

## Performance and Resources Scrutiny Programme 2022

Report to: the Office of the Police, Fire and Crime Commissioner for Essex

<b>Title of Report:</b>	<b>Crime Data Accuracy - Update</b>
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<b>COG meeting date / date of approval (Please indicate whether paper presented to COG or not)</b>	<b>COG - 5<sup>th</sup> April 2023</b>

### 1.0 Purpose of Report

To provide a biannual update in relation to the progress of Crime Data Accuracy by Essex Police.

### 2.0 Recommendations

For the board to consider and note the contents of this report.

### 3.0 Executive Summary

- From the 19<sup>th</sup> December 2022 a new Strategic Force Crime & Incident registrar was appointed. Since that date she has met with several key internal and external stakeholders to ensure that Essex Police continues to maintain and promote the importance of Crime Data Accuracy (CDA)

- The work of the NCRS Support and Review Team (NSRT), continues to ensure that high overall crime recording compliance levels - as set out in the Home Office Counting Rules (HOCR) - have been maintained during this period of reporting. It is important that the force continues to sustain a high level of crime recording accuracy. This ensures that victims of crime continue to receive the appropriate support they need and deserve.
- Work to address the findings of an internal audit, conducted by the CDA Audit Team, identified that officers and staff have, in some instances, been responsible for over recording Stalking, Harassment and Controlling & Coercive crimes. Extra training has now been delivered in conjunction with a robust audit process which has resulted in a significant drop in the number of crimes now being recorded.
- During this period of reporting the Strategic Force Crime & Incident Registrar has overseen an audit to determine the Force's level of crime recording accuracy in relation to our Live Chat reporting function. Live Chat is an instant messaging function managed within our Force Control Room (FCR) and is an additional method for members of the public to report incidents and crimes to us. The results of this audit are illustrated in section 5.
- The Strategic Force Crime & Incident Registrar has also overseen an audit to determine whether the Force is over recording crimes of Malicious Communications. The results of this audit are illustrated in section 5.
- It is pertinent to note that at this juncture there are discussions taking place at a Ministerial level examining potential changes to some of the current Home Office Counting Rules - in particular crimes of Malicious Communications<sup>1</sup>
- The Strategic Force Crime & Incident Registrar collated the NSRT reviews of Anti-Social behaviour (ASB) incidents over a two week period to ensure compliance in this area. The results of this review are illustrated in section 5.
- During the last reporting period it was noted, following the introduction of a new criminal offence of Non-Fatal Strangulation on the 7<sup>th</sup> June 2022, Essex Police had recorded 308 crimes under this new legislation. The Performance Analysis Unit (PAU) were tasked to conduct a periodic review of our violent crime to see if this new offence had adversely effected our volume rates of Violent crime. The results of this are illustrated in section 5.

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<sup>1</sup> Malicious Communications Act 1988 Sec 1)1(1) Any person who sends to another person – (a) a letter, electronic communication or article of any description which conveys – (i) a message which is indecent or grossly offensive; (ii) a threat; or (iii) information which is false and known or believed to be false by the sender; or (b) any article or electronic communication which is, in whole or in part, of an indecent or grossly offensive nature, is guilty of an offence if his purpose, or one of his purposes, in sending it is that it should, so far as falling within paragraph (a) or (b) above, cause distress or anxiety to the recipient or to any other person to whom he intends that it or its contents or nature should be communicated

#### 4.0 Introduction/Background

This report provides an overview of the Essex Police CDA strategy, and the progress that has been made against the CDA Improvement Plan. It also sets out how the force intends to sustain its compliance rates and our commitment to always put victims at the forefront of crime recording arrangements.

#### 5.0 Current Work and Performance

##### 5.1 NCRS Support and Review Team (NSRT)

The NSRT continues to provide the Force with frontline support and a quality assurance (QA) function, to support the Force in improving and maintaining the best rate of crime recording accuracy. They continue to review those incidents identified as holding the greatest risk to the force, to ensure that crimes are being recorded in accordance with Home Office Counting Rules (HOCR).

