



HERTFORDSHIRE

CONSTABULARY

MEETING	POLICE AND CRIME PANEL
DATE	13th November 2014
TITLE	POLICE CRIME DATA REPORT
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1. SUMMARY

- 1.1. This paper provides an overview of the national inspection on crime data integrity carried out by Her Majesty's Inspectorate of Constabulary (HMIC) in 2014; HMIC's findings for Hertfordshire Constabulary; and action taken by the Constabulary to build upon identified strengths / improve in identified 'Areas For Improvement' (AFIs).

2. INTRODUCTION

- 2.1. HMIC conducted staged inspections of all 43 police forces between February and August 2014. Hertfordshire Constabulary was inspected in March 2014. In May 2014 HMIC published an interim report on crime data integrity, using initial findings from the first 13 forces to be inspected (including Hertfordshire). In August 2014 HMIC published individual force reports for the first 21 forces to be inspected, including Hertfordshire. The remaining 22 reports are due to be published, along with HMIC's final national report, during the week commencing 17th November 2014.
- 2.2. The crime data integrity inspection is the most thorough inspection into crime-recording integrity that HMIC has ever performed. The inspection of 43 police forces cost HMIC an additional £2.5 million, funded by Government. It is unlikely that HMIC will repeat this style of audit in the foreseeable future though HMIC may look for and explore other areas or records held by police forces where unrecorded crime may exist.
- 2.3. At a national level HMIC's interpretation of the 21 Forces whose results have been published suggests that 20% of crime may be going unrecorded (i.e. 80% is recorded).
- 2.4. Notwithstanding the thoroughness of the inspection, which at a national level provides statistically significant findings, it is important to note that

findings at individual force level were not statistically significant (the sample had a 72% crime reporting compliance - see section 3 for more detailed figures). Nevertheless, Hertfordshire Constabulary has committed fully to improving its crime data integrity and has made significant progress in doing so.

3. SYNOPSIS OF HMIC CRIME DATA INTEGRITY REPORT FOR HERTFORDSHIRE CONSTABULARY

Leadership and Governance

- 3.1 Senior managers were clear on what was expected and tried to ensure that this was conveyed to officers and staff.
- 3.2 HMIC found no evidence of any pressures on officers to record crime inaccurately. There was no evidence of pressure to under record or incorrectly record crimes. There was no evidence of performance pressures or other unethical bias operating in the Force to prevent accurate crime recording. Confidential reporting lines were in place for officers and staff to raise any issue they felt was unethical.
- 3.3 The Force maintains policies and procedures that are compliant with National Crime Recording Standards (NCRS) and Home Office Counting Rules (HOCR).
- 3.4 The Force's own audit programme indicated under recording of crime. A close review of recording practice was undertaken by the Force to assess compliance with NCRS and HOCR. This revealed that some crime was dealt with by local protocols and the crimes not accurately recorded. The protocols have been removed and local training given.
- 3.5 HMIC stated that the force risk register noted the risk of poor crime and data integrity inspection rather than the risk to the Force of poor data. The Force picked up crime recording issues through its own monitoring in 2013 but these were not addressed.
- 3.6 HMIC noted that the local and policing crime plan had no reference to accurate recording. The plan did contain targets to reduce all crime by 2%.

Systems and processes

- 3.7 HMIC audited three aspects for data integrity:
 - 3.7.1. Reports of crime that follow handling of an incident report created by the Force Communications Room (approximately 60% of crime reports): out of 181 crimes that should have been recorded only 130 were recorded (72%). HMIC commented that the level of detail recorded on the control room logs following police

attendance was found frequently to contain insufficient information or rationale.

3.7.2. Reports of crime that are made directly (without an incident report) via centralised crime recording (approximately 40% of crime reports): out of 36 crimes that should have been recorded 36 crimes were recorded.

3.7.3. Reports of crime recorded on standalone systems within specialist units: out of 19 crimes that should have been recorded only 10 were recorded. HMIC noted that some officers in some specialist roles chose not to record a crime for fear of criminalising young and vulnerable people.

3.8 HMIC noted that the Force incident and crime recording systems were not linked meaning, where relevant, that information has to be entered separately onto the two systems. HMIC also noted that the systems were well managed with regular audits and information weeding.

Out of Court disposals

3.9 Cautions: HMIC reviewed 22 and deemed that all were suitable for a caution. It found that offenders were aware of the consequences of receiving a caution.

3.10 Penalty Notices for Disorder (PNDs): 25 records were examined and 23 were suitable for a PND. HMIC found that offenders were aware of the consequences of receiving a PND. Out of 17 cases there was a victim to consult, 6 had their views considered.

3.11 Cannabis warnings: 25 records were examined and 21 were suitable for a warning. HMIC found that offenders were made aware of the consequences of receiving a warning in 23 cases.

3.12 Community resolutions: 20 records were examined and 19 were suitable for a community resolution. Out of 18 cases there was a victim to consult. 3 had their views considered.

Victim centred approach

3.13 Chief Officers, through briefings and guidance promote a victim centred approach to crime recording.

3.14 The Force conducts surveys and this data is used to improve crime – recording practices.

Rape offences

3.15 HMIC found that some specialist investigation officers do not properly record all reports of rape as crimes. However, the investigation into

these reports *is* fully recorded in the standalone system but this is not sufficient to comply with NCRS / HOCR.

- 3.16 Despite a high NCRS / HOCR compliance rate for the no-criming of rape allegations, all rape no-crime decisions should nevertheless be ratified by the Force Crime Registrar.

4. POST INSPECTION REMARKS AND PROGRESS

- 4.1. Of those incident reports / crimes that failed compliance with NCRS / HOCR many related to inadequate or insufficient rationale describing why the alleged crime was not a crime and, therefore, should not have been recorded despite officers attending the incident and dealing with it.
- 4.2. Some related to officers dealing with the report of a crime (e.g. under 10 years of age / mental illness / victim uncooperative or the victim not willing to support police action / sexual activity between teenagers below the legal age of consent) wrongly, but with good intent, using a prosecution logic to deal with the matter. The correct procedure for recording a crime is to record a victim's allegation of a crime, *unless there is evidence at the time to prove the offence did not happen*. How to deal with the alleged crime is the subsequent step.
- 4.3. Crimes dealt with by some specialist units were dealt with sensitively and professionally with due regard to the needs of the victim. *There is no evidence that specialist units have not dealt with the victim appropriately*. The issue was that some of the cases were not referenced to the main crime system. The specialist Sexual Offences Investigation Team (SOIT), having the most non-compliance, has already turned the situation round – this has led to an increase in reported rape. NB: now it is almost impossible to 'no-crime' a rape allegation even when a retraction statement is provided. In order to 'no-crime' a rape the independent and expert Force Crime Registrar must have *no* doubt whatsoever that the rape or other offence did not in fact take place.
- 4.4. Nevertheless, there were some audit failures where the Constabulary had not dealt with the crime allegation appropriately. These have been addressed individually and collectively, with specific examples used in a subsequent NCRS training package to illustrate the potential adverse impact on victims and their families that incorrect recording can bring.
- 4.5. A detailed improvement action plan is in place that addresses all key issues noted by HMIC. This is reviewed and updated monthly. Key themes include:
 - 4.5.1 Review and refinement of the Force Crime Registrar role, which is now solely responsible for the critical issue of auditing under NCRS / HOCR (and National Incident Recording Standards (NCRS)).

- 4.5.2 An NCRS training package which has been designed and presented to more than 1,600 officers and staff (including Chief Officers, senior officers, specialist units, intervention, neighbourhood, Case Investigation Teams, Force Communications Room and student officers).
 - 4.5.3 An internal communications plan has ensured that officers / staff are aware that they have no discretion with respect to crime recording. All crime that comes to the attention of an officer must be recorded - officer discretion applies to investigating and dealing with the crime.
 - 4.5.4 The Constabulary's own crime recording audit function has been increased, including enhanced audit resources using HMIC methodology, so that the Constabulary maintains a statistically significant overview of NCRS compliance.
 - 4.5.5 Each CSP and specialist department has a dedicated SPOC for NCRS at Detective Inspector level. All errors found at audit are sent to the appropriate SPOC who will arrange for correction and learning points. Audit corrections are overseen by the Crime Service team.
- 4.6. The Force's NCRS recording rate compliance has improved significantly and is currently at about 89.5% (statistically significant). An error / analysis has been conducted and influenced the imminent introduction, from January 2015, of a new Crime Bureau. In addition to being the single and expert source for recording all crime the Bureau will conduct live auditing and follow up with officers / staff / supervisors as appropriate. This significant step is expected to further improve NCRS compliance.
- 4.7. Reported crime has increased by 13.0% (or 3941 crimes) for the year to date (01/04/14 - 04/11/14 compared to the same period in 2013). Analysis indicates that around two-thirds of this increase is due to the improvements in recording practices. This is particularly so for certain crime types such as Violence Against the Person (+45.4% or 2125 crimes), Serious Sexual Offences (+62.9% or 215 crimes) and Making off Without Payment (+50.9% or 503 crimes). However, a third of the overall increase is due to other external issues such as increased reporting of sexual offences, including historic offences (e.g. following Operation Yewtree); a slight increase in crime associated with the World Cup 2014; and increasing cybercrime, including the rise in use of social media to facilitate harassment.
- 4.8. Appendix A lists some of the recording practice changes that are and will continue to increase recorded allegations of crime. Appendix B lists HMIC Recommendations in the August 2014 Crime data integrity report. All are addressed within the Constabulary's Action Plan.

