

Performance and Resources Scrutiny Programme 2024

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

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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

- 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) - are maintained. 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.

- The Deputy Force Crime and Incident Registrar and her team of Dedicated Decision Makers (DDMs) continue with weekly audits to identify the over recording of the three course of conduct/behaviour crimes: Harassment, Stalking and Controlling and Coercive behaviour.
- During this period of reporting the Strategic Force Crime and Incident Registrar has overseen audits to determine the Force's level of crime recording compliance with regard to Other Crime and Sexual Offences and the application of Outcome 22. The audit findings will be discussed in Section 5.
- Phase 2 of the HOCR review is now underway a summary of which will be discussed in Section 5.
- During this period of reporting the On-Line Safety Act 2024 has been implemented that has seen the introduction of new notifiable crimes. These will be discussed in Section 5.

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. It continues to review those incidents identified as holding the greatest risk to the force: Vulnerability, Domestic Abuse, Violence and ASB; to ensure that crimes are being recorded in accordance with Home Office Counting Rules (HOCR).

The team is still operating with one vacancy and two members are due to retire in June and July. A recruitment campaign for the three vacancies is currently taking place.

Essex Police continues to utilise a 'proxy' measure to track crime recording performance by closely monitoring and analysing the percentage of crime incidents, which subsequently result in the recording of a crime.

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 examines those incidents which have been closed where no

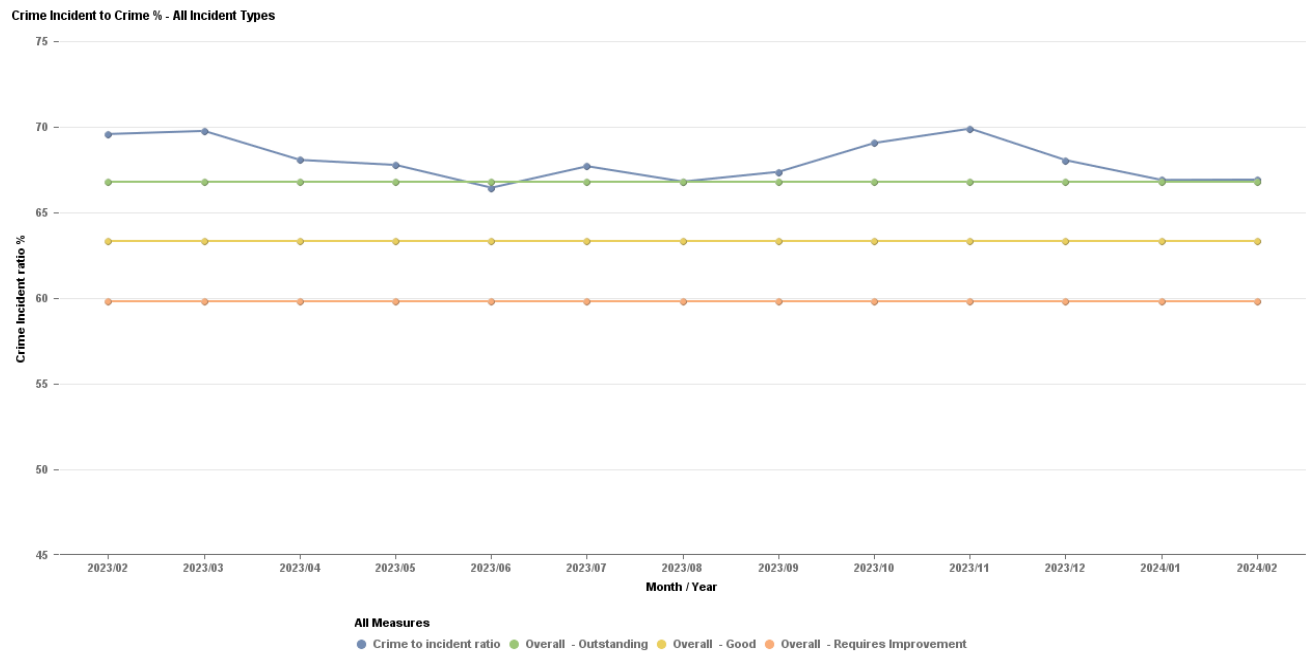
crime has been recorded. It is during this process that in some instances missing crimes are identified.

