

Crime data integrity

Inspection of Avon and Somerset Constabulary

November 2014

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Introduction

In its 2013/14 inspection programme¹, Her Majesty's Inspectorate of Constabulary (HMIC) committed to carry out an inspection into the way the 43 police forces in England and Wales record crime data. All 43 forces were inspected by mid August 2014, with a full thematic report published in autumn 2014. The central question of this inspection programme is:

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

Accurate crime recording underlines the police service's commitment to public accountability, ensures that local policing bodies² can match resources to the risks identified in communities and enables the police to provide a proper service to victims of crime.

Recent HMIC inspections have revealed weaknesses in police crime recording, particularly the under-recording of crimes. In our interim report of 1 May 2014 we said that “we are seriously concerned at the picture which is emerging”.³

We strongly recommend our findings in this report are read alongside the interim report, *Crime recording: A matter of fact - An interim report of the inspection of crime data integrity in police forces in England and Wales*, available at <http://www.justiceinspectorates.gov.uk/hmic/>

The interim report sets out the full context of this inspection programme including the rules and standards governing crime data integrity: the National Crime Recording Standard (NCRS)⁴ and Home Office Counting Rules (HOCR)⁵.

¹ The 2013/14 inspection programme was approved by the Home Secretary under section 54 of the Police Act 1996.

² 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.

³ *Crime recording: A matter of fact – An interim report of the inspection of crime data integrity in police forces in England and Wales*, paragraph 1.20.

⁴ NCRS is 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.

⁵ HOCR are 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.

Methodology

Each force inspection involves:

- An examination of crime records for the period 1 November 2012 to 31 October 2013;
- A dip-sample of out-of-court disposals (cautions, Penalty Notices for Disorder (PND), cannabis warnings, community resolutions) and no-crime decisions for rape, robbery and violence;
- Visits to forces where inspectors assess local crime recording arrangements under three headings: leadership and governance; systems and processes; and people and skills; and
- A peer review of audit findings by an NCRS expert from outside HMIC.

The audit examined for compliance a small sample of crime records from each force. Taken together, these samples are sufficient to provide a reliable national estimate, but are too small to produce a force estimate of compliance. Force compliance rates typically result in a margin of error of around +/- 10 percent and therefore a range of 20 percent. This range of uncertainty means that few, if any, conclusions can be drawn from individual force compliance rates or comparisons of rates between forces based on the data alone. (Samples large enough to make more reliable force judgements, while desirable, were not affordable.) Our conclusions and recommendations are, therefore, based upon the evidence drawn from our inspection of the force's crime-recording arrangements.

Scope and structure of report

This report is divided into the following sections:

1. Part A: A summary of our findings and recommendations;
2. Part B: Our findings in numbers;
3. Part C: Additional detailed inspection findings.

This report, undertaken at a force level, allows a qualitative assessment of the force's crime recording arrangements and to make recommendations for improvement.

Part A: Summary of inspection findings, and recommendations

Leadership and governance

In Avon and Somerset Constabulary the assistant chief constable (specialist operations) is the named officer responsible for crime data quality. Chief officers promote the importance of crime data integrity throughout the constabulary; the message is then generally conveyed through the chain of command. While this may result in some weakening of the message, it was apparent during our inspection that senior managers were clear on what was expected and tried to ensure this was conveyed to all officers and staff.

In August 2013, the constabulary created crime recording gold and silver groups. The gold group sets the expectations for crime-recording standards working within the HOCR and NCRS, while the silver group sets out actions to meet those standards. Crime recording is a regular agenda item at monthly strategic performance review meetings. Senior leadership days also include messages which set out crime recording expectations.

The constabulary has made good use of crime-recording peer reviews by neighbouring forces to improve its crime-recording processes.

The messages from chief officers about crime recording are not underpinned by policy and there is little procedural guidance that refers to HOCR or NCRS. We were told there is no need for a policy because there are national standards. However, we found national guidance being relied upon which was two years out of date. Staff need to understand what is expected of them and the lack of policy or procedural guidance means crime-recording standards are being interpreted with wide variance.

Recommendation: Within three months, the force should prepare and publish a crime policy that complies with the NCRS and HOCR and, as soon as practicable thereafter, introduce an appropriate process to test the understanding and application of the policy by officers and police staff.

The risks associated with not recording crime accurately, such as not providing a truly victim-focused service, damaging victim satisfaction, and confidence and losing opportunities for understanding crime patterns and intelligence are not recorded or scrutinised through the constabulary's strategic risk register. This leaves a gap in the constabulary's understanding of its crime data integrity.

Recommendation: Immediately, the constabulary should review its assessment of the risks associated with crime data integrity and ensure that any risks identified are included in, and monitored through, the risk register; and that any necessary actions identified to secure crime data integrity are progressed.

Insufficient numbers of crime record audits are conducted and the constabulary does not have an adequate audit plan. This indicates that the constabulary is not appropriately prioritising crime-recording integrity and does not have a developed understanding of the associated risks. The capacity of the resource committed to risk-based audit and monitoring of both crimes and incidents could be increased. We found there was a need to expand the auditing of incident records to understand the level of compliance with the NCRS, to ensure reports received into the public protection unit have been recorded as crimes when they should have been and to scrutinise the use of restorative justice procedures to ensure this approach is only used in appropriate circumstances.

Recommendation: Within three months, the constabulary should introduce a structured regular audit plan, ensuring as far as is reasonably possible that the resources available to the force crime and incident registrar (FCIR)⁶ are sufficient to ensure full compliance with the HOCR and NCRS and with the proper and timely operation of the audits. These should be subject to scrutiny during performance review meetings.

There are no clear instructions, constabulary policy or guidance about how any crime received from, or requiring transfer to, another force should be managed and officers were confused about the correct procedure to follow.

Recommendation: Immediately, the constabulary should introduce a policy and procedure for dealing with reports of crime which have occurred in another force area, or which are transferred for investigation from another force area, to ensure that officers have clear guidance on these incidents and the management of any associated evidence and documentation.

Systems and processes

Accuracy of crime recording

We examined 154 incident records⁷ and found that 134 crimes should have been recorded. Of the 134 crimes that should have been, 90 were recorded. Of

⁶ The person in a police force who is responsible for ensuring compliance with crime-recording rules. The HOCR 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 and incident 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.

⁷ An incident in this context is a report of events received by the police, recorded on the electronic incident systems, that requires 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

the 90, none was wrongly classified and 3 were recorded outside the 72-hour limit allowed under the HOCR. This is of serious concern as it means that some victims' crimes are not being recorded and they are not getting the service they deserve (because, for example, certain victim support services are only triggered when a crime is recorded).

The force also has a centralised crime recording unit through which we have estimated that the force record approximately 12 percent of the total of their recorded crime. This unit records reports of crime directly from members of the public which do not require the creation of an incident record. Our inspection of this unit (a review of 25 calls from the public) found that of the 25 crimes that should have been recorded, 22 were recorded correctly.

We examined 53 reports which were recorded separately, but not as crimes, by the public protection unit (PPU). We found that of those 53 reports, 14 crimes should have been recorded and 3 crimes were actually recorded. The reports examined showed little documented supervision or quality assurance. It is concerning that those reports that were not recorded included sexual offences and offences against children, committed by adults.

Many officers involved in dealing with these reports had considered and undertaken the actions required to safeguard the victim from harm, even when the crime had not been recorded. They have also, contrary to the HOCR and NCRS, chosen not to record some crimes for fear of criminalising young and vulnerable people. The misinterpretation of what happens when a reported crime is recorded suggests that many officers do not understand the HOCR and NCRS.

Recommendation: Immediately, the constabulary should issue guidance to specify clearly the point at which, and conditions in which, reports of crime received by the public protection unit are to be recorded as a crime to ensure compliance with the NCRS.

The constabulary is working hard to ensure crimes and incidents are recorded in accordance with the HOCR and NCRS but still has further work to do. It acknowledges the way in which reports contained within incident logs are converted to crimes could be improved. Some crime-related incidents closed as non-crimes should have resulted in crime reports being raised.

Incidents which should be recorded as crimes are being retained on the Guardian system as crime-related incidents while they are investigated and, subsequently, not all incidents that should be crimes are being recorded as such.

Recommendation: Immediately, the constabulary should take steps to ensure that the crime-related incident facility within Guardian is only used where

crime, it must still be logged in an auditable form on the force's incident-recording system or some other accessible or auditable means.

appropriate, and not for the purpose of investigating a report of crime when sufficient information already exists to record that as a crime in accordance with the NCRS.

Out-of-court disposals

Out-of-court disposals include cautions, Penalty Notices for Disorder (PND),⁸ cannabis warnings⁹ and community resolutions.¹⁰ The HOCR (section H) states that national guidance must be followed¹¹.

Cautions – Out of the 20 cautions we dip-sampled, we found that in all cases the offender’s previous history made them suitable to receive a caution. In 14 cases we found evidence that the offender was made aware of the nature and future implications of accepting the caution. Out of the ten cases where there was a victim to consult, four cases showed that the victims’ views had been considered.

Penalty Notices for Disorder – We dip-sampled 20 PND and found that the offender was suitable to receive the penalty notice in 13 cases. All offenders had been made fully aware of the nature and implications of receiving the penalty notice. Out of the 14 cases where there was a victim to consult we found that 3 victims had their views considered when the police decided to issue a penalty notice.

Cannabis warnings – We dip-sampled 20 cannabis warnings and found that the offender was suitable to receive a warning in 18 cases. We found that in 16 cases the offender had been made aware of the implications of the warning.

Community resolutions – We dip-sampled 20 community resolutions and found that in all cases, the offender either had no previous offending history or that the offender’s past history still justified the use of the community resolution.

⁸ 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.

⁹ A cannabis warning is a non-statutory disposal for cases of possession of cannabis for personal use. It constitutes a warning to the offender and confiscation of the cannabis.

¹⁰ Resolution of a minor offence or anti-social behaviour incident through informal agreement between the parties involved, for example involving the offender making good the loss or damage caused.

¹¹ 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 http://www.xact.org.uk/information/downloads/Pace/HOC_16-2008.pdf
- *Simple Cautions For Adult Offenders*, 14 November 2013. Available from www.justice.gov.uk
- *Code of Practice for Adult Conditional Cautions*, 8 April 2000. Available from www.justice.gov.uk
- *Home Office Police Operational Guidance for penalty Notices for Disorder*, March 2005. Available from www.justice.gov.uk
- *ACPO Guidance on Cannabis Possession for Personal Use*, 28 January 2009. Available from www.acpo.police.uk

Out of the 20 resolutions where there was a victim, 18 cases showed that the wishes of the victim had been properly considered. Nine cases showed that the agreed outcome was meaningful and appropriate¹².

Few checks of out-of-court disposals are completed within the existing constabulary audit regime and frontline supervisors do not rigorously supervise the process. There is some oversight of out-of-court disposals at constabulary level through a group called the out-of-court disposals steering group. The group meets every three months and reviews cases on a dip-sample basis.

Recommendation: Within three months, the constabulary should take steps to improve the supervision of its use of out-of-court disposals to ensure that the nature and implications of accepting the disposal are explained to the offender and recorded as having been explained, and the views of the victim are taken into account. This should be supported by the immediate introduction of a timely and effective mechanism to monitor decisions on the use of out-of-court disposals to ensure that they are appropriate in the circumstances.

No-crimes

No-crime refers to an incident that was initially recorded as a crime but has subsequently been found not to be a crime on the basis of additional verifiable information.

We examined 90 no-crime records and found 61 records to be compliant with HOCA and NCRS. As the no-crime records we reviewed related to offences of rape, robbery and violence, this is a matter of serious concern.

In January 2014, a new incident assessment unit (IAU) was formed. Staff from the unit check crimes and act in a designated decision-making¹³ (DDM) role. Currently, supervisors at all ranks can make recommendations for no-crime (with the exception of rape no-crimes), and submit them direct to the IAU for approval. Of the 30 rape no-crimes reviewed, only 18 complied with the NCRS and HOCA. In November 2013, the responsibility for rape no-crimes was passed from the public protection team to the FCIR and his deputy. Internal audits have shown an improvement in compliance with no-crime rules and have been supported by a peer review.

¹² National guidance for community resolution directs that at the point the community resolution is administered an officer will need to confirm the offender admits the offence and explain the process to the offender – including how the offender will make good the harm caused. The implications of receiving a community resolution need to be explained to the offender – it does not form part of a criminal record but may be disclosed as part of an enhanced Disclosure and Barring Service check. The community resolution is to be recorded appropriately, in accordance with the NCRS and HOCA.

¹³ The DDM role is to provide practical advice, guidance and act as arbiter at a local level to ensure the accurate recording of crime and crime-related incidents in accordance with national standards.

Some forces limit the number of staff approved to carry out this function as too many decision makers who are not independent of investigations can pose a risk to the understanding and application of the additional verifiable information (AVI) requirement to categorise a crime as a no-crime.

Recommendation: Immediately, the constabulary should review the current structure for the approval of no-crime decisions, including the provision of specific guidance and support on the application of the additional verifiable information requirement, ensuring that decisions of this kind are made by individuals who are independent of local performance accountability, and supported by effective and proportionate oversight by the FCIR.

Victim-centred approach

There is a strong drive from the leadership of the constabulary to promote and display a victim-centred approach. Our inspection of call-handling found that call-handlers are polite, helpful and professional.

At the time of our inspection, the constabulary was due to take part in a four-force pilot (Project Lighthouse) where Ministry of Justice funding, managed by the police and crime commissioner (PCC), is aimed at tailoring policing services to local need. A new integrated victim care team of 60 people was to be recruited. Benefits for victims will include identifying vulnerable, intimidated and persistently-targeted victims at the first point of contact and assessing their needs. These callers are estimated to represent 27 percent of all victims who will be referred or signposted to a range of locally-funded support services. These arrangements were due to begin on 1 October 2014.

The constabulary carries out surveys of victims of crime and the constabulary makes use of any data gathered, although there is no evidence to show that this is used to improve crime-recording standards.

Rape

The constabulary's guidance for dealing with reports of rape risks breaching NCRS in how it describes when and in what circumstances a crime should be recorded; it requires further clarification to ensure the timely recording of such crimes.

Specialist investigation officers do not properly record all reports of rape as crime, with investigations sometimes being recorded as crime-related incidents on the Guardian system. This has led to the late recording of crimes beyond the 72-hour period allowed within the NCRS

Recommendation: Immediately, the constabulary should amend its guidance so as to specify clearly the point at which, and conditions in which, a report of rape should be recorded as a crime.

IT systems

The constabulary uses the STORM computer system for its incident recording and Guardian for its crime recording functions. The absence of a link between these systems can allow errors to occur in crime recording, especially if the initial call-taker wrongly classifies the incident at the outset. The constabulary is migrating to the NICHE computer system as its primary command and control and crime recording system in March 2015.

People and skills

In January 2014, the roles of incident receiver and crime screener were merged to form the new incident assessment unit (IAU). We found staff and supervisors in the IAU generally had an appropriate knowledge of NCRS and HOOCR and have had some training to support the new structure. The former crime screeners are also acting as mentors to the previous incident receivers to assist them to make accurate decisions in crime recording.

It is clear that many specialist staff have not always recognised the importance of accurate crime recording standards and have elevated other outcomes, such as safeguarding activity, above the ethical recording of crime. Their knowledge of NCRS and HOOCR has not met the required standard, and specialist advice was not sought when needed. Not all specialists have attended the presentations conducted by the FCIR which emphasise the importance of raising a crime report, and explain that this does not conflict with how an investigation is progressed or any professional judgments needed about appropriate criminal justice outcomes.

Recommendation: Within six months, the constabulary 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 that those who require such training receive it as soon as reasonably practicable.

We did not find evidence of pressure, explicit or implied, to under-record or mis-record crimes, or in any way work outside the NCRS to skew outcomes in the constabulary's favour. Senior managers are encouraged to secure accurate crime recording and pass on the strategic messages from chief officers.

Force crime and incident registrar (FCIR)

Following a period without a full time FCIR in November 2013, a chief inspector was temporarily appointed to the role until a permanent qualified candidate could be appointed. The FCIR role was also realigned to sit under the professional standards department to reinforce impartiality. The temporary FCIR does not possess in-depth knowledge of NCRS/HOOCR; he is not suitably trained or experienced and therefore relies heavily on the deputy FCIR.

The role of FCIR is to act as the constabulary conscience and the importance of a knowledgeable FCIR cannot be overstated. The constabulary is currently recruiting a new FCIR and it is unfortunate that the likely candidate will not be in post until the end of October 2014.

There is need for improved resilience in the FCIR Unit. The capacity and resource committed to risk-based audit and monitoring of both crimes and incidents could be increased. The limited resources available for audit have concentrated on the areas HMIC was to inspect. Post inspection, the constabulary needs to audit both more broadly and more deeply to incorporate other areas of core business such as professional standards, reclassifications, offences taken into consideration (TIC) and the public protection unit (PPU). The audits should include an element of listening to incident calls as we found some disparity between what the caller said and what was recorded.

Recommendations

Immediately

1. The constabulary should review its assessment of the risks associated with crime data integrity and ensure that any risks identified are included in, and monitored through, the force risk register; and that any necessary actions identified to secure crime data integrity are progressed.
2. The constabulary should introduce a policy and procedure for dealing with reports of crime which have occurred in another force area, or which are transferred for investigation from another force area, to ensure that officers have clear guidance on these incidents and the management of any associated evidence and documentation.
3. The constabulary should issue guidance to specify clearly the point at which, and conditions in which, reports of crime received by the public protection unit are to be recorded as a crime to ensure compliance with the NCRS.
4. The constabulary should take steps to ensure that the crime-related incident facility within Guardian is only used where appropriate, and not for the purpose of investigating a report of crime when sufficient information already exists to record that crime in accordance with the NCRS.
5. The constabulary should review the current structure for the approval of no-crime decisions, including the provision of specific guidance and support on the application of the additional verifiