2013 report.<sup>18</sup> Kent Police was found to have responded positively to the concerns raised in HMIC's 2013 report. The force had developed a comprehensive action plan, against which good progress had been made, and there was substantially greater accuracy in crime-recording, including in no-crime decisions.
- 2.37 It is important to note that the sample for the Kent inspection was of a sufficient size that we could form statistically reliable judgments. We are not able to replicate this sample size for each of the 43 forces, due to the resourcing this would require. The statistics in this current audit are only statistically reliable at a national level.
- 2.38 Kent Police will be visited again as part of this 43-force inspection to assess whether the people of Kent can have a lasting confidence in the force's crime figures.

<sup>17</sup> The central role of the Home Office Counting Rules and National Crime Recording Standard is detailed in the section 'Crime-recording counting rules and standards', on page 34 of this report.

<sup>18</sup> *Crime Recording in Kent – An interim progress report, commissioned by the Police and Crime Commissioner for Kent*, HMIC, London, January 2014. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)

## Other considerations

- 2.39 This inspection is not only a test of national compliance with crime-recording rules. It also examines police crime-recording culture in all 43 forces. Fundamentally, this is a test of the way victims of crime are served by the police in England and Wales, focusing more on accurate crime-recording, i.e. recording a crime when a crime has been committed, rather than the broader assessment of whether incident reports have been correctly completed, as was considered in *The Crime Scene 2012*.
- 2.40 As we explain in the main body of this report, our task has required a consistently applied and methodical approach to produce a valid picture of crime-recording in England and Wales.
- 2.41 Our inspectors are particularly aware of the pressure placed on police to prevent, tackle and try to reduce crime, and to demonstrate they are doing so. Over approximately three decades, and in common with other major public organisations, the police have been subject to a performance and target-driven culture which stems from the policies of successive governments. HMIC was itself an instrument in a government-led programme to secure improvements in police performance and was, in those times, a strong promoter of the target culture within the police service. This culture led to successes in performance terms but also had detrimental effects. In 2010, the Home Secretary made a clear statement to the police service that she was removing nationally-established targets to reduce particular types of crime, and told police forces:

*“I couldn’t be any clearer about your mission: it isn’t a thirty-point plan; it is to cut crime. No more, and no less”.*<sup>19</sup>

- 2.42 Much of our review of crime records is an assessment of accurate crime classification according to the rules and standards, including the under-recording of crime that should be logged from incident records.
- 2.43 We take note of any instances where we find that performance pressures appear to affect the accuracy of crime-recording. We will note, for

<sup>19</sup> Speech by the Home Secretary to the Association of Chief Police Officers and the Association of Police Authorities national conference, 29 June 2010, Manchester.

example, wherever we identify crimes that may not have been accurately recorded because of pressures to downgrade a crime to a less serious classification, or to reclassify a recorded crime as a no-crime to present a better picture of a force's performance; or indeed not to record a crime at all.

- 2.44 It should be understood that police forces can only record what is reported to them by victims and by police officers carrying out their duties. Reporting rates vary for each crime type. There are hidden and under-reported crime types, including domestic violence, sexual offences and child abuse. New types of crime are currently emerging and placing added pressure on police crime-fighting resources. They include, for example, people-trafficking and modern-day slavery, and the evolving threat from cybercrime.<sup>20</sup>
- 2.45 The focus of this inspection is on the crimes that are reported and should be recorded, how this is done and the culture that surrounds crime-recording practice.

<sup>20</sup> The police response to these crimes will be inspected as part of the HMIC 2014/15 inspection programme.

### 3. How do the police record crime?

- 3.1 This section explains how crime statistics are assembled, how police forces record crime data and the rules that govern the process. We provide case examples and other illustrations to set the scene as clearly as possible.
- 3.2 We describe:
- the roles of the Home Office and government statistical bodies governing crime data recording in England and Wales;
  - the Home Office Counting Rules for recorded crime and the National Crime Recording Standard: rules to ensure consistent and effective crime-recording and that take a more victim-focused approach to crime-recording;
  - how the rules are interpreted: when and what is a crime and how police receive reports of crime; and
  - the use of out-of-court disposals.
- 3.3 These elements are the context for understanding the complexities of crime data recording and show that there is room for error even when police force crime-recording is internally monitored and strictly controlled. This background also underpins the requirement for applying rigour and consistency in our inspection approach, described in the next part of this report.

#### **Assembling crime data statistics**

- 3.4 The Home Secretary requires chief constables in England and Wales to provide statistical data, and specifies the form in which they must provide these data.<sup>21</sup>
- 3.5 The Home Office collates crime statistics based on data returns submitted by police forces. It then carries out extensive checks for anomalies before supplying the data for publication by the Office for National Statistics. While the ONS will also look for obvious anomalies in

<sup>21</sup> These powers are contained in section 44, Police Act 1996.

the data, it accepts the data as given and they are published quarterly on behalf of the ONS's Chief Statistician.

3.6 In a separate, overseeing role, is the UK Statistics Authority. As an independent body operating at arm's length from government, the UK Statistics Authority's main objective is to promote and safeguard the production and publication of official statistics that serve the public good. The main functions of the Authority are the provision of independent scrutiny of all official statistics produced in the UK and the oversight of the Office for National Statistics, which is its executive body.

3.7 In January 2014, the UK Statistics Authority removed police-recorded crime data from official national statistics records because of their concerns about its accuracy. The Authority stated it would only restore this data to its place when:

*"...the Office for National Statistics (ONS), working with the Home Office, HMIC or other appropriate bodies, is able to demonstrate that the quality of the underlying data, and the robustness of the ongoing audit and quality assurance procedures, are sufficient to support its production of statistics based on recorded crime data to a level of quality that meets users' needs."*<sup>22</sup>

3.8 In 2012, the independent Crime Statistics Advisory Committee was established following a recommendation from the National Statistician's Review of Crime Statistics.<sup>23</sup> CSAC is a high-level advisory body offering advice to the Home Secretary, the ONS and HMIC on matters relating to the measurement of crime and the collection and presentation of crime data for England and Wales.

3.9 Alongside statistics compiled from police-recorded data, the ONS completes a separate statistical report, the Crime Survey of England and Wales. The CSEW measures the extent of crime by asking people whether they have, in the past year, had experience of crime, such as burglary and assaults, crimes against society such as drug offences and public order matters, and other non-notifiable crimes including those dealt with by other agencies. The survey is a valuable source of

<sup>22</sup> *Assessment Report 268: Statistics on Crime in England and Wales*, UK Statistics Authority, London, January 2014. Available from [www.statisticsauthority.gov.uk](http://www.statisticsauthority.gov.uk)

<sup>23</sup> *National Statistician's Review of Crime Statistics: England and Wales*, UK Statistics Authority, London, June 2011. Available from [www.statisticsauthority.gov.uk](http://www.statisticsauthority.gov.uk)

information. It has measured the extent and nature of crime in England and Wales in this way since 1982.

- 3.10 The CSEW includes both crimes reported to the police and those that go unreported, and is therefore used alongside the police-recorded crime figures to show a more complete picture. However, while it is an extensive survey which is important in estimating unreported crimes, the CSEW does not provide a complete or perfect count of crime.<sup>24</sup>
- 3.11 CSEW is a face-to-face survey in which people resident in households in England and Wales are asked about their experiences of crime in the 12 months prior to the interview. 50,000 households are asked to participate in the survey, with around 70% of households engaging. This equates to around 35,000 adults and 3,500 children (10-15 years). The box and graph below show the latest figures for police-recorded and CSEW-recorded crime. Notably, it reveals a divergence between the overall levels of police-recorded crime and crime as reported in the CSEW for comparable crimes.
- 3.12 Last year, the ONS published a report on this divergence and stated that there could be a number of reasons for it, one of which was recording practice in the police service. The ONS's hypothesis was that the growing gap between the CSEW and police-recorded crime series could be due to:
- “a gradual erosion of compliance with the NCRS such that a growing number of crimes reported to the police are not being captured in crime-recording systems.”<sup>25</sup>*
- 3.13 Closer to home, the majority of police and crime commissioners' police and crime plans contain commitments to reduce crime. Therefore, the data to support success of these plans must be trustworthy.
- 3.14 The emphasis on recording accurate crime data is therefore a major concern of government. It is the reason for the extent and rigour of this

<sup>24</sup> The CSEW excludes fraud and those crimes often termed as victimless (for example, possession of drugs). As a survey that asks people whether they have experienced victimisation, homicides cannot be included. The CSEW does not cover the population living in group residences (for example, care homes or halls of residence) or other institutions, nor does it cover crime against commercial or public-sector bodies.

<sup>25</sup> *Analysis of variation in crime trends: A study of trends in 'comparable crime' categories between the Crime Survey of England and Wales and the police recorded crime series between 1981 and 2011/12.* Available from [www.ons.gov.uk](http://www.ons.gov.uk)

inspection, which focuses on the way police forces comply with rules and standards for crime-recording laid down by the Home Office.

### **Police-recorded crime and the Crime Survey of England and Wales**

In the latest available data for the 12 months to the end of December 2013, the police recorded 3.7 million offences, a decrease of two percent from the previous year.

Police-recorded crime figures continue to show year-on-year reductions, with the latest figures showing a 38 percent overall reduction from the 12 months to the end of March 2003 (the first full year of data since the introduction of the National Crime Recording Standard).

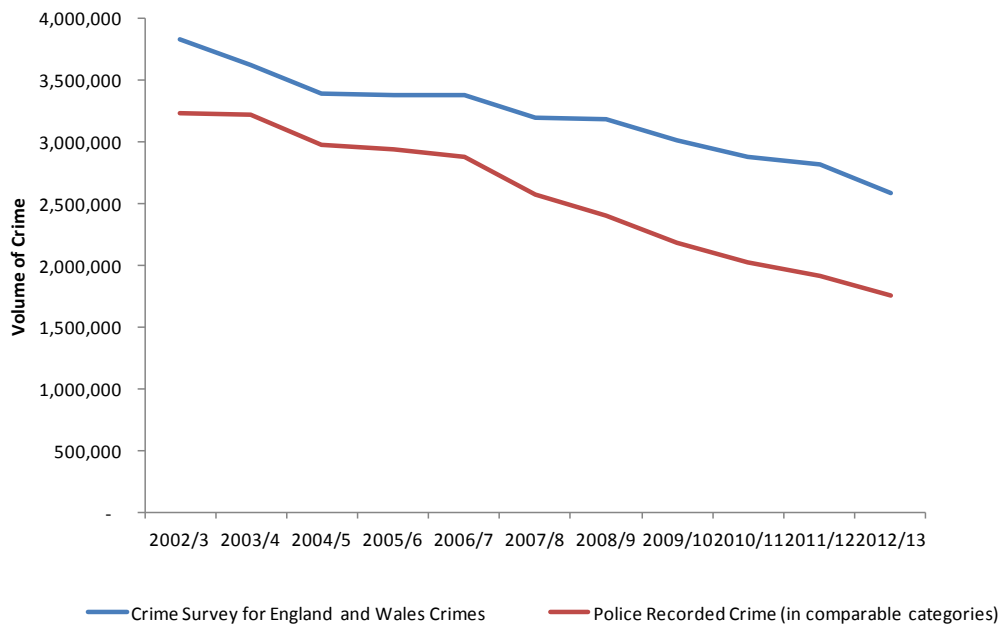
As long as questions remain about the accuracy of police-recorded crime data, these reductions will be called into question. However, further estimates for the level of crime are published through the Crime Survey of England and Wales (previously known as the British Crime Survey). This is based on face-to-face interviews conducted on behalf of the ONS. Rather than relying on crime reported to the police, the survey reports on offences experienced by those interviewed.

The survey shows a higher overall crime level, with 7.5 million crimes against households and resident adults in the 12 months to the end of December 2013. But it has also shown substantial reductions. In particular, the CSEW data shows a 15 percent crime reduction compared with the previous year and, notably, this is the lowest estimate since the survey began in 1981.<sup>26</sup>

This suggests that, while police crime-recording accuracy needs to be strengthened, the pattern of crime reduction is substantiated.

<sup>26</sup> Statistical Bulletin: *Crime in England and Wales, year ending December 2013* (released 24 April 2014). Available from [www.ons.gov.uk](http://www.ons.gov.uk)

**The volume of crime as recorded by the CSEW and by the police**



**Source: Office for National Statistics.**

## Crime-recording counting rules and standards

- 3.15 In this section, we describe the rules and standards that govern crime-recording practice in the police forces of England and Wales, namely, the HO CR and the NCRS. We explain the principles that all police forces must follow to comply with both the HO CR and the NCRS, and illustrate when and why the police should record crime. We also explain and illustrate the different routes by which police forces receive reports of crime.
- 3.16 The crime data recorded by the police and submitted to the Home Office under section 44 of the Police Act 1996 must comply with the HO CR.<sup>27</sup> This is known as notifiable crime.
- 3.17 The HO CR are specific about what amounts to a notifiable crime of a particular type, including sexual violence, robbery, burglary, theft and handling of stolen goods, fraud and forgery, criminal damage and drug offences. They also specify *whether* an incident should be recorded as a crime, *when* a crime should be recorded and *how many* crimes should be

<sup>27</sup> Home Office (2012) *Home Office Counting Rules*. Available from [www.gov.uk](http://www.gov.uk)



recorded in respect of any particular single incident (which may involve the commission of a number of crimes) and then placed on record to be notified to the Home Office.

- 3.18 The counting rules provide a definite framework for interpreting and classifying crime, and this framework has been tightened up in recent years. As a means of governing police practice, the counting rules have evolved over more than 90 years. The general rules for the recording of crime now extend to 24 pages which are supported by a further 10 pages of guidance detailing how and when the outcomes of crimes are recorded, such as when a person is prosecuted or given a Penalty Notice for Disorder. Annexes covering particular crime types extend to over 400 pages. While this level of guidance is significant, it should be considered alongside the 1,500 different types of criminal offence which must be notified to the Home Office.
- 3.19 The rules standardise how, and if, crimes are recorded. For instance, they set out different ways of recording crimes when there is a specific or intended victim, or when the victim is unwilling to be identified. After the election of the Labour government in 1997, there was an attempt to tighten and standardise the existing counting rules, but of course, like any rules, they remain susceptible to interpretation.
- 3.20 In the light of these concerns, the Home Office commissioned a research paper into crime-recording practice in ten police forces. It revealed poor recording and inappropriate practices.<sup>28</sup> Following this study, HMIC was commissioned to conduct a further review of crime-recording in 11 forces while taking data from all 43. The report,<sup>29</sup> published in 2000 alongside the Home Office Research Study, was also highly critical. It found that the forces inspected had only correctly recorded between 55 and 85 percent of the crimes that should have been recorded.
- 3.21 Following these reviews, the Association of Chief Police Officers, with the Home Office, developed the NCRS, which was introduced in 2002.
- 3.22 While the HOCR are 'what must be done' in police crime-recording, the NCRS is 'why it must be done'. The NCRS has the twin aims of ensuring proper focus on the victims of crime and consistency in crime-recording

<sup>28</sup> *Review of police forces' crime-recording practices*, Home Office Research Study 204, 2000.

<sup>29</sup> *On the Record*, HMIC, July 2000. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)

in all 43 police forces. It is based on applying legal definitions of crime to victim reports.

### **Who ensures compliance with the crime-recording rules?**

- 3.23 The NCRS state that each force must appoint a force crime registrar who is responsible for ensuring compliance with the crime-recording process. As the final arbiter he is ultimately responsible for all decisions to record a crime or to make a no-crime decision. The FCR's responsibilities include training staff in the crime-recording process and carrying out audits to check that the force is complying with the rules.<sup>30</sup>
- 3.24 All forces must designate a police officer of chief officer rank who has responsibility for overseeing the force approach to crime-recording. The relationship between these two central roles is clear. The NCRS states that the FCR must be answerable to the chief officer with overall responsibility for the accuracy and integrity of crime-recording processes.
- 3.25 At national level, the national crime registrar manages the counting rules on behalf of the Home Office. He is the source of expertise on the rules but has no authority to change crime-recording decisions made at force level.
- 3.26 Since the introduction of the NCRS, the National Crime Recording Steering Group has met regularly to review the counting rules. The steering group includes members of the Home Office Statistics Unit, FCRs, the national policing lead for crime statistics, HMIC and the ONS. Recommendations for change are considered by the Home Secretary and CSAC, and the HOCR are updated each April. Updates include amendments to reflect changes in legislation and adjustments to improve clarity and consistency in recording by police forces.

### **When is an 'incident' a crime?**

- 3.27 The first principle the police must follow is that all reports of incidents, whether from victims, witnesses or third parties and whether crime-related or not, must result in the registration of an incident report by the police. It is important to note that an incident report can take any form as long as it is auditable and accessible. For example, a report made directly to an officer on the street may be recorded in his pocket book.

<sup>30</sup> HOCR Annex A, National Crime Recording Standard, paragraph 4.2.

3.28 From the moment a victim of crime calls the police, the requirement to record a crime is based on the victim's statement to the police. The allegations about a crime are recorded on the basis of the victim's own account. The correct approach by staff receiving reports of crime is to ask some initial questions to establish the facts, but they do not conduct an investigation.

3.29 To determine whether an incident is a crime, the HOCR state that:

*"An incident will be recorded as a crime (notifiable to the Home Secretary) for offences against an identified victim if, on the balance of probability:*

*A. The circumstances as reported amount to a crime defined by law (the police will determine this, based on their knowledge of the law and counting rules), and*

*B. There is no credible evidence to the contrary."<sup>31</sup>*

3.30 This is followed by rule 2:

*"For offences against the state the points to prove to evidence the offence must clearly be made out, before a crime is recorded."*

3.31 So there are two primary types of crime: the first aimed at identified victims; the second against the state, for example the possession of drugs, carrying a weapon, and public order offences that have no victim.

3.32 Because these rules place an obligation on the police to accept what the victim says unless there is *"credible evidence to the contrary"*, a crime should still be recorded where:

- the victim declines to provide personal details;
- the victim does not want to take the matter further; and
- the allegation cannot be proved.

3.33 The balance of probability test is detailed in the NCRS. It provides that:

*"In most cases, a belief by the victim (or person reasonably assumed to be acting on behalf of the victim) that a crime has occurred is sufficient to justify its recording as a crime, although this will not be*

<sup>31</sup> HOCR, General Rules Section A.

*the case in all circumstances. Effectively, a more victim-orientated approach is advocated.”<sup>32</sup>*

*“An allegation should be considered as made, at the first point of contact, i.e. the stage at which the victim or a person reasonably assumed to be acting on behalf of the victim first makes contact with the police, be that by phone, etc. or in person. If an alleged or possible victim cannot be contacted or later refuses to provide further detail, the Crime Recording Decision Making Process (CRDMP) should be based on all available first contact information.”*

- 3.34 The HOCR describe when a crime need not be recorded; if a victim does not confirm a crime, then it is not recorded. For instance, if someone other than the victim reports an apparent street robbery, but police cannot find the victim, then a crime is not recorded, but the incident must be recorded.
- 3.35 Also, the HOCR do not require a force to record a crime if it happens in another force area or in another country but is reported in England or Wales.

<sup>32</sup> HOCR, General Rules, Annex A.

### **One or more crimes?**

Once the police have decided to record a crime, they then need to determine how many crimes to record, as well as which offences have been committed. This is sometimes where the police make errors.

Consider, for example, a burglary where car keys are taken from a house and the car has been stolen:

- This may involve two offences: a burglary (entering the house and stealing the keys); and the theft of a motor vehicle.
- If there is only one victim and one offender (or group of offenders acting together), then only one crime should be recorded, although the offender(s) may be charged and convicted of both offences.
- If there are two or more victims in the same incident (such as two people assaulted by a gang), a crime should be recorded in relation to each victim.

### **How soon should police record a crime?**

3.36 The HOCR state that:

*“...a crime should be recorded as soon as the reporting officer is satisfied that it is more likely than not that a crime has been committed”.*

3.37 The police must record the crime at the earliest opportunity that the system allows. This is traditionally three 24-hour periods (72 hours) from the time the incident is first logged. However, a maximum of seven days is allowed to cater for situations outside the control of the police, such as where victims cannot be contacted or are not available despite police efforts to make contact with them.

3.38 It is important that crimes are recorded in a timely way. This is for a number of reasons. Officers use crime information when responding to incidents and events to help them assess risks to officers and the public, and the information is disseminated on the Police National Database (PND). Police forces use this in the investigation of serious crimes, and when checking the backgrounds of individuals, so any delays can affect the quality of the information available.

3.39 In the case of reports of sexual violence, the findings from *The Crime Scene*,<sup>33</sup> published in 2012, indicated that almost one-fifth of forces did not report some sexual offences in a timely way. These forces delayed the classification of such crimes until the primary investigation was complete and then decided, sometimes weeks later, what classification to apply in the crime record. This is a clear breach of the HOCR. The current inspection is revisiting this issue and is in particular looking closely at how allegations of rape are recorded.

#### **How do forces receive reports of crime?**

3.40 Police forces receive reports of crime from the public through a number of routes. The two main ones are by telephone:

- directly to a force control room, where an incident record is created and, when it is considered appropriate – sometimes some time later – a crime record is made;
- directly from a victim of a crime to a call-handler where a crime record is made immediately and the victim receives a crime reference number.

3.41 Most other crime is reported to the police through a specialist department, such as through referrals from other statutory bodies and charities, or to officers on the street or at the front counters of police stations.

3.42 Police forces use opening and closing codes to log and classify reported incidents and to check on the investigation and outcomes of each reported incident or crime. The number of opening and closing codes varies in different police forces, depending on each force's incident recording systems and processes. But the purpose of these codes – to identify and record each incident or crime – remains the same.

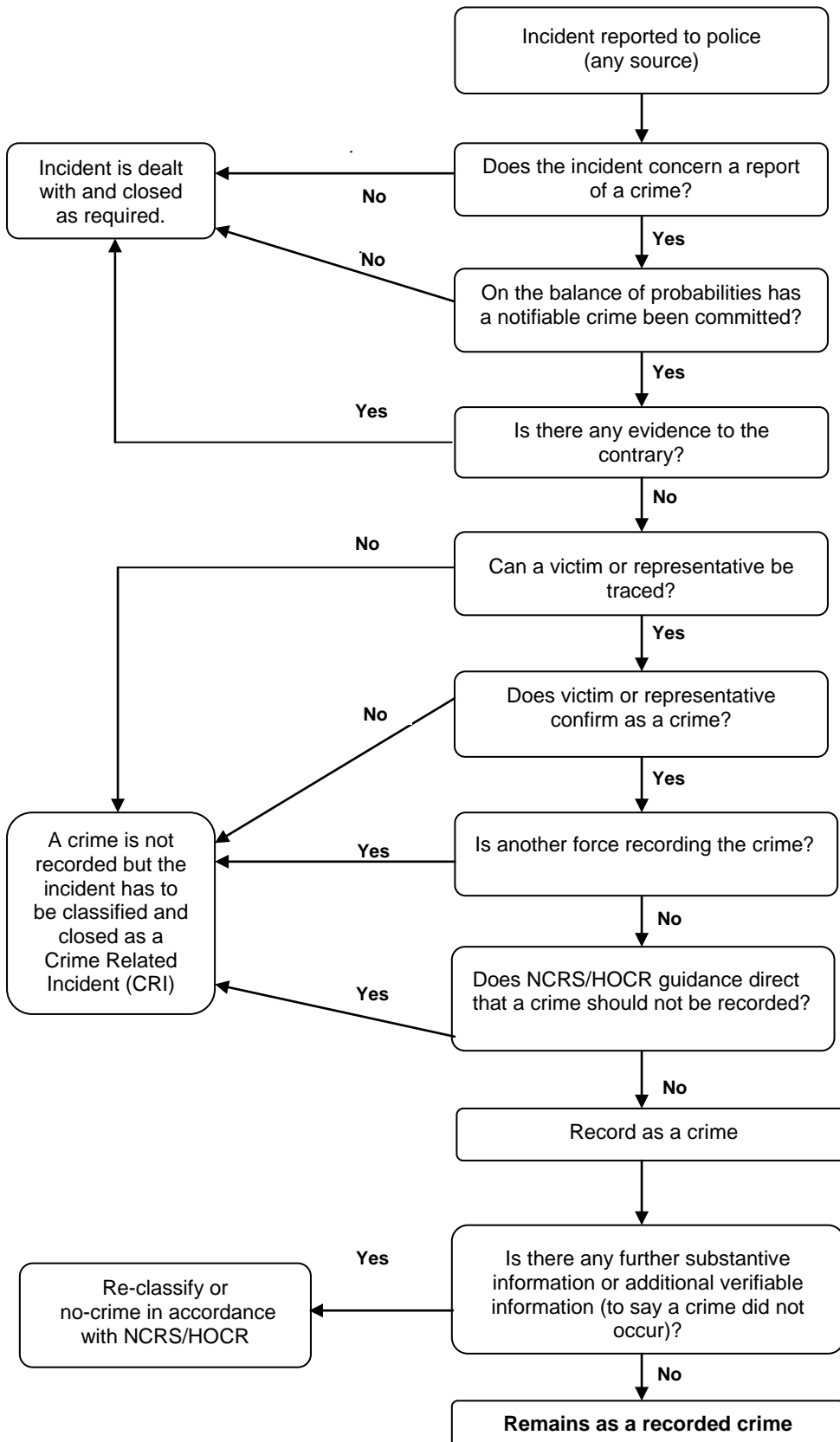
3.43 Importantly, reports of crime received through the two main routes (as described in paragraph 3.40) are recorded on force IT systems. This means there are records that can be checked for accuracy. Checking (auditing or dip-sampling) is an essential part of both the internal and external review of police procedures. Forces use a variety of IT systems for recording incidents and crimes, while specialist departments, including those investigating rape and other serious sexual offences, and

<sup>33</sup> *The Crime Scene*, HMIC, January 2012.

dealing with the protection of vulnerable people, often have their own separate IT systems. There are, in fact, numerous different IT systems used in specialist departments in the 43 police forces. On these, the police record referrals concerning rape and other crimes from organisations such as health and social services. There are also instances where police officers in specialist departments make records on separate areas of the force's standard crime-recording system; however, these are not recorded crimes until they are recorded in the main crime-recording database.

- 3.44 The other, non-direct routes for reporting crime (such as those recorded in minutes of meetings with external organisations, on separate IT systems in a specialist department, or in officers' pocket books) are inherently difficult to audit because they do not automatically result in an easily auditable record on force IT systems.
- 3.45 Figure 1 below illustrates the various routes for recording crime and the process required by the counting rules.

**Figure 1: The national crime-recording process**





### **When is an incident not a crime?**

- 3.46 Many incidents reported to the police turn out not to be crimes. For example, someone reports a man on a ladder breaking the first floor window of a house and climbing in. A police patrol immediately goes to the house and finds the man who is inside is the owner and had forgotten his key. When there is such an incident, or when the police have clear evidence to believe that a crime has not been committed, this is not a crime and not recorded as such.
- 3.47 It should be emphasised that the HOCR do not expect police to record reports of crimes made by a third person (unless that person is reasonably assumed to be acting on behalf of the victim) if the victim cannot be found to verify that a crime has occurred. So, if someone witnesses an assault in the street and reports it to the police, but the victim of the assault is unknown to the witness and cannot be traced, the police are not required to record the incident as a crime. The incident itself must be recorded but, under this rule, the police are actively prevented from recording all the crimes that come to their attention.

### **When does a crime get re-classified to a no-crime?**

- 3.48 There are occasions when it becomes apparent that a recorded crime is not in fact a crime. In these circumstances, the police reclassify the crime as a no-crime. This will not therefore be counted in the number of crimes reported to the Home Secretary.
- 3.49 The HOCR have criteria that must be met when deciding whether a recorded crime should be shown as a no-crime. One of the following criteria must be satisfied to record a no-crime:
- (a) the crime is outside the jurisdiction of the police force in which it was first recorded (e.g. if it happens at a railway station, then it is transferred to the British Transport Police to make the record);
  - (b) additional verifiable information is available which determines that no notifiable crime has been committed;<sup>34</sup>
  - (c) the alleged crime is part of another crime already recorded;
  - (d) the crime is recorded in error (e.g. a road collision is recorded as criminal damage); or

<sup>34</sup> HOCR, General Rules, Section C, No Crimes (1 of 2).

(e) the recorded crime is one of less serious assault and there is clear additional verifiable information that shows that the offender acted in self-defence.

3.50 The main requirement here is the need to show additional verifiable information – often referred to as AVI – to reclassify a crime as a no-crime.

3.51 If, for example, an item which is first recorded as stolen is afterwards found and had been misplaced by the person who reported it as stolen, then it would be correct to show the crime record as a no-crime.

3.52 However, if following an investigation of a reported rape the police are unclear as to whether an offence has taken place then the crime record must remain open. Being unclear does not amount to additional verifiable information demonstrating that the crime did not take place.

### **No-criming decisions require close checking**

Consider these examples from previous HMIC audits of no-crime records:

A man reports the theft of cash from an upstairs room and it was recorded as a crime of burglary. There were two points of entry into the room. One was covered by CCTV, which did not show any offender. The other was through the back door, where there was a large puddle of water which could have caused muddy boot prints but there was no sign of them. The victim could not explain this but still stated that the money had been stolen. The crime was no-crimed on the assumption that the victim was not telling the truth and that boot prints would probably have been left, rather than on the basis of additional verifiable information which would have determined (proved) that a crime was not committed. This should therefore have remained a recorded crime.

And this example:

A woman alleges rape by a man in a car after she changed her mind about having sex following a discussion about the use of a condom. The rape was recorded as a crime. She reports that she did not run away because she was scared of being beaten up. There had been no violence or pinning down although the woman said her chest was sore and she had felt intimidated. The incident was no-crimed in this case because the man said he did not know that she did not consent to having sex. But there is no additional verifiable information to show that the victim had in fact given consent. This should have remained recorded as a crime of rape.

## What are out-of-court disposals?

3.53 In this inspection, we also look at out-of-court disposals.<sup>35</sup> These allow the police to deal quickly and proportionately with low-level, often first-time offences<sup>36</sup> which can be resolved satisfactorily and in the public interest without going to court.

3.54 They include:

- **Caution:** This is a non-statutory disposal used for people when the offender's behaviour requires no more than a formal warning. A caution may be offered when the offender admits the offence and there is enough evidence for a realistic prospect of conviction, but it is not in the public interest to prosecute. The offender must also agree to accept the caution, and in doing so must understand the implications (see paragraph 6.43).
- **Adult cannabis warning:** This is a non-statutory disposal introduced in 2004 for people aged 18 and older. It is a formal warning given by a police officer to deal with an adult caught in possession of a small amount of cannabis consistent with personal use.
- **Penalty notice for disorder (PND):** PNDs were established by the Criminal Justice and Police Act 2001 and are available only for offenders aged 18 and over. The PND scheme provides police with a swift punishment to deal with low-level offending. A PND can be given at a police station, or on the spot, and allows the person receiving the PND 21 days either to pay a penalty or to choose to go to court. The penalty is increased if the person fails to do either – and the amount charged is registered in a magistrate's court for enforcement. PNDs are available for certain offences including being drunk and disorderly in a public place, retail theft under £100 (shoplifting), criminal damage under £300 and behaviour likely to cause harassment, alarm or distress.
- **Community resolution:** This is a way of dealing with an offender which is proportionate to lower-level crime. The resolution is

<sup>35</sup> Our inspection of out-of-court disposals does not form part of the national audit figure for crime-recording compliance. However, as the recording of the disposal (or outcome) of a recorded crime forms part of the NCRS, we will report on the appropriateness of their use, and therefore the validity of the data reporting their use, both at force and national level.

<sup>36</sup> *Quick Reference Guides to Out-of-Court Disposals*, Ministry of Justice, April 2013.

dependent on the offence that has been committed; it may include, for example, simply apologising to the victim or making good damage caused. Community resolutions can be offered when the offender admits the offence and are mainly used in cases where the victim has agreed that he does not want formal action to be taken.

- 3.55 These disposals – or outcomes of crime – are important to crime reduction. They are intended to allow the police to deal with often first-time offenders with a view to discouraging them from committing further crime. Where they are used, the NCRS requires forces to record the fact as part of the relevant crime record. This data is then used to demonstrate the effectiveness of the force in dealing with reported crime.
- 3.56 This inspection is concerned to establish whether these methods of crime disposal are being used appropriately by forces and whether, when deciding to use these disposals, the views of the victim or any threat to the wider community are being properly considered. For example, police officers should explain their decision to use an out-of-court disposal to the victim of the crime.
- 3.57 The service provided to victims is of central importance. By complying with the HOCR and NCRS in recording crimes accurately, and by discussing out-of-court disposals with victims, the police are demonstrating that their work is focused on the interests of the victims of crime. Accurate crime-recording at the outset of each incident makes it possible for the police to involve and work with victims, discuss crime investigation progress and outcomes, and ensure victims have information about victim support services.

## 4. The method of inspection

- 4.1 HMIC has worked with a number of parties to design its methodology for this inspection. These include the national policing lead for crime statistics, Chief Constable Jeff Farrar; the Office for National Statistics; the Police Federation of England and Wales; the Police Superintendents' Association of England and Wales; the Home Office; the national crime registrar; and the Crime Statistics Advisory Committee. In addition, HMIC has consulted a working group of practitioners, including performance managers and force crime registrars from several forces.
- 4.2 The inspection not only tests compliance with crime-recording rules but also assesses the culture and systems surrounding crime-recording, as well as the service the police provide to victims. The interests of victims of crime and the effect of crime-recording on the community are at the heart of this inspection. Inspectors are making sample follow-up calls to victims to determine the effect the decision to record or not record a crime has had. The inspection also considers crimes which, when repeated, cause significant harm to the community, such as criminal damage and other crimes related to anti-social behaviour. The inspection is also reviewing crime outcomes, including cautions and community resolutions, from the viewpoint of a victim.
- 4.3 We are inspecting the following in each force in relation to crime data recording:
- leadership and governance;
  - systems and processes; and
  - people and skills.

### The three inspection stages

- 4.4 The inspection is carried out in three stages:
1. During the first stage, in December 2013, HMIC inspectors made one-day visits to each of the 43 forces to gain a clear understanding of the ways in which members of the public report crime to each force. All forces have call-handling centres receiving incident information and data; some have specialist crime-recording bureaux. Force specialist departments also receive some reports of serious crimes directly from other organisations, such as health or social

services. HMIC has assessed the proportion of crimes reported by each route.

2. Once HMIC inspectors have identified the various crime-reporting routes for each force – and where the various force systems allow for reports to be audited – we ask each force to provide a specific number of records for auditing purposes. A sample of these records are then selected by HMIC and audited. We explain the audit sampling approach in more detail in Annex C.
3. Informed by the audit findings and our understanding of the crime reporting routes, HMIC inspection teams visit each police force to interview senior managers and staff directly involved with crime-recording, visit control rooms and crime-recording centres, and meet a focus group of practitioners. We also carry out ‘reality testing’ in the form of unannounced visits to police stations to interview frontline staff who have day-to-day responsibility – as constables, sergeants and inspectors – for dealing with incidents and victims of crime. In this way, we check how top-level decisions and strategies affect the way crime is recorded at police stations. We explain the field visits in more detail below.

### **Additional surveys**

4.5 While the auditing and field inspection programme is central to the inspection approach, we have also commissioned surveys to assist us:

- The first survey, which is being carried out in two parts, is aimed at the public.<sup>37</sup> It is gauging the trust the public has in police crime data and establishing the aspects of crime-recording which matter most to people.
- The second survey, to be completed during the summer of 2014, will be directed at police officers and police staff across England and Wales, and will build on our evidence from the field inspections. From this survey, we will establish: what officers and staff think about crime-recording; what training they get; what messages they take in from senior and middle managers about crime-recording integrity;

<sup>37</sup> The public survey is being conducted in two parts. The first part, with small groups of people who are provided with the background detail to crime-recording, was completed during February 2014; the second part, a number of specific questions included within the CSEW, will be completed between April and June 2014.

and whether they are under any undue pressure to record or not to record crimes.

## **The approach to auditing crime records**

- 4.6 The most efficient method of making an assessment of compliance with the Home Office Counting Rules is to take a representative sample of records that appear to be crimes. HMIC auditors are checking this sample of records to understand:
- the proportion of reported crime that is correctly recorded as a crime;
  - whether reports of crime correctly recorded as crimes are correctly classified; and
  - the time taken to record a crime from the earliest point at which it should have been recorded.
- 4.7 The accuracy of the recording of specific crime types can differ. Therefore, it should be noted that the degree of under-recording of crime that is found may not be the same for all crime types. This is explained in more detail in Annex C.
- 4.8 The audit will report on crime-recording accuracy at a national level, and not at force level, as the sample sizes required to report with a reasonable level of precision (+/- 5%) at force level are beyond available resources.<sup>38</sup>
- 4.9 Sampling data for each force are only being used as indicative of the accuracy of force crime-recording; they are not of a size to be of statistical significance. Each force sample does, however, contribute to the overall national sample from which we will be able to report a statistically sound figure for the accuracy of crime-recording within England and Wales as a whole.
- 4.10 The audit results for each force are discussed with the force crime registrar and any differences in opinion on the findings are reviewed by advisers working with HMIC. The national crime registrar is also taking

<sup>38</sup> For example, the CSEW, which is recognised as being the gold standard in terms of survey collection, does not report at force level, even though its annual sample is as large as 35,000 households.

an active part in this inspection, providing advice when required to the HMIC auditors, as well as dip-sampling their work to check for accuracy.

### **The routes for reporting crimes**

4.11 The results of the crime route analysis, described in more detail at paragraph 4.4 of this report, indicated that 92 percent<sup>39</sup> of crime that is recorded (excluding fraud) came through a route that can be audited.<sup>40</sup> These are crimes reported through police control rooms, directly to crime-recording bureaux, or both.

4.12 Of the remainder, one percent came through specialist routes, which included public protection and rape counselling units. The other seven percent came through a variety of routes, such as reports by a member of the public to an officer on foot patrol or at the front desk of a police station. As far as is practical, these other routes are being assessed through local inspection.

4.13 A full description of our audit methodology is in Annex C.

### **The field inspection visits**

4.14 Audit sampling is only one part of the evidence-gathering process. The field inspection visits which follow soon after each audit sampling period are used to complete the picture. Each field inspection visit involves up to six HMIC inspectors spending three days with each force to gain a thorough understanding of:

- (a) **Governance and leadership** in crime data integrity by establishing whether the force has arrangements at senior level to ensure there is confidence in recorded crime figures and all aspects of HOCR;
- (b) **Systems and processes** in crime data integrity by establishing whether there are systems and processes in place to ensure that crime is correctly recorded according to HOCR and NCRS; and if standards are maintained and no-crime decisions are correct; and
- (c) **People and skills** in crime data integrity by establishing whether the force has staff whose conduct and skills ensure accurate recording.

<sup>39</sup> These figures are for all recorded crime (excluding fraud). In respect of particular crime types, these figures varied from 86 percent for robbery and sexual offences, to 97 percent for burglary.

<sup>40</sup> This does not mean that 92 percent of crime reported to the police comes in via this route; it is the proportion of crime that gets recorded through this route.



- 4.15 Inspectors complete templates to record evidence gathered by each field inspection team. The evidence is built up under the direction of an inspection leader who is responsible for co-ordinating the inspection, as well as taking part in a range of interviews and facility visits. Interviewees include the chief officer lead for crime data integrity, the FCR, the head of crime investigation, the local policing area manager, the head of force IT, the crime bureau manager, the head of the control room and call-handling and the head of rape investigations (or the head of the unit responsible for protecting vulnerable people).
- 4.16 As well as the individual interviews, inspectors also run a focus group with officers and staff who have oversight of crime-recording in different areas of the force.
- 4.17 Finally, they carry out reality-testing (unannounced visits to police stations) to see how strategy, vision and operational directions surrounding crime-recording affect day-to-day practice at the front line. They also visit the control room and crime bureau (or its equivalent) to speak to staff who receive calls from the public.
- 4.18 Inspectors can complete in-depth interviews with 30 or more officers and staff on each force visit.

## Developing a clear picture

- 4.19 All these methods ensure HMIC can build as accurate as possible a picture of crime data integrity in England and Wales. They allow us to find answers to the following questions:
- **Is there good leadership in crime data recording?** We inspect the effectiveness of leadership and governance, systems and processes and the people and skills in place to support accurate crime-recording.
  - **How accurately are crimes recorded?** We look at the accuracy of the recording of the types of crimes which cause significant harm to individuals and the community. We also look closely at out-of-court disposals and whether these are used appropriately. We review the standards that forces apply when decisions are made to change a recorded crime to a no-crime.
  - **What investment do forces make in crime data integrity?** Police forces vary in the resources they commit to ensure crime data integrity. Maintaining high standards in crime data requires investment in systems to support efficient crime-recording, and also

in people. We look at the level of investment in the training of officers and staff to help them record crime accurately and the investment in the staff who monitor and audit standards.

- **Are victims of crime being well served?** At the core of the inspection we establish whether victims of crime are being served correctly by the police when it comes to recording crimes. This means not only checking on the service received by victims who have had a crime recorded, but making follow-up telephone calls to some people whose crimes were not recorded to establish whether they understood the decision.

## 5. The inspection to date

- 5.1 HMIC has completed all three stages of the inspection explained above in 13 of the 43 police forces in England and Wales. Annex B specifies the forces we have visited so far. It also shows the schedule of visits to the remaining 30 forces, to be completed by August 2014.
- 5.2 The general surveys of the public and of police officers will be assessed separately and added to the evidence to be used for our final report in October 2014.
- 5.3 In support of our findings from the first set of field inspections, we have reviewed documentation from forces, including policies, procedures and guidance provided to officers, which set the standard for accurate crime-recording. We have also reviewed the audits provided to us by the forces themselves to assess their crime data accuracy. Our one-day visits to all 43 forces in December 2013 provided important information about the ways in which each force receives reports of crime.
- 5.4 In relation to the 13 police force inspections carried out so far, our inspectors have reviewed:
- 3,955 reports of crime; 3,100 of these came from reported incidents, 305 were directly recorded either at the point of report by the victim over the telephone or through force crime bureaux, and 550 were recorded by other systems;
  - 972 no-crime decisions;
  - 978 crime records in which the offender was dealt with by way of an out-of-court disposal, such as a caution, penalty notice for disorder or cannabis warning; and
  - 308 crime records in which the offender was dealt with by way of a community resolution.
- 5.5 The evidence gathered to date from the audit and field inspection visits – the second and third stages of the inspection approach – enables us to report on the emerging themes below. Our inspectors are already identifying some worrying weaknesses in current police crime-recording practice.
- 5.6 Our final report in October 2014 will contain statistically sound data supported by the evidence from all 43 police force inspections.

## 6. Emerging themes

- 6.1 The HOCR were established in their current form in 1998 and the NCRS was introduced in 2002. Together they provide a clear and simple framework and set of rules for the sound and consistent recording of crime by the police. They are not especially complicated; nor are they optional. Every police officer should be able to understand and properly apply them. Every police force must adhere to them.
- 6.2 This inspection is concerned with how the HOCR and NCRS are applied. It is an inspection of the integrity of police-recorded crime data. It is not an inspection or inquiry into the integrity of the police.
- 6.3 As explained, this is an interim report. This section contains a report of the themes which are emerging as the inspection continues. So far, 13 forces of the 43 Home Office forces have been inspected, but since two of the largest – the Metropolitan Police and Greater Manchester Police – are among them, the number of incidents and crimes examined is over 60 per cent of the total which will have been done by the end of the inspection. It is therefore timely that we report now on what we have found.
- 6.4 Before doing so, it is appropriate to remind readers that the only statistically significant figures in this inspection are those which will be published in our final report in October 2014. However, we can – and do – report on the cases which we have examined.
- 6.5 We are seriously concerned at the picture which is emerging. It is one of weak or absent management and supervision of crime-recording, significant under-recording of crime, and serious sexual offences not being recorded (14 rapes). Some offenders have been issued with out-of-court disposals when their offending history could not justify it, and in some cases they should have been prosecuted.
- 6.6 If the findings for the first set of forces are representative across all forces and all crime types, this implies that 20 percent of crimes may be going unrecorded. Some forces have of course performed better than others. The figures for the forces inspected so far are given in the table at paragraph 6.19.
- 6.7 The reasons for these failures will sometimes be a combination of factors, and sometimes one or two. In some cases, it is simply poor knowledge of the rules and inadequate or absent training in their content and application. In others, poor supervision or management of police

officers will be responsible. Pressure of workload, where police officers have been managed in such a way as to overload them with cases, is also a likely factor.

- 6.8 An inspection of this nature is not a criminal investigation<sup>41</sup>. We cannot establish in every case what were the motives – if any – of a police officer who has wrongly failed to record a crime. However, in the light of what we have so far found – which could conceptually be contradicted by later results – it is difficult to conclude that none of these failures was the result of discreditable or unethical behaviour. The failure rate is too high. What is not possible is any measurement of this factor; that is beyond the scope of this work.
- 6.9 The consequences of under-recording of crime are serious and may be severe:
- (a) victims are failed because the crimes against them are not investigated, they have no hope of justice according to law, and they will not receive the services to which they are entitled and which they need;
  - (b) the community is failed because our system of public justice requires offenders to face the law and its sanctions, and if they escape justice not only is it denied, but more victims may be created, increasing the harm done to the community and its safety and security;
  - (c) the levels of crime will be wrongly under-stated, and so detection rates may as a consequence be artificially high, presenting a misleading picture of crime and disorder to the community, police and crime commissioners and senior police management;
  - (d) police chiefs will lack the reliable information which they need to make sound decisions on the deployment of their resources in order to maximise the efficiency and effectiveness of their assets; this in turn jeopardises public safety and security.
- 6.10 The picture is of course not all bad. In the paragraphs below, we explain strengths in the system of police-recorded crime as we have observed it.

<sup>41</sup> If HMIC were to find evidence of any criminal activity, we would provide it to the professional standards department of the police force in question or the Independent Police Complaints Commission, as appropriate.

We then proceed to describe and evaluate the weaknesses we have found.

- 6.11 At the end of each field visit by inspectors, senior police officers and staff in each force receive debriefing on what has been found. This means that each inspected force is already aware of HMIC's findings in that force. It is HMIC's intention that individual inspection reports – one for each inspected force – will begin to be published in June 2014.

## Strengths

- 6.12 Two strengths in crime-recording practice stand out from the inspection of the 13 forces:

1. **Classification decisions** – We have found little evidence of the misclassification of crime. Our audits show that of the 2,214 crime records reviewed, 2,142<sup>42</sup> were classified correctly either at the time of initial recording or subsequently.

We have found that these classification decisions are best made by a centralised bureau that is independent of the investigation of the crime, and where a smaller cohort of dedicated staff have been trained in crime-recording. However, in times of great pressure on police budgets, the more expedient and efficient approach is to ensure that attending officers are competent to make sound crime-recording decisions themselves. Understanding the crime-recording regime, including the nature and therefore correct classification of the crime, should be part of the basic competences of every police officer.

2. **Calling the police** – We have found that when victims contact the police through their call centres on both 999 and 101, they are provided with a professional service. So far, we have listened to 3,069 telephone calls from the public of which 3,014 were judged by our inspectors to have been handled well.

<sup>42</sup> Our methodology for assessing the correct classifications of recorded crimes means that auditors only look at the first three crimes in respect of any one incident. This means that if more than three crimes are reported as having occurred in a single incident, the remaining crimes are not considered. Therefore, the total of crimes classified (either correctly or incorrectly) will, in such cases, not match our finding in relation to the total number of crimes recorded.

Our inspectors are finding that during that important first contact with police call-handlers, they are usually polite, helpful, demonstrate empathy for the concerns of the caller and ask meaningful questions to understand the caller's concerns. This reflects the finding that staff within call-handling centres are specialists who receive considerable training, mentoring and support to be able to do their jobs. It also clearly illustrates a commendable public-focused approach.

This is an improvement on what we found in our 2012 report on anti-social behaviour.<sup>43</sup> In that report, we found three forces in which the standard of call-handling in control rooms was not consistently acceptable. This inspection has found that these forces now have good standards of call-handling.

## Weaknesses

6.13 This inspection – which has adopted a more rigorous methodology than any earlier HMIC inspection – has so far identified the following six areas of concern in respect of crime-recording practices by police forces:

- Crimes are not always recorded when they should be;
- Specialist departments do not always record crimes;
- Crimes being inappropriately recorded as no-crimes;
- Out-of-court disposals not effected in accordance with national guidelines;
- Lack of adequate training; and
- Failures in quality of supervision.

6.14 Taken together, these weaknesses suggest that there is an overall lack of victim-focus in the police recording of crime. Whilst the first contact victims of crime have with police call-handlers is usually good, our inspection found the following: reports from victims are not always being believed; the oversight of crime-recording could be improved; and when officers are using out-of-court disposals to deal with offenders, victims are not always informed.

<sup>43</sup> *A step in the right direction, the policing of anti-social behaviour*, HMIC, 2012.

6.15 A failure to engage fully with victims in cases of no-crime decisions or to consider victims' views in cases of out-of-court disposals is not in keeping with the victim-orientated approach advocated in the HOCR, and means that there is insufficient consideration of their needs and views.

### **Crimes are not always recorded when they should be**

6.16 As stated in paragraph 6.6, far too many crimes that should be recorded are going unrecorded.

6.17 Our audit thus far indicates that of the 3,102 incidents we scrutinised, 2,551 crimes should have been recorded. Our inspectors found that 2,028 were recorded correctly in accordance with the HOCR. Among those crimes not recorded when they should have been were sexual offences (including 11 rapes) and crimes of violence, robbery and burglary. We discuss these findings (see paragraph 6.26) and the contributing factors (see paragraphs 6.29–6.33) in more detail later in this report.

6.18 As explained earlier in this report, sampling data from each force is being used only as indicative of the accuracy of force crime-recording; it is not of a size to be of statistical significance. Each force sample does, however, contribute to the overall national sample from which we will be able to arrive at a statistically sound assessment for the overall accuracy of crime-recording within England and Wales in our October 2014 report.

6.19 As part of the inspection, we carried out an audit on a sample of incident reports in each force. We assessed these incidents to determine if the matter reported required the recording of a crime and, if so, whether a crime was recorded. The results of those audits are summarised in the table below:<sup>44</sup>

<sup>44</sup> These numbers are not final and may be subject to change as part of the inspection programme. Therefore the data presented here should be treated as a snapshot of what has been seen to date. The data are drawn from a dip-sample of records and as such are not statistically significant or representative for each force but will be used in time to give an indication of performance across England and Wales.



	Number of crimes that should have been recorded	Number of crimes that were recorded
Cheshire	85	58
City of London	59	54
Devon and Cornwall	113	94
Essex	120	110
Gloucestershire	85	76
Greater Manchester	388	265
Gwent	60	52
Hertfordshire	181	130
Metropolitan Police	1126	908
Norfolk	74	63
North Wales	78	73
North Yorkshire	64	56
South Yorkshire	118	89

6.20 In paragraph 3.40 we explain how police forces receive reports of crime from the public. Eight of the 13 forces inspected record crime directly from a victim by telephone. The amount of crimes directly recorded in this way varies considerably from force to force; in one force as much as 40 percent of crime was recorded directly in this way. Therefore, it is important to note that the table above contains the data that relate only to the primary recording route used by all forces: that is where a force control room creates an incident record and a crime record is completed, where appropriate, at a later stage. Our final report will contain data from both recording routes.

6.21 Although this is an initial finding from inspections of 13 forces out of 43, we have identified the following issues concerning the failure correctly to record crime:

- **Investigating to record** – For eight of the 13 forces inspected, a number of reports of crime have been identified that could have been directly recorded as a crime at the time of first contact with police but were not. Instead, staff attended the scene, awaited specialist support or conducted a telephone investigation some time later, resulting in an investigate-to-record approach to crime-recording. This means that the police do not record the incident as a crime at first, but instead investigate the matter in order to establish whether a crime has been committed. This delay in recording could

result in the degradation of information, the victim having to repeat information already provided, and some crimes not being recorded at all.

It is a clear requirement of HOCR that a crime should be recorded as soon as the reporting officer is satisfied that the circumstances reported by or on behalf of the victim amount to a crime. The HOCR provide: “A crime should be recorded as soon as the reporting officer is satisfied that it is more likely than not that a crime has been committed ... recording of the crime should not be delayed in order to wait for further details.”

- **Insufficient justification not to record a crime** – In all forces audited, the decision not to record a crime was too often not fully justified in sufficient detail in the incident log. Some entries revealed a lack of understanding of the HOCR and/or the criminal law.

Evidence from interviews also indicated that workload pressures and a lack of knowledge were factors contributing to the decision not to record a crime. It is also possible that the reasons for not recording a crime were poorly communicated between the investigator and the individual responsible for closing the incident log.

- **Poor decision-making** – We have found that where responsibility for the decision not to record a crime rests with the investigator, the quality of decision-making is weaker than where responsibility rests with staff in a crime-recording bureau. This reflects the greater experience of the staff working in the bureau who make regular decisions in accordance with the HOCR and are directly responsible for deciding on the final classification of crimes.
- **Poorly integrated IT systems** – Forces use various IT systems for recording incidents and crimes. Our work so far has established that there are 14 different incident-recording IT systems in use by the 43 police forces of England and Wales and 18 different crime-recording systems. In addition, specialist departments, including those investigating serious sexual offences and dealing with the protection of vulnerable people, often have separate IT systems which are primarily used for case management and information-sharing.

Inadequate crime-recording on IT systems directly affects a force’s knowledge about crime. Without an accurate picture, there can be no proper analysis or a full understanding of the threat, risk and possible harm to the public. This knowledge is needed to decide where and how best to deploy police resources. The ability to audit systems

properly is impeded by the number of incompatible IT systems in use and also because some of these systems have not been designed with an effective audit capability.

- 6.22 The following case study illustrates where crime records should have been recorded but were not.

#### **Unrecorded physical assaults**

A report of several assaults by a member of staff on a teenage victim within a care home. This is not recorded as a crime with the reason recorded as: *"no violence - (neighbourhood team) dealing"*. Officers attend and state: *"attended location and informant is not on scene - this is an argument which has been recorded on housemates' phones; no violence seen, we will re-attend later"*.

There are no details of any re-visit and officers appear not to have spoken to the victim. The initial report details what happened and this made it clear that the assault occurred before the housemate started recording the crime on her telephone. As there is no evidence that this and the previous assaults did not occur, the crimes should have been recorded, but were not.

#### **Specialist departments do not always record crimes**

- 6.23 Inspectors are finding that the more serious crimes reported through specialist investigation departments, such as those involved in the investigation of rape and other sexual offences, are frequently not being recorded on force crime systems. In some instances, they are not being recorded at all.
- 6.24 If a rape, other sexual offence or crime is reported direct to a specialist department, it should be recorded as such in exactly the same way as if the report came in to a call-handling centre.
- 6.25 The work which specialist departments do is recognised as being highly complex for both the police and their partner agencies. In these cases, there are several routes by which reports of crime are received, for example by email or at case conferences, rather than directly from victims or persons acting on behalf of victims. The nature of the crimes with which these departments deal, and the vulnerability of the victims in question, make the accurate recording of crime even more important. Victims cannot be sure to receive the assistance and support they need if a crime has not been recorded.

- 6.26 Through the main audit of reported incidents, we found 11 reports of rape that had not been recorded as a crime when they should have been. We have also found allegations of crime being held on a specialist department's email account which had not been recorded as crimes. The failure by police to record these crimes – committed against the most vulnerable of victims – is of very considerable concern. Forces in which this has occurred were immediately informed of these findings to enable them to take action to review these crimes, ensure they are recorded, and complete any remaining investigation.
- 6.27 The IT systems used by these specialist departments are often separate from the force crime-recording system. This can obstruct the accurate recording of crime. Of the 13 forces we have visited so far, there are seven different types of these separate systems in use. On these, the staff in specialist departments record referrals concerning rape and other crimes, from such organisations such as health and social services. A dip-sample of these specialist systems by our inspectors found three crimes of rape which had not been recorded.
- 6.28 The following are two examples which have been found during our inspection:

**Example 1 – Unrecorded rape allegation**

A 13-year-old child with autism told his parents that he had been sexually assaulted by a 15-year-old male friend. Police were contacted as it was apparent that an allegation of rape had been made. No crime was recorded on the grounds that to do so would have a negative effect on the victim. The incident was wrongly written off as sexual experimentation. A crime should have been recorded.

**Example 2 – Unrecorded rape allegation**

A report of rape was made by a doctor on behalf of a female patient. The victim had consented to sex with a male. When it began to hurt and she told him to stop, he continued. This incident was reviewed by a supervisory officer who incorrectly concluded that on the balance of probabilities no crime had occurred. This decision was incorrect because she withdrew her consent when she told him to stop. A crime should have been recorded.

- 6.29 In an effort to understand why some reports of serious sexual offences are not being properly recorded, inspectors are completing detailed audits, reviews of internal policy and procedure, and unannounced visits

to the relevant specialist departments. They are interviewing officers and staff and reviewing the separate IT systems used by them.

- 6.30 In a number of forces, officers were found to be investigating the crime for too long without completing a crime record. This practice is known as investigate-to-record and is contrary to the requirements of the HOCR. In particular, some forces were incorrectly found to be using the maximum period provided by the HOCR to record a crime (see paragraph 3.37), to investigate whether or not a rape had actually occurred, rather than recording the crime from the outset. This can have a significant adverse effect on victims of these types of crime, where being believed from the outset is crucial. If an investigating officer fails to operate on the presumption that the victim is telling the truth, he may put insufficient effort into the investigation, thus compromising its quality and therefore its prospects of success.
- 6.31 Police investigators were also found on occasions to be more focused on carrying out their investigations of these serious offences and as a result had lost sight of the need to ensure that the crimes were recorded correctly and on a timely basis. They need to do both.
- 6.32 We have found that where other organisations such as social services take the lead in public protection cases, police officers sometimes fail to record the fact that a crime occurred. Investigators have told us that colleagues in health and social services have, on occasions, advised them that a crime record is inappropriate for, or unwanted by, the victim. For example, they may not wish to criminalise the suspect. This is incorrect. The act of recording a crime does not criminalise anyone; that only happens when the investigation is finalised and the offender is convicted or admits the offence and agrees to an out-of-court disposal, such as a caution or PND. Although concerns expressed by victims about the potential effect on suspects are understandable in many situations, the HOCR are designed to ensure that crimes are accurately recorded so that decisions can be made by the police about investigations, prosecutions and crime prevention activity.
- 6.33 One example, where workload pressure was given as the basis for not recording a crime, was a report of rape. In this example, it was considered that recording the crime would entail too much work, as the officer made a judgment that the circumstances of the complaint made it unlikely that the case would be prosecuted. This demonstrates a serious failure of duty to that victim and was brought to the immediate attention of the force concerned.

## Crimes being inappropriately recorded as no-crimes

6.34 On occasions, recorded crimes are found not to have occurred. Where there is additional verifiable information to show this to be the case, the record of the crime can be reclassified and is then recorded as a no-crime. This may occur, for example, where an item that was reported stolen is subsequently found to have been lost, or where it can be shown that a false allegation of crime has been made (see paragraph 3.48 above).

6.35 The proportion of recorded crime that is no-crimes is approximately three percent. In the 13 forces inspected so far, we have audited 972 reports of robbery, rape and violence that were classified as no-crimes. The correct decision had been made, in accordance with the HOCR, in 796 of these 972 cases. This gives us material concern about the quality of decision-making when reclassifying a crime as a no-crime, thus removing it from police-recorded crime altogether.

6.36 Our audit found the following for individual forces:<sup>45</sup>

	Number of incorrect no-crime decisions	Number of correct no-crime decisions	Total number of no-crimes reviewed
Cheshire	29	42	71
City of London	7	34	41
Devon and Cornwall	10	94	104
Essex	5	68	73
Gloucestershire	7	46	53
Greater Manchester	26	65	91
Gwent	0	63	63
Hertfordshire	4	71	75
Metropolitan Police	21	69	90
Norfolk	6	58	64
North Wales	16	60	76
North Yorkshire	34	71	105
South Yorkshire	11	55	66

<sup>45</sup> These numbers are not final and may be subject to change as part of the inspection programme. Therefore, the data presented here should be treated as a snapshot of what has been seen to date. The data are drawn from a dip-sample of records and as such are not statistically significant or representative for each force, but will be used in time to give an indication of performance across England and Wales.

- 6.37 Our present view is that the principal reasons for these failures include poor knowledge in the application of the HOCR when considering the additional verifiable information that is required to show that a crime has not been committed, and weak or absent supervision.
- 6.38 We also found that the quality of decision-making in respect of no-crime decisions was best when the individual decision-maker was separate from service delivery and subject to oversight by the force crime registrar. This enables a smaller cohort of individuals to develop the necessary expertise to make these decisions. Conversely, when responsibility was not completely separate, we found a corresponding reduction in compliance with the HOCR.
- 6.39 The following case studies illustrate typical errors in no-crime decisions:

**Example 1 – Victim not believed**

A young man reported he had been grabbed by the throat by a woman at a party. The woman was interviewed and denied assault, claiming the contact was accidental. No further action was therefore taken. However, it was no-crimed on the basis of additional verifiable information after a review of photographs of the victim's neck. The victim did not, however, withdraw the complaint. The decision to no-crime was incorrectly made on the basis that the victim was not believed.

**Example 2 – Victim not believed**

A male reported that whilst in nightclub toilets, another male held a knife to his neck and demanded his watch, wallet and telephone. The wallet was later found in a car park. CCTV showed the victim entering and leaving the toilets. The victim was very drunk and subsequently ejected from the club by door staff. The victim was challenged about the robbery and confirmed that he was drunk but he said he was certain he had been robbed. The crime report was updated: "*There is no evidence to support the fact that he was robbed and his account of what happened is not credible*". This does not constitute additional verifiable information; the crime should have remained as a recorded crime. The absence of corroborating information and the opinion of the investigating officer as to the complainant's credibility do not negate the need to record the crime.

## **Out-of-court disposals not effected in accordance with national guidelines<sup>46</sup>**

- 6.40 As discussed earlier (see paragraph 3.53), our inspection considered whether out-of-court disposals were being used in accordance with national policy guidance, and in particular whether victims' views were being taken into account before the imposition of an out-of-court disposal, and whether they were given a proper explanation of the decision to effect an out-of-court disposal.
- 6.41 The degree of compliance with the national guidelines is of concern.<sup>47</sup> We found that in 422 of the 952 cautions, PNDs and community resolutions that we reviewed, there was no record that victims were consulted before the out-of-court disposal was effected. In addition, we found that in 171 of the 1,286 cautions, PNDs, cannabis warnings and community resolutions we reviewed, offenders were given out-of-court disposals when their offending histories ought to have precluded the imposition of such a disposal. In some of these cases, the offender ought to have been charged or summonsed and taken to court.
- 6.42 In too many cases, we found that records kept by police of out-of-court disposals were inadequate. In one force, different forms were in use to record the same type of out-of-court disposal. In other forces, the forms did not contain sufficient detail of what had taken place, and it was therefore impossible to tell whether the offender had been fully informed about the nature and implications of the out-of-court disposal in question.

<sup>46</sup> HMIC are examining a dip-sample of out-of-court disposals from each force including examples of community resolutions, PNDs, cautions and cannabis cautions. The figures published here are not representative of England and Wales, nor are they indicative of what the findings will be once all inspections are completed. This is a statement of our findings to date from the partially completed programme.

<sup>47</sup> National guidance for the use of out-of-court disposals is detailed in a number of documents:

- *Home Office Circular 016/2008: Simple Cautioning – Adult Offenders*. Available from [www.xact.org.uk](http://www.xact.org.uk)
- *Simple Cautions For Adult Offenders*, 14 November 2013. Available from [www.justice.gov.uk](http://www.justice.gov.uk)
- *Code of Practice for Adult Conditional Cautions*, 8 April 2000. Available from [www.justice.gov.uk](http://www.justice.gov.uk)
- *Home Office Police Operational Guidance for penalty Notices for Disorder*, March 2005. Available from [www.justice.gov.uk](http://www.justice.gov.uk)
- *ACPO Guidance on Cannabis Possession for Personal Use*, 28 January 2009. Available from [www.acpo.police.uk](http://www.acpo.police.uk)



- **Community resolutions** – Our inspectors took a dip-sample of 308 community resolutions and found that in 57 cases the offender’s previous criminal history should have precluded the use of the disposal. In 72 of these cases, we found no record that the wishes of the victim had been considered, and in 43 cases the crime itself was not one for which a community resolution was appropriate.
- **Penalty notices for disorder** – We dip-sampled 328 PND disposals, and found that in 24 cases the offender’s previous criminal history should have precluded the imposition of an out-of-court disposal. In 195 cases, we could find no record that victims’ views had been considered when issuing the PND, and in 173 cases we found nothing recorded to confirm that the offender had been made aware of the nature and implications of the PND.
- **Cannabis warnings** – We dip-sampled 334 cannabis warnings. In 134 cases, we were unable to find any record of whether the offender had been told about the nature and implications of the warning.
- **Cautions** – Of the 316 cautions – simple cautions and conditional ones – we dip-sampled, we found 13 cases where the offender’s previous criminal history should have precluded the use of a caution. In 155 cases, we could find no record that victims’ views were considered when issuing the caution.

6.43 In 26 of the 316 cautions we sampled, we found nothing recorded to confirm that the offender had been made aware of the nature and implications of the caution. Where the police issue a caution, the implications for the offender may be any or all of the following:

- The caution will be recorded on the police national computer.
- Where a subsequent Disclosure and Barring Service (DBS) check is carried out on that person, the caution will normally be disclosed. This will depend on a number of factors, including the nature of the offence committed and the length of time that has elapsed since the caution was issued; some older and more minor offences are not disclosed.
- DBS checks may be carried out by an employer if the person applies for certain types of work, including voluntary work, in sensitive areas such as work with children or vulnerable adults. Enhanced DBS checks in these areas may include other information held locally by the police, if the information is considered relevant to the application.
- When a person is found guilty of an offence by a court, the police will inform the court of the previous caution.

- If the caution is for certain sexual offences, the offender's name will be placed on the register of sex offenders.

PNDs, cannabis warnings and community resolutions may also be disclosed in future enhanced Disclosure and Barring Service checks<sup>48</sup>, and this may affect employment in sensitive jobs.

### **Lack of adequate training**

6.44 Where the level of under-recording of crime or the inappropriate use of the no-crime option are most evident, our inspectors are finding frontline staff are not well-trained in crime-recording procedures and do not fully understand the NCRS or the HOCR.

6.45 There are many classifications of crime within the HOCR and, in some cases, the legal characteristics of the offences have a high degree of similarity. For instance, in the case of being drunk and disorderly, or exhibiting disorderly behaviour causing harassment, alarm or distress, the law's distinctions are difficult, and there may be a valid choice for an officer to make. Police officers need good training to support the judgments they are expected to make.

6.46 Training that is being provided is often focused on those officers and staff who are based within crime bureaux. Whilst this is expedient, and there are examples of force-wide training and training for newly-appointed officers in crime-data recording, police frontline staff are often left with only limited training in this area. Where training was made available, police frontline staff generally welcomed it and considered themselves better equipped to record crimes accurately as a result.

### **Failures in quality of supervision**

6.47 The inspection team has been accumulating evidence that where there is less supervision and oversight of crime-recording, accuracy in crime-recording is poorer.

6.48 Linked to the need for training, there is evidence that some supervisors, including those working in specialist departments, who are expected to make decisions based on the NCRS and the HOCR, have not received

<sup>48</sup> Enhanced Disclosure and Barring Service checks are used when the individual is applying for employment (paid or otherwise) which may involve contact with children or vulnerable adults. The enhancement of the check includes disclosure not only of previous convictions but also of police intelligence which may be relevant.

any training, and do not know the required crime-recording standard themselves.

- 6.49 In some instances, our inspectors have noted that the gaps in supervision are caused by reductions, or under-staffing, in quality assurance teams whose responsibilities include ensuring the accuracy of crime-recording. These shortfalls in assurance staff are often the result of austerity measures, and are exposing forces to risk in terms of the integrity of their recorded crime data and could, as a consequence, reduce the quality of service to the victims of crime.
- 6.50 Evidence of strong governance was found in some forces, with explicit messages to secure accurate crime-recording data. Where this was supported by well-trained, centralised units responsible for supervision and oversight of crime-recording, accuracy was generally of a higher standard than elsewhere. Instances of officers being disciplined for failures in respect of crime data integrity were few, but were found where there was a clear message from the leadership of the force about the importance of compliance with the NCRS and the HOCR.

## **Performance pressures**

- 6.51 Much has been said and written recently about performance pressures on police officers, including in the context of the under-recording or misclassification of crime in official records.
- 6.52 It is sometimes asserted that performance pressures on police officers create perverse incentives, and lead to failures to record crime in the first place, to delays in the due recording of crime until an assessment has been made of the complaint and its prospects of successful detection, or the downgrading of the classification of an offence to one of a nature less serious than is correct.
- 6.53 No enterprise can be successful without sound information about the condition, capacity, capability, performance and security of supply of its assets. In policing, those assets are predominantly people – police officers and police staff. It is not only legitimate but necessary for the performance of the police to be measured using appropriate instruments.
- 6.54 It is the responsibility of police leaders to ensure that their officers and staff concentrate on what matters most, not what scores highest in the partial and imperfect, discredited performance measurement systems of the past. And whilst a proper qualitative assessment of the relative importance and public good of policing activity is always necessary, police leaders who abandon all means of measuring performance –

appropriately valued – run material risks that the pendulum swings too far the other way, and that their assets will under-perform. The removal or reduction of targets does not and should not lead to the abandonment of any performance measurement.

- 6.55 The quality of the crime data which the police collect and record has material importance in informing the public about their level of safety and security, the police and crime commissioner about the force's performance in the categories of crime in question, and police leaders about the efficiency and effectiveness of their operations and how their assets should best be deployed. No system is likely to be operated consistently with perfection, and there will always be rational and defensible differences in professional judgment about the compliant classification of offences. However, it is essential that crime recording is done honestly and within the rules. Police officers need to understand and properly apply the rules, and appropriate mechanisms must be in place to ensure due compliance, so that the users of crime statistics can rely upon them with confidence.
- 6.56 In this inspection, we have so far found no appreciable and overt evidence of performance pressures leading to failures in crime-recording, whether under-recording or misclassification of crimes. That is perhaps unsurprising, and would only be apparent if either a police officer were to admit to it, or we were to find written evidence of it. We do not rule it out, and in the remainder of the inspection we will remain alert and receptive to any evidence of its existence. The next stage of the inspection includes a survey of police officers and one of its objectives is the obtaining of evidence of this nature.

## 7. Next steps

- 7.1 Our definitive findings in October 2014 will be based on the most extensive national audit and inspection ever undertaken by HMIC into crime-recording integrity.
- 7.2 Forces visited are already responding to our findings and are adapting their practices as feedback is provided.
- 7.3 We will complete the remainder of our in-force audits and inspections during the next few months. Our final report will be published in October 2014.

# Annex A – Terms of reference

## Background

As part of our 2013/14 inspection programme, HMIC was commissioned by the Home Secretary to undertake inspections within all Home Office police forces to answer the question:

*“To what extent can police-recorded crime information be trusted?”*

HM Chief Inspector of Constabulary has confirmed this commitment to the Home Affairs Select Committee.<sup>49</sup>

HMIC understands that forces can only record what is reported to them, although they should actively work to encourage reporting of crime, and that reporting rates vary for crime types. We also know that new crime types emerge. However, reported crime is an important part of the overall picture and sound recording ensures:

- the police can plan their work to achieve the best outcomes for victims and communities;
- the public, government, local policing bodies and HMIC have an accurate picture of crime and anti-social behaviour (ASB) in a particular area; and
- the victims of crime and ASB are provided with appropriate access to victim services.

## Scope

The desired outcome of the inspection is an improvement in police-recording of crime data, leading to increased public trust in police-recorded crime information.

This inspection will examine not only how well the HOCR are applied by forces, but also the culture and behaviours around crime-recording, and the service the police provide to victims. At the heart of the inspection will be the interests of victims, which will be explored through follow-up telephone calls to some victims where crimes were not recorded.

<sup>49</sup> Home Affairs Select Committee (HASC) meeting 14 May 2013.

The inspection will look at crimes which, when repeated, cause significant harm to the community, such as criminal damage or other crimes relating to anti-social behaviour and will also consider the appropriateness of crime outcomes, including cautions, Penalty Notices for Disorder, cannabis warnings and community resolutions. This inspection will also review standards around decisions taken to no-crime (not count) a crime that has already been recorded.

The scope of this inspection includes all 43 Home Office forces. The British Transport Police (BTP) and Police Service of Northern Ireland (PSNI) will be asked if they wish to be included within the programme. It does not include the National Crime Agency, any other non-Home Office forces, or forces of Crown Dependencies or UK overseas territories.

## **Aims and objectives**

The specific objective of the inspection is to establish in each force;

- how confident the public can be in the effectiveness of police crime-recording;
- how effective the leadership and governance of crime data integrity is;
- how effectively victims are placed at the centre of crime-recording decisions;
- whether crime outcomes (detections) suit the needs of victims, offenders, the criminal justice system and the wider public interest; and
- if no-crime decisions adhere to the Home Office Counting Rules (HOCR).

## **Methodology**

The objectives will be achieved via:

- the requisition, examination and assessment of key documents from forces, including (but not exclusively) policy and guidance in respect of the forces' approach to receiving reports of crime and of crime-recording;
- an assessment of the crime reporting routes used and the proportion of crime recorded through each route;
- an audit of a representative sample of reports of crime for each of the reporting routes that can be audited;
- interviews with key interested parties and senior police officers and staff;
- an in-force reality-testing programme to examine, check and validate documentation, procedures and practices;
- liaison with the police professional lead, local governance bodies for policing, the Association of Police and Crime Commissioners (APCC)

and Home Office reference group to ensure effective liaison with the service during the conduct of the review;

- liaison with relevant professionals and specialists in these areas;
- liaison with police and police staff associations;
- a representative survey of the public to gauge the level of trust the public have in police crime data and to understand the aspects of crime-recording which really matter to them; and
- a representative survey of police officers to identify what officers think about crime-recording, to understand what training they get, what messages they receive from senior and middle managers regarding crime-recording integrity and whether there is any pressure placed on them to record or not to record crimes.

The methodology has been devised with the advice of the Crime Statistics Advisory Committee.

## **Timeframe**

The timescales below give an indication of when it is anticipated key stages of the work will be completed.

- Stage 1 assessment of the crime-reporting routes used by each force – by 1 January 2014.
- Confirm inspection schedule and resource requirements for the auditing and fieldwork stages – by 1 January 2014.
- In-force auditing and fieldwork – 1 February to 15 August 2014.
- Provision of an interim report to the Home Secretary – April 2014.
- Publication of individual force reports – June to October 2014.
- Publication of a national report – October 2014.

## **Product**

This interim report will be provided to the Home Secretary to provide an update on the initial inspection findings. As the programme progresses, individual force reports will be published for each force. This will ensure information is available promptly and will be most useful to all interested parties. These reports will not report a statistically robust estimate of the accuracy of crime-recording at a force level but will report on the quality of the force crime-recording and crime outcome arrangements.

A national thematic report covering the main points and themes will be published once all forces have been inspected. This report will provide a



statistically robust estimate of crime-recording accuracy at a national level for reports of crime which are primarily routed through incident records or a centralised crime-recording bureau. It will also include a judgment as to the level of confidence the public can have in the other routes by which crimes can be reported.

## Annex B – Force inspection dates

<b>CRIME DATA INTEGRITY - FORCE INSPECTION DATES</b>		
<b>Month 2014</b>	<b>Forces</b>	<b>Dates (week commencing)</b>
<b>February</b>	North Yorkshire; Devon and Cornwall	10
	Essex; Gwent	17
	South Yorkshire	24
<b>March</b>	Norfolk; Gloucestershire; MPS	3
	North Wales	10
	Cheshire; Hertfordshire	17
	GMP; City of London	24
	Cleveland; Wiltshire	31
<b>April</b>	Humberside	7
<b>May</b>	Leicestershire	12
	Suffolk; Northamptonshire; West Yorkshire	19
	West Midlands	26
<b>June</b>	Cambridgeshire; Dorset	2
	Lincolnshire; Durham	9
	Sussex; Lancashire	16
	Hampshire; Staffordshire	23
	Dyfed Powys; Kent	30
<b>July</b>	Nottinghamshire; Merseyside	7
	Avon and Somerset; Surrey	14
	Cumbria; Bedfordshire	21
	Warwickshire; West Mercia; Derbyshire	28
<b>August</b>	South Wales; Northumbria; Thames Valley	4

## Annex C – Methodology for the national audit

The Home Office provides national standards for the recording and counting of notifiable offences by police forces in England and Wales (referred to as 'police-recorded crime' or PRC). These standards are known as the Home Office Counting Rules for Recorded Crime (commonly referred to as HOCR). The rules were complemented in April 2002 by the National Crime Recording Standard (NCRS). And this additional standard received the full support of chief constables.

One of the main purposes of the NCRS is to improve the consistency of recording of an allegation of a crime made by a victim or his representative. Once an allegation is confirmed, forces must record the crime formally by applying the NCRS balance of probability test unless there is credible evidence to the contrary. Clearly, a force's ability to record these details properly makes for a system that can be audited more easily, whether the system is audited by HMIC or the force.

### **Aim of the audit**

The CDI audit aims to measure the national rate of compliance of police-recorded crime against these national standards (HOCR and NCRS). Based on a representative sample of records as reported by the victim that appear to be crimes, the compliance rate is calculated as the proportion of crimes that were correctly recorded as a crime, compared with the total that should have been recorded as a crime. Crimes correctly identified as such but assigned to the wrong offence classification will also be audited.

Alongside our calculation of the national average compliance rate, we will also calculate the compliance rate of specific crime types at a national level.<sup>50</sup> These figures will show how rates vary by these crime types and help to avoid any misinterpretation that the same compliance rate applies to different crime types.

**We do not intend to make judgments about individual forces' crime-recording arrangements based on compliance rates alone because the sample sizes are too small to achieve an acceptable level of precision**

<sup>50</sup> Covers the 43 police forces in England and Wales, but excludes the British Transport Police.

**(within +/-5%). The cost of obtaining sufficient sample sizes at force level is unaffordable.**

At force level, our inspections will be based upon a qualitative assessment of local recording arrangements. This will cover:

- leadership and governance
- systems and processes
- people and skills
- quality of service provided to the victim.

We may use the national sampling data as part of a force inspection, but only if this is supported by other qualitative assessments of the force's crime-recording arrangements.

The national audit will not examine:

- **Non-crimes** that were wrongly recorded as crimes. These make up a small percentage of cases.<sup>51</sup>
- **Fraud offences.** Action Fraud (a public body) has taken responsibility for recording fraud reported by victims in all police force areas, although the transfer of when this took place varied between forces.
- **Out-of-court disposals** which will be examined as part of the local force inspections.

## **Time period the sample will cover**

The sample will be drawn from the same 12-month period for all forces and will provide a long enough period to measure accuracy of recording. The 12 months to 31 October 2013 were chosen as this accommodated HMIC's crime record route analysis in December 2013 (described in more detail below), required before the audit. However, the force-level inspections will take account of changes in arrangements by the force since the samples were taken.

<sup>51</sup> From over 300 incidents examined as part of an inspection into Kent (2013) crime-recording, only one crime was recorded when it should not have been. This case was a technical failure, where a victim-based crime had been recorded, but there was no victim confirmation, so it should have remained a crime-related incident (CRI). Further work by HMIC found that from a sample of almost 3,000 incidents from eight forces, there were no cases of over-recorded crime.

## Population to be examined

Our aim is to draw as representative a sample as possible, irrespective of the ways in which different forces record different crimes. However, the routes by which different crimes come into forces' recording systems vary. The majority enter via the incident IT system, but many come by other routes such as reporting at a front desk in a police station or to specialist units (e.g. the reporting of a rape). The possibility of bias would arise if, in drawing our samples, we were to fail to take sufficient account of differences in recording arrangements in individual forces.

To test for this risk, workshops were held with each force to identify the proportions of different crimes notified by different reporting routes. The results were validated by crime type against the force's recorded crime figures uploaded onto the Home Office database.<sup>52</sup> Validation identified that of the 43 forces, 40 provided figures which were broadly in line with those on the Home Office database. The remaining forces provided snapshots of data covering part of the 12-month period. This was mainly due to changes in these forces' IT systems, which made it difficult to provide a full set of data. The figures from these forces were scaled up to estimate 12-month outputs, and were accepted as similar to those figures on the Home Office database.

The results of the crime record route analysis indicated that 92 percent<sup>53</sup> of crime that is recorded (excluding fraud) came from a route that can be audited across all forces (these were crimes reported through police control rooms, directly to crime-recording centres, or both). The sample population of the audit was therefore based on incidents drawn from these auditable routes.

Of the remainder, one percent came from specialist routes, which included public protection and rape counselling units. The other seven percent came from a variety of routes, such as reports by a member of the public to an officer on foot patrol or at the front desk of a police station. As far as is practical, these other routes will be assessed through local inspection.

<sup>52</sup> The Annual Data Requirement 111-114 (a statutory requirement of forces to provide this data to the Home Secretary under the Police Act 1996) covers the provisions of aggregated monthly data on police-recorded crime.

<sup>53</sup> These figures are for all recorded crime (excluding fraud); for the crime types these figures varied from 86% for robbery and sexual offences, to 97% for burglary.

## Selection of crime types

To establish a comparable set of crime types to be audited, a review was conducted of each force's opening incident codes. As we expected, some forces could provide more detail than others. The Metropolitan Police Service, for instance, has 16 opening incident codes, whereas Essex has more than 200 opening codes. However, we were able to identify a number of common opening codes sharing the same crime classifications:

- violence (with or without injury)
- sexual offences (including rape)
- robbery
- burglary
- criminal damage
- other offences (excluding fraud) – this is a residual category of everything except the previous five categories and fraud.

Rape cases will be separately audited via a dip-sample,<sup>54</sup> as the numbers are too small to form part of a separate sub-group to produce robust statistical outputs: based on the 12 months ending 31 October 2013, they made up less than one percent of all recorded crime, excluding fraud. Forces adopt different approaches to receiving reports of rape, which include specialist units, and therefore the standard audit approach will not be sufficient to provide a full picture of rape recording accuracy.

## Sampling technique

Our sampling technique is designed to provide auditors with sufficient records to test the accuracy of the individual crime types (listed above) with a similar level of confidence. We decided that the most efficient way to achieve this was to take a disproportionate stratified sample.<sup>55</sup> There were two reasons for our decision:

- The six crime types (violence, sexual offences, robbery, burglary, criminal damage and other offences) varied in size. Robbery and sexual offences each account for about two percent of recorded crime, whereas

<sup>54</sup> A dip-sample is a selection of records chosen to provide indicative rather than statistically robust evidence.

<sup>55</sup> A sampling method in which the sample size for a particular group is not proportional to the relative size of the total.

violence accounts for about 17 percent. The smaller sub-groups will be selected with a higher sampling fraction than the rest of the other sub-groups to ensure a larger number of them are in the final sample. This allows a better statistical comparison to be made.

- Part of the audit aims to look at a dip-sample of rape records, to provide indicative results. By having a disproportionate sample of sexual offences (i.e. the sample is larger than if a proportionate approach had been taken) it is more likely that these will include more rape offences.

The samples of the six crime types will be weighted to ensure that the 'all crime' estimate is a reflection of the crime type proportions.

## **Sample size and confidence interval**

We apply the 95 percent confidence level as the generally accepted level of certainty used in statistical tests. Any sample may produce estimates that differ from the figures that would have been obtained if the whole population had been examined. At the 95 percent confidence level, with many repeats of an audit under the same conditions, we expect the confidence interval would contain the true population value 95 times out of 100.

The audit aims to select a random sample size necessary to yield confidence intervals<sup>56</sup> of no more than +/- three percentage points for all crimes and +/- five percentage points for individual crime types (at the 95 percent confidence level) at the national level. To achieve the appropriate sample size of incidents requires a prior estimate of the accuracy of force's recording.

Our prior estimate is based upon HMIC's 2012 inspection of 12 forces' recorded crime figures, together with results from a similar inspection of Kent<sup>57</sup> in April 2013. From this evidence, we have adopted an assumption that 75 percent of classifications were correct and this suggests a sample of around 5,500

<sup>56</sup> The confidence interval provides an estimated range of values that the given population being examined is likely to fall within. For example, if an audit found that 85 percent of crimes were correctly recorded with a confidence interval of +/- three percent, then we could be confident that between 82 percent and 88 percent of crimes were correctly recorded of the population for the period being examined.

<sup>57</sup> *Crime recording in Kent - A report commissioned by the Police and Crime Commissioner for Kent*, HMIC, June 2013.

crimes<sup>58</sup> across the six crime types (at the 95 percent confidence level) will be examined.

## Sample selection

Not all incidents generate a crime. Evidence from previous HMIC crime-recording audits suggests the ratio between incidents opened with the 'all crime' crime code is 1.5 incidents to each crime. For example, if there were 300 incidents opened with a crime opening code, this may yield 200 notifiable crimes. This ratio varies by the type of crime (it may be higher or lower) and risks some under- or over-sampling. To reduce this risk, a ratio of 1.5 will be applied to all crime types, with an additional ten percent of records being chosen to guard against crime types which may have a higher ratio. However, we will review the outputs after the first group of forces has been audited, and where necessary adjust the sampling fractions.

A sample will be taken from the list of records that each force provides to HMIC for the 12-month period to 31 October 2013. These lists will contain entries such as the unique reference ID, the date the record was raised and the crime type opening and closing code. Duplicate records will be removed along with other ineligible records (e.g. fraud offences).

The sample will use the opening codes as they will include incidents<sup>59</sup> which are closed incorrectly but may contain crimes. Take, for example, a call from a victim of burglary which is opened on the incident system as a burglary, the incident record contains enough information to record a burglary, but is then closed *incorrectly* as a suspicious incident. Were we to draw our sample on closing crime codes (rather than opening incident codes), this burglary would have been missed because it was not closed as a crime. Of course, if the situation were reversed – opening incident code 'suspicious incident' and closing code 'burglary' – then the nature of the risk is similar, but we judge that the scale of the risk is less.

To allow an equal probability of selection across the 12-month reference period, the selected sample from each force will be grouped into the month the record

<sup>58</sup> This figure is the number of crimes that should have been recorded based on HMIC's auditors' assessment in accordance with the Home Office Counting Rules.

<sup>59</sup> Assigning incidents to crime may be done on incomplete or uncertain information. Therefore the accuracy rate must be viewed as an estimate.



was raised, and a random record will be selected from each month. Therefore, the first 12 records will contain a randomised record from each month.

## **Audit quality and validation**

The quality of audit decisions depends on the knowledge, experience and skills of the auditors. All auditors are required to attend a three-day Home Office Counting Rules and Crime Data Integrity course provided by HMIC's specialist staff. The training was overseen by the national crime registrar who attended some of the courses and validated the course content.

## **Monitoring quality during the audit program**

To ensure consistency, the results of each audit will be subject to peer review by an expert outside the audit team. In addition, forces will have the opportunity to review our decisions. We aim to resolve any issues with the force in the first instance, but if no agreement can be reached, then the matter will be passed to the CDI NCRS expert at HMIC for consideration in consultation with the national crime registrar. The ultimate decision on reconciliation of any disputed cases will rest with HMIC's senior reporting officer (SRO) for the CDI inspection.

## **Gaps in knowledge**

The methodology for the crime data audit has been designed to provide the best evidence in the time and resources available. However, there are some gaps which are likely to account for a small proportion of crimes and which are more difficult to audit. One issue in particular attracted our attention: whether some anti-social behaviour incidents are miscoded crime incidents.

To estimate the probability of such an occurrence, we analysed the relevant data from our 2012 audit. This rough estimate suggested that only about three percent of ASB incidents should have been recorded as crimes. While we would have preferred to review this issue in more depth this year, the larger samples involved for these apparently rare occurrences could not be accommodated. Instead, we intend to review this issue further as part of next year's audit.