For this reporting period we have remained within the outstanding margins as demonstrated in the table and graph overleaf.

Table 1- Breakdown of the percentage of all crime incidents subsequently recorded as a crime

Crime Incident to Crime - Overall Rate			
Month / Year	All	C Disposal	%
2023/09	7387	4976	67.36%
2023/10	6898	4763	69.05%
2023/11	6386	4463	69.89%
2023/12	6580	4477	68.04%
2024/01	6725	4498	66.88%
2024/02	6490	4342	66.90%

The graph below demonstrates the proxy measure of the overall crime recording compliance rate of the force during this period of reporting.



5.2 Stalking, Harassment and Controlling and 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 and 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.

The Deputy Force Crime and Incident registrar and her team of Dedicated Decision Makers (DDMs) continue to review weekly, all new recorded crimes of Harassment, Stalking and Controlling and coercive behaviour between the same victim and suspect.

Between 1st April 2023 and week ending 3rd March 2024, 1219 crimes have been reviewed by the DDM team and 278 have been identified for potential cancellation. Of those, 80 were cancelled by the DDM on initial audit, and 198 were returned to the OIC for further action. Of those 198 investigations returned, 139 have now been cancelled, 7 await DDM review, 40 have either been assigned an outcome, reclassified or have remain recorded after further DDM review determined they should not be cancelled. This leaves 12 awaiting OIC updates. Overall, 219 crimes are now cancelled.

There is an automated process in place which allows the team to monitor *all crime types* which were sent to the DDM team for cancellation but were returned for additional work or clarification, to allow for a timelier intervention and to ensure no cancellations are overlooked. Alongside this, where crimes within this particular review are identified and returned for potential cancellation, the D/FCIR ensures each pending crime is reviewed each month to determine the reason why it has not been cancelled; to ascertain if the outcome is correct; whether the crime should be reclassified or if the cancellation process should still be progressed.

A weekly overview of those crimes identified as being recorded in error continues to be disseminated 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.

As a result of this continued intervention, the level of recorded crime for these offences for the rolling 12 months to 3rd March 2024 has reduced from 13729 to 12956 crimes. This is a reduction of 773 crimes, which have either been cancelled due to intrusive audit, or not recorded at all due to the better understanding of the specific crime recording rules for behaviour crimes. The volume of crimes reviewed on a weekly basis has now dropped to a consistent level of between 20-25 records per week, and on average 4 crimes are identified for potential cancellation.

5.3 Other Crime Audit

The CDI Audit Team conducted an audit of Other Crime incidents and Directly Recorded Crimes (DRCs) reported to Essex Police between 1st and 31st October 2023. A sample of 108 STORM incidents and 184 DRCs were reviewed.

Of these it was adjudicated 276 crimes – 95.2% had been correctly recorded.

The table below illustrates which crime category the 14 missed crimes were identified within and the respective crime recording compliance rate for each category:

Category	Number of Crimes Should Have Been Recorded	Number of Crimes Recorded	Number of Crimes not Recorded	Crime Recording Compliance %
Other	271	258	13	95.2
Violence	19	18	1	94.7
Rape	0	0	0	100
Sexual Offence	0	0	0	100
OVERALL	290	276	14	95.2

The table below illustrates for the 14 crimes identified whether the missing crime was identified through the incident or DRC review and their respective crime recording compliance rates:

Category	Number of Missing Crimes		Crime Recording Compliance	
	Incident	DRC	Incident	DRC
Other	6	7	92.6	96.3
Violence	1	0	91.6	100
Rape	0	0	100	100
Sexual	0	0	100	100

All crime recording errors have been fed back to the relevant command and retrospectively recorded.

5.4 Sexual Offences Audit

The CDI audit team completed an audit of sexual offences recorded by Essex Police between 1st and 31st December 2023. A sample of 107 incidents and 77 DRCs were reviewed.

Of these it was adjudicated that 102 crimes – 98.1% had been correctly recorded.

This was an improvement compared to the previous Sexual Offences audit in May 2023, where the overall compliance was 93.4%.

The table below illustrates which crime category the two missed crimes were identified within and the respective crime recording compliance rate for each crime category. The data from the previous sexual offences audit (which audited incident/crimes from May 2023) have also been included for comparison:

Category	Number of crimes to be recorded		Number of crimes recorded		Number of crimes not recorded		Crime Recording Compliance %	
	May 2023	December 2023	May 2023	December 2023	May 2023	December 2023	May 2023	December 2023
Violence	19	9	17	8	2	1	89.5	88.9
Rape	31	13	30	12	1	1	96.8	92.3
Sexual	103	77	97	77	6	0	94.1	100
Other	14	5	12	5	2	0	85.7	100
Totals	167	104	156	102	11	2	93.4	98.1

The table below identifies whether the missing crime was identified through the incident or DRC review and the respective crime recording compliance rate for incidents and DRC compared with the findings from the previous sexual offences audit.

Category	Number of missing crimes				Crime Recording Compliance %			
	Incident		DRC		Incident		DRC	
	May 2023	December 2023	May 2023	December 2023	May 2023	December 2023	May 2023	December 2023
Violence	2	0	0	1	85.7	100	100	50
Rape	0	1	1	0	100	75	95.8	100
Sexual	2	0	4	0	87.5	100	95.4	100
Other	2	0	0	0	80	100	100	100

The two missing crimes have been fed back to the relevant command and retrospectively recorded.

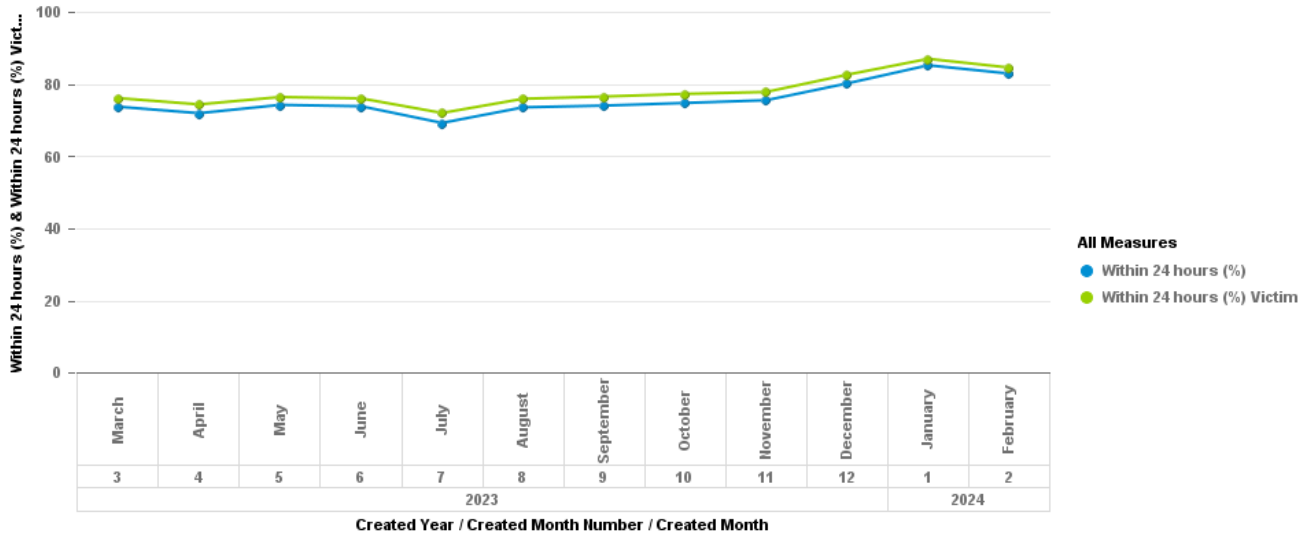
At the time of writing, the CDI Audit Team are conducting a further audit of violence offences.

Timeliness of Crime Recording

NCRS states:

3.4 Timeliness of Recording: Where the information obtained at the first point of contact satisfies the crime recording decision making process the expectation is that identified crimes will be recorded without delay. It is expected that such crimes will be recorded on the same day the report is received – and in any case recording must take place within 24 hours of the time the initial report was received.

In recent months there has been some good improvement within the Contact Management Command to improve our overall timeliness of crime recording. The graph below illustrates our timeliness for all crime (blue line) and victim based crime (green line):



The table below illustrates how compliance has improved over the preceding six months:

	Total Crimes	Within 24 hours	% in 24 Hours	Victim based	% in 24 Hours Victim based	% Victim based on 24 Hours
2023 September	13231	9789	73.99%	11168	8544	76.50%
2023 October	13498	10086	74.72%	11421	8821	77.23%
2023 November	12257	9251	75.48%	10403	8091	77.78%
2023 December	12161	9746	80.14%	10426	8607	82.55%
2024 January	12246	10430	85.17%	10535	9161	86.96%
2024 February	11657	9660	82.87%	9963	8422	84.53%

5.5 Outcome 22

Diversionary, educational or intervention activity, resulting from the crime report, has been undertaken and it is not in the public interest to take any further action.

Outcome 22 is not currently a formal out of court disposal but does provide an opportunity to divert suspects/offenders away from a formalised sanction by means of providing a formal interventional activity with the hope of preventing adults, children and young people from committing further offences.

The CDI audit team completed an audit of 195 investigations finalised under this outcome. It was determined that only 20% of the investigations had been finalised correctly as Outcome 22.

It was determined in 40% of cases incorrectly finalised as Outcome 22 the correct outcome should have been Outcome 20.

Outcome Type 20 (Further action resulting from the crime report will be undertaken by another body or agency subject to the victim (or person acting on their behalf) being made aware of the action to be taken). It is not necessary for that further action to amount to criminal processes. Clarification: The force must ensure appropriate arrangements are in place with regard to meeting the requirements of the Victims Code.

This will include ensuring that victims are told when another agency has primacy for investigation as well as supplying appropriate contact details for such agencies. The objective is that the agency or body will work to ensure that safeguarding is addressed; the victim is supported and in cases where there is a named and identified person responsible that their behaviour will be managed (and where the agency holds relevant powers that a criminal investigation will be undertaken).

It is recognised nationally that there is an overlap between Outcome 20 and Outcome 22 and there is a wide disparity nationally with the application of Outcome 22. It is understood that the Home Office, as part of a specific review of Outcome 22, is looking to design a test framework to ensure greater consistency nationally with the application of this outcome. As part of that review feedback has been provided to the Home Office, suggesting that it would assist forces if they can be clearer in their distinction between Outcome 20 and Outcome 22.

Following this audit, the Strategic Force Crime and Incident Registrar has linked in with the various Command leads and provided refreshed guidance with examples to assist officers and sergeants in applying this outcome correctly in the future.

At the time of writing, HMICFRS has published 14 PEEL/VSA reports. Of these, six forces have had a CDI Inspection, two of which have received an Outstanding grading. The Strategic Force Crime and Incident Registrar continues to review each publication to identify if there is any best practice or areas of learning and continues to link in with regional and national colleagues to discuss any emerging themes.

5.6 Home Office Counting Rule changes:

Phase 2 HOCR Review

It had previously been communicated that this review was looking to revise the current Outcome Framework and consideration for a new framework to be introduced in April 2024. The most recent update from the Home Office is that it is now unlikely any changes will be made to the current Outcome Framework before April 2025.

The current National Standard For Incident Recording (NSIR) had not been reviewed since 2011. It has been revised to take account of changes including Right Care Right Person and the new Non-Crime hate incidents APP issued to forces in June 2023. Moving forward it will be re-named The National Standard for Incident

Recording and Assessment (NSIR&A). The last update from the National Crime Registrar is that ownership and future governance was not clear in the final draft document and therefore clarity is being sought through the NPCC.

It is anticipated all forces will be expected to go live with the changes from Summer 2024 once finalised. The Strategic Force Crime and Incident Registrar has reviewed the final draft and the impact for Essex Police is minimal. She has already taken steps with Contact Management and IT to ensure any necessary changes to be made on STORM (our incident recording system) will be implemented in sufficient time.

On-Line Safety Act 2024

On the 31st January 2024, new legislation was introduced under the On-Line Safety Act. This saw existing legislation repealed and replaced with new offences as well as new offences introduced.

Of note:

Malicious Communications Act 1988

There were previously four elements to a Malicious Communication. The communication sent must either have been a: Threat, False, Grossly Offensive or Indecent.

The new On-Line Safety Act has repealed the Threat and False element from the Malicious Communication Act and these two elements will now be recorded under Section 179 (False Communication) or Section 181 (Threatening Communication) of the new legislation.

Two new offences have been introduced under the new legislation:

Section 183 is for the sending or showing flashing images electronically to people with epilepsy intending to cause them harm.

Section 184 is for communicating with a person encouraging or assisting serious self-harm.

Reports of this nature, if reported prior to 31st January 2024, may have been recorded under the existing Malicious Communications Act.

Disclosing/Threatening to Disclose Private Sexual Photographs

Offences of this nature were previously recorded under the Criminal Justice and Courts Act 2025. Those offences have now been repealed and replaced with: **Section 188 Sharing or threatening to share intimate photograph or film.**

The previous legislation sat within the Violence category for recorded crimes, however, Section 188 of the On-Line Safety Act now sits within the Sexual category for recorded crimes.

Exposure

Section 187: Sending etc photograph or film of genitals.

Whilst this is a new offence, it is likely any reports of such a nature reported prior to 31st January 2024 would have been recorded under existing legislation within the Sexual Offences Act 2003 or the Malicious Communications Act 1988.

Of note, Essex Police has been the first force in the country to secure a court conviction for this offence. This is being referred to in the media as 'cyber flashing'.

On the 19th March 2024, an offender was sentenced to 66 weeks for committing this offence against a 15-year-old female child and adult female on the 9th February 2024.

The Strategic Force Crime and Incident Registrar has linked in with the Performance Analysis Unit to track all the new offences to try and understand what impact this may have on our overall crime recording figures and any impact within the violence and sexual offence categories.

Due to delays in the criminal justice codes being released, Athena has only recently been updated with the new offences. Therefore, there is no data available at this time. However this will be provided in the next report in October.

5.7 Learning and Development Team

The Strategic Force Crime and 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.

The Strategic Force Crime and Incident Registrar has overseen a review of the four CDA E-learning packages and one day CDA course to ensure relevance and recent HOCR changes have been included within the E-learning.

Using the available HR organisational data, as of the 12th March 2024 the number of officers and staff within relevant ranks and roles who are required to receive the CDA training, is now 4484. From that number, 2959 have now completed that training. This in turn means that there are 1525 left to be trained¹.

There are currently two CDA trainers for Essex Police who are able to train three courses of 12-14 students per week.

The completion rates for the four E-Learning packages are as follows:

NCRS and HOCR General Rules – 94.57%

¹ It should be noted these figures fluctuate owing to numbers being recruited against those leaving the organisation and therefore should be treated with caution.

Help us Help you – 93.4%

Outcomes, reclassifications and cancel crimes – 88.56%

Rape recording – 93.28%

In support of L&D the NSRT Sgt has attended a number of the one day CDA courses in person to help provide support to our front line colleagues and address some of the common errors.

The Strategic Force Crime and Incident Registrar has also been linking in with Contact Management Command to ensure under the new operating model those responsible for crime recording will have the appropriate training.

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 in regard to crime recording compliance.

The past year has seen a decrease in the number of crimes recorded by Essex Police – a decrease of 6.2% in the 12 months to February 2024 (153,844 crimes recorded) compared to the same period last year (164,055 crimes recorded).

In the three months to February 2024, compared to the same period last year, crime has decreased (by 3.8%) and this decrease has not been evenly distributed across crime types. Theft Offences have increased by 1.8% and Robbery Offences by 4.4%. Sexual Offences and Violence Against the Person have seen decreases of 2.5% and 4.9% respectively. Within violence, Stalking and Harassment have also decreased by 15.1%, and Violence with Injury increased by 0.6%. State based crime, often generated by police activity, saw a decrease of 12.9%.

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 and Incident Registrar is linking in with Contact Management to ensure the CDA training is being addressed across the new Target Operating Model going live in April 2024.

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 Contact Management Command 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 continue to ensure any learning emanating from all internal reviews is quickly communicated to the CDA Learning and Development Team to ensure 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 as well as monitor the findings from the current HMICFRS CDI inspections.