Appendix A: Crime statistics that will increase because of improved NCRS compliance

Crime type	Change
Crimes committed by the under 10s	Will be recorded as a crime. Officers no longer have discretion about recording crimes by the under 10s
Crimes committed by the mentally ill	Will be recorded as a crime. Officers no longer have discretion about recording crimes by the mentally ill
Reports of assaults or other crime types from hospitals and care homes	Any protocol relating to staff at a hospital, mental hospital or care home having to confirm a crime have been abolished
Sex offences between teenagers	Fear of giving under age (<16) willing participants a criminal record has been addressed but a crime must be recorded
Make off without payment (MOWP)	Every MOWP is recorded as a crime unless there is proof at the time of the report being received that a crime did not take place
Parents asking to police help to encourage their child to stop taking money from purse	Has to be recorded as a crime even if parent did not intend this. Officer discretion can be applied to the outcome – not the need to record
Fly tipping	Incorrect recording protocol removed. Other agency rule can now be applied as Herts has a robust system to deal with local authorities. Victims receive a better service and will not be passed from agency to agency.
Shoplifting	All protocols, including evidence packs, have been abolished
Uncooperative victims	If a victim becomes uncooperative and refuses to engage, the crime still has to be recorded – even if the crime allegation is just by phone
Crime allegations	Unless there is evidence to the contrary all crime allegations have to be recorded as a crime.
Retraction statements	Retraction statements need to cover a much wider requirement to negate the original crime allegation
The need for officers to be satisfied that a crime has occurred	Officers do not have to be certain that a crime has occurred. Officers have to go by the description by the victim. If there is no evidence to negate the allegation at the time, a crime must be recorded.
Assault	Unless there is evidence that an assault did not take place a crime must be recorded. For example, a bouncer evicts an unruly party goer and the party goer alleges assault. To negate the alleged crime the officer has to state why reasonable force was required (at all) and why the officer believes that the force was reasonable and proportionate

Appendix B

HMIC Recommendations in the August 2014 Crime data integrity report (all addressed as part of the force action plan).

For immediate attention

1. The force should ensure that reports recorded separately on other force systems (e.g., those used by the public protection teams) are recorded as crimes. The force should put in place proportionate and effective audit arrangements, through the FCR, to assure itself that reports held on these systems are properly recorded as crimes.
2. The force should review its management of the recording of reports of rape and other serious sexual offences, ensuring that:
 - The force policy is sufficiently clear to ensure the NCRS and HOCR are applied;
 - The FCR has oversight of no-crime decisions for higher-risk offences, including rape;
 - Staff involved at each stage have a clear understanding of their roles and responsibilities; and
 - Supervision of each stage of the process is robust and effective.
3. The force should ensure that officers and staff understand the independence of the FCR and his role as the final arbiter in respect of crime-recording decisions. This arbiter function should not be carried out by others.

Within three months

4. The force should review its assessment of the risks associated with crime data integrity and the apparent under-recording of crime, taking the necessary steps to improve the accuracy of crime recording. Risks should be included in, and monitored through, the force risk register.
5. The force should ensure the FCR has sufficient resources and skills necessary to carry out a proportionate and effective audit programme that balances the cost of the checking process with the need to improve the accuracy of crime recording. This includes the capacity to respond to emerging issues and to re-visit and test the effectiveness of changes made to respond to identified shortcomings.
6. The force should introduce a structured and proportionate quality assurance process within the force control room. This should be undertaken on a consistent basis across all teams, include a check of compliance with the NCRS and, where appropriate, feed into the development of professional practice and continuous improvement within the force control room.
7. The force should change the content of the policy for dealing with crimes which have occurred in another force area to describe clearly the process to be followed to secure the efficient and effective transfer of original evidence and documents.
8. The force should improve the supervision of its use of out-of-court disposals to ensure that they are only used in appropriate circumstances. In particular they should not be used when the offending history of the offender precludes their use.

Within six months

9. The force should establish and begin operation of an adequate system of training in crime recording for all police officers and police staff who are responsible for making crime-recording decisions, and ensure those who require such training receive it as soon as reasonably practicable.