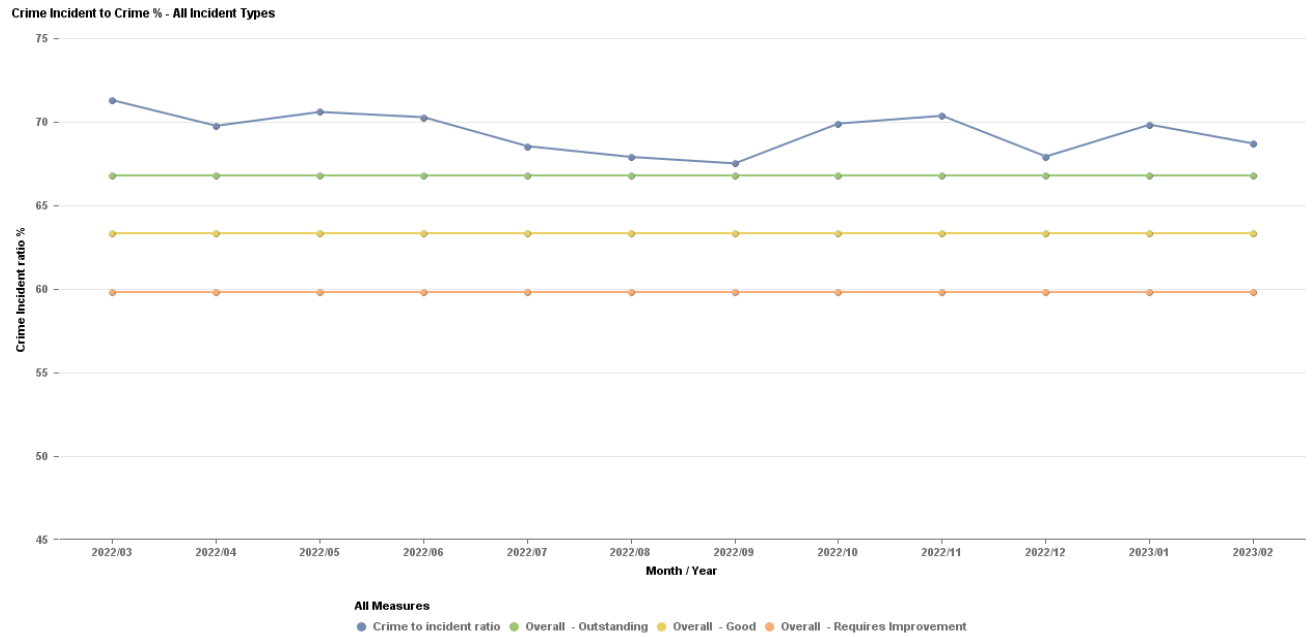
Essex Police are continuing to track crime recording performance by closely monitoring and analysing the percentage of crime incidents, which subsequently result in the recording of a crime. This proxy measure tracks those reports received by Essex Police and entered as a crime incident onto the Command-and-Control system (STORM), and which subsequently result in the recording of a crime onto Athena. This provides analysis of the crime incident-to-crime conversion rate.

When a crime has been recorded as result of an incident report, the incident will be assigned the C – Crime disposal code upon closure, as demonstrated in Table 1 below. The NSRT examine those incidents which have been closed where no crime has been recorded. It is during this process that in some instances missing crimes are identified.

**Table 1-** Breakdown of the percentage of all crime incidents subsequently recorded as a crime and represented in the graph below.

Crime Incident to Crime - Overall Rate			
Year Month	All	C Disposal	%
2022/09	7323	4943	67.50%
2022/10	7499	5241	69.89%
2022/11	6827	4803	70.35%
2022/12	6545	4445	67.91%
2023/01	6704	4683	69.85%
2023/02	6461	4471	69.20%

The graph below demonstrates the proxy measure of the overall crime recording compliance rate of the force during this period of reporting. The force is consistently above the proxy measure for outstanding (67%).



## 5.2 Stalking, Harassment and Controlling & Coercive Audit

The Home Office Counting Rules (HOCR) provide all forces with strict guidance as to how the police are required to record and classify crimes.

In relation to crimes of Stalking, Harassment and Controlling & Coercive behaviour, in “general” the guidance states whilst the conduct is on-going (between the same victim and suspect) a new crime is not required to be recorded every time the victim reports a new incident by the same suspect.

In August 2022 the Deputy Force Crime & Incident registrar and her team of Dedicated Decision Makers (DDM’s) commenced reviewing on a weekly basis these three crime types to identify potential over recorded crimes. Where over recorded crimes were identified these have been cancelled. During this period of reporting the team have also now reviewed all those records created from 1<sup>st</sup> April 2022.

Those crimes identified as recorded in error as part of the weekly audit process are either cancelled at the point or audit by the DDM or in some cases returned to the officer in the case to be rectified. An overview of the crimes identified for cancellation are reported on a weekly basis to the relevant LPA Commanders. This is to assist them to identify any officers who are repeatedly making the same errors. This will ensure learning and feedback is addressed to support accurate crime recording moving forward, and ultimately provide the appropriate level of victim care. A rectification process is over seen by the Deputy Force Crime & Incident Registrar to ensure all those returned to the LPAs for remedial work are resolved accordingly. This process is monitored and governed at the CDA Board chaired by C/Supt Waldie (Head of Professionalism). Additional oversight is provided through the personal briefings from the Crime Registrar and C/Supt Waldie to the DCC.

It is encouraging to report as a result of these interventions and in conjunction with an intensive program of training which has now been delivered to all members of the Resolution Centre, who quality assure every crime that is recorded in Essex Police; there has been a discernible reduction in the number of these crimes being recorded.

For the rolling year up to 21st August 2022 we had recorded a total of 15927 crimes across these three crime classifications. As of the rolling year ending 26<sup>th</sup> March 2023 this has reduced to 13765 crimes, as a result of removing 2162 inappropriately recorded crimes.

### **5.3 Live Chat Audit**

Live Chat is a digital means of public contact with Essex Police. This is managed and resourced within Contact Management Command. The public can access this facility via the Essex Police website. Live Chat provides members of the public with an additional method to report incidents or crimes to Essex Police. Therefore, it is vital that we ensure that any incidents or crimes reported through this channel are accurately recorded in accordance with the National Standard for Incident Recording (NSIR) and Home Officer Counting Rules for Crime (HOCR).

Against this backdrop the Strategic Force Crime & Incident Registrar conducted an internal review of this reporting process to determine our levels of crime recording accuracy and to ensure there is nothing to inhibit victims reporting crime through this digital method.

The audit examined 197 Live Chat (LC) transcripts. The purpose of the audit was two-fold. Firstly, to identify that the correct number of incident reports had been recorded on STORM in line with the National Standard for Incident Recording (NSIR) and secondly to ensure all crimes that had been reported had been accurately recorded, in line with HOCR.

Of the 197 LC's reviewed it was identified that 12 transcripts were a "potentially" missed crime. All missing incident and crime recording errors were fed back to Contact Management at the time of the audit and have been retrospectively recorded.

### **5.4 Malicious Communications Audit**

Following consultation with regional and national counterparts and HMICFRS, it is widely recognised that crimes of Malicious Communications are likely being over-recorded on a national scale. This is likely due to the subjectivity of the wording of the offence and a lack of clear guidance nationally as to whether the communication in question amounts to a crime in law and therefore the necessity to record the crime.

The CDI audit team completed an audit of Malicious Communications offences recorded by Essex Police between 1<sup>st</sup> April 2022 and 31<sup>st</sup> December 2022. A sample of 363 crimes were reviewed.

Of these it was adjudicated that 274 crimes – 75.5% had been correctly recorded.

23 crimes - 6.3% had been incorrectly classified as Malicious Communications and were reclassified to the more appropriate offence.

66 crimes – 18.2% has been over recorded. 43 of these - 11.8% of the total crimes reviewed - should not have been recorded. 23 of these - 6.3% of the total crimes reviewed - were deemed “borderline”, as to whether under HOOCR the crimes could be cancelled.

During the course of this audit taking place the Strategic Force Crime & Incident Registrar attended a meeting on Thursday 23<sup>rd</sup> February 2022 chaired by CC Chris Rowley and the National Crime Registrar to discuss “potential” forthcoming changes to HOOCR, which are likely to impact on how crimes of Malicious Communications are recorded in the future.

As a result of this meeting it is anticipated that from 1<sup>st</sup> April 2023 the offence of Malicious Communications will either be returned to its previous non-notifiable<sup>2</sup> status or there will be no requirement to record this offence where it forms part of a course of conduct crime as well e.g. Harassment, Stalking or Controlling & Coercive.

At the time of writing a decision is still pending from the Home Office.

The Strategic Force Crime & Incident registrar has issued new guidance to the Resolution Centre staff and officers to aid their decision making as to when they are required to record this offence.

## 5.5 Anti-Social Behaviour Review

A STORM incident can be closed under a number of different closing codes. For incidents determined to be ASB one of three codes can be applied: ASB P (Personal) ASB N (Nuisance) and ASB E (Environmental). Since the 2<sup>nd</sup> December 2021 the NSRT review all STORM incidents that have been resulted or closed<sup>3</sup> under one of the three aforementioned codes.

The Strategic Force Crime & Incident Registrar collated the findings from the NSRT reviews of ASB incidents over a two week period. During this period they reviewed 551 incidents either resulted or closed as ASB P, N or E.

### **Incident closing code compliance:**

Of the 551 incidents resulted or closed as ASB P, N or E the NSRT determined that 120 of these incidents – 21.8% had been incorrectly finalised as ASB. These incidents should have been resulted/closed on a non ASB closing code. These errors have all now been rectified.

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<sup>2</sup> Non-notifiable offences are not reported to the Home Office as part of our crime statistics.

<sup>3</sup> There is a two-step process to a STORM incident being finalised. Firstly it will be Resulted, usually by an FCR dispatcher. This moves the incident from the Open List on Storm to a Resulted list, whereby it will then be reviewed by a Supervisor or the NSRT to ensure it is suitable for closure.

### **Crime recording compliance:**

Of the 551 incidents reviewed by the NSRT, 80 incidents - 14.5%, were identified as including an unrecorded or potentially unrecorded crime<sup>4</sup>. Just over 80% of the missing crimes identified were assaults, public order, harassment, or criminal damage.

All errors are rectified by the NSRT.

### **Conclusion**

It is evident from the daily reviews which are being conducted by the NSRT that they are identifying incidents that have been wrongly categorised as ASB. They are also identifying unrecorded crimes within these incidents. Significantly, these errors are being addressed by the NSRT at the point they are identified to ensure they are rectified.

The Strategic Force Crime & Incident registrar has completed a review of seven forces that were subject to a CDI audit under the most recent HMICFRS PEEL/VSA inspection programme. This encompassed HMICFRS reviewing a sample of incidents that had been closed as ASB P. In all seven forces HMICFRS identified that in particular, behavioural crimes e.g., harassment were not being recognised within incidents of ASB P.

An example narrative from HMICFRS:

*We audited 50 incidents of anti-social behaviour where a person targeted a specific individual or group (ASB-P). Of these, 20 should have been recorded as crimes. Only 11 were. **The missing crimes included cases of harassment, public order offences and criminal damage involving neighbours. Some officers don't recognise the difference between ASB-P and behavioural crime. Behavioural crime involves repetitive incidents that can have serious effects on vulnerable victims.***

The Strategic Force Crime & Incident Registrar has recently re-issued guidance documents to Contact Management Command to clarify the priority of closing codes for their officers and staff, and definitions of ASB, to assist in improving compliance moving forward and to ensure that we are not over recording the number of ASB incidents.

However, it is apparent that there still appears to be a lack of knowledge force wide as to the requirements of the current ASB procedure for when a risk assessment is required, that the subsequent risk grading must be endorsed onto STORM before it is resulted by FCR, and for those instances where an Athena ASB Non-Crime investigation record is additionally required. The Strategic Force Crime & Incident Registrar has notified Contact Management Command and the Force lead for ASB

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<sup>4</sup> potential missing crime refers to those incidents where it is not clear what offence in law is being reported but information on STORM alludes to a crime having occurred and/or the update provided is not sufficient to negate what has been initially reported.

(Supt Naomi Edwards) as to the results of this review.

The Strategic Force Crime & Incident Registrar is confident that the current NSRT process for reviewing incidents identified as ASB ensures there is strong governance in place to ensure we are correctly identifying incidents of ASB, correctly identifying which category of ASB the incident sits within and ensuring any unrecorded crimes are identified.

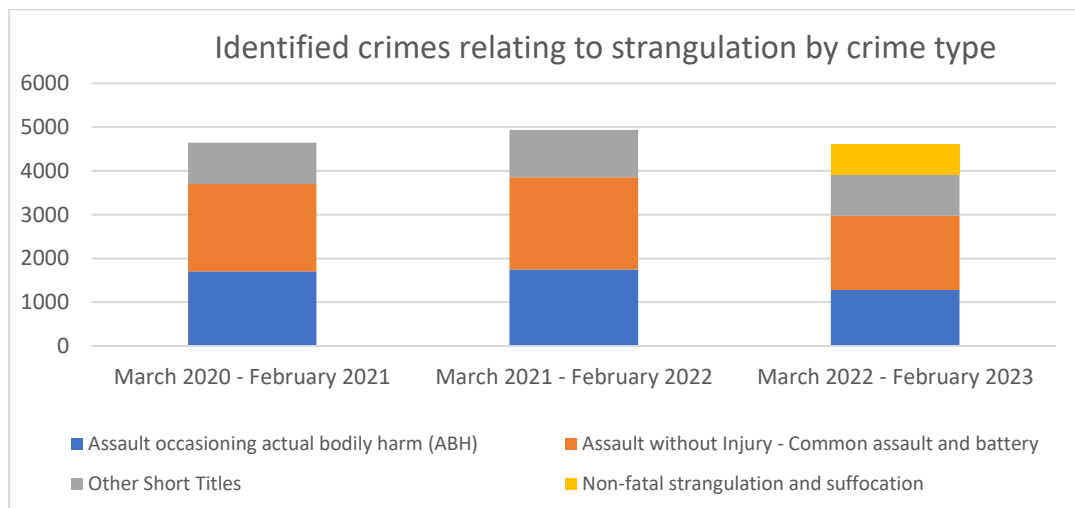
### 5.6 Volume of Violent crime

In the last report it was documented that on the 7<sup>th</sup> June 2022 a new criminal offence of non-fatal strangulation or suffocation was introduced. At the date of previous publication Essex Police had recorded 308 crimes under the provisions of the new legislation.

Without this legislation being introduced, it is expected that these 308 “assaults” would still have been recorded, but within other offence classifications such as Common Assault and Actual Bodily Harm (ABH).

The table below demonstrates the number of ‘Violence with Injury’ and ‘Violence without injury offences’ pre and post the new legislation where the following words have been mentioned within the MO<sup>5</sup> field on Athena: Throat, Strangle, Neck, Suffocate, Garrotte, Choke, Chest, Throttle.

This illustrates there has been no overall increase in our recording of violent crimes with the introduction of the new legislation.



<sup>5</sup> MO – Modus Operandi – the method by which the assault has taken place.



## 5.7 Learning and Development Team

The Strategic Force Crime & Incident Registrar continues to work closely with Learning and Development. This ensures that the delivery of CDA training continues to play a significant role in ensuring that all staff involved in crime recording are aware of the importance, and the correlation, between accurate crime recording and victim care.

Using the available HR organisational data, as of the 3<sup>rd</sup> January 2023 the number of officers and staff within relevant ranks and roles who are required to receive the CDA training, is now 4478. From that number 2732 have now completed that training. This in turn means that there are 1746 left to be trained<sup>6</sup>.

Due to a reduction in the CDA Training Team there is now only 1 CDA Trainer for Essex Police, however, they are continuing to deliver 3 sessions a week, with up to 12 students in each.

## 6.0 Implications (Issues)

A failure to identify and accurately record all reported crime without delay, leads to an inability to provide an effective service to victims. This, in turn, delays their access to external support services, a loss in public confidence and in our inability to understand the full demand for the service and resources required.

### 6.1 Links to Police and Crime Plan Priorities

Crime Data Accuracy links directly to the priorities set out in the Police and Crime Plan, ensuring we accurately record crime, identify areas of “under-recording” crime, and ensure victims have access to appropriate support services. The Police and Crime Plan also allows the office of the Police, Fire and Crime Commissioner to provide the public with accurate information about crime in Essex.

### 6.2 Demand

Essex Police will continue to monitor the demand placed upon it; through the strong governance processes it has built. They will also closely monitor the impact that demand may have with regards to crime recording compliance.

The past year has seen an increase in the number of crimes recorded by Essex Police – an increase of 0.5% in the 12 months to February 2023 (164,055 crimes recorded) compared to the same period last year (163,284 crimes recorded).

In the three months to February 2023, compared to the same period last year, crime has decreased, and this decrease has not been evenly distributed across crime types. Theft Offences have increased by 14.2% and Robbery by 2.1%. Sexual Offences and Violence Against the Person, however, have seen a decrease of 16.4% and 10.9% respectively. Within violence, Stalking and Harassment have also

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<sup>6</sup> It should be noted these figures fluctuate owing to numbers being recruited against those leaving the organisation and therefore should be treated with caution.

decreased by 22.1%, and Violence with Injury decreased by 5.1%. State based crime, often generated by police activity, saw a decrease of 4.0%.

### **6.3 Risks/Mitigation**

At the April 2022 CDA Board the decision was taken to remove CDA from the Risk Register. This was due to a sustained good level of overall crime recording compliance. The risk will be kept under constant review and if necessary, can be reinstated.

### **6.4 Equality and/or Human Rights Implications**

There are no equality and Human Rights implications identified in the development of this update paper. However, the force continually monitors the Equality and Human Rights implications, to ensure services are accessible to all and to make it fair and easy to report crimes. An Equality Impact Assessment (EIA) will always be undertaken when new force policies are developed, or changes are made to the operating model for public contact and reporting of crime. The force received a grading of outstanding in its most recent Crime Data Integrity Inspection, giving the force confidence in the systems and knowledge it has in place for the accurate recording of crimes, leading to access to support services for all victims of crime to help them cope and recover.

### **6.5 Health and Safety Implications**

None

### **7.0 Consultation/Engagement**

Crime Data Accuracy Board Members and Chief Officers.

### **8.0 Actions for Improvement**

The CDA Board will continue to provide governance for all strands of work that impact on Essex Police's Crime Data Accuracy.

Areas for development will continue to be identified through the provision of NCRS data and emerging key themes, from both the quality assurance and audit functions within the force.

Against this backdrop, a focused and determined effort will continue to ensure that:

- The force continues to accurately record crimes at the first point of contact, thereby enabling victims to be identified at the earliest possible juncture.
- Stalking and Harassment crimes are being recorded correctly and in accordance with the Home Office Counting Rules.

- The Strategic Force Crime & Incident Registrar will continue to support Contact Management Command with improving compliance with our Live Chat Reports.

## **9.0 Future Work/Development and Expected Outcome**

The Strategic Force Crime and Incident Registrar will continue to work closely with the three respective LPA Commanders and Heads of Department throughout the force, to reinforce the importance of accurate crime recording and the inextricable link towards good victim care.

A force wide CDA improvement plan will remain under constant review through the CDA board, to ensure coordinated activity and a comprehensive approach is extended across the force.

The Strategic Force Crime and Incident Registrar will also ensure that any learning emanating from the internal reviews is quickly communicated to the CDA Learning and Development Team. This flexible approach will ensure that any emerging trends can be communicated across the force in an effective and timely fashion.

The Strategic Force Crime and Incident Registrar will be closely monitoring any Home Office changes which may emanate from their current review and will ensure key stakeholders are kept apprised of any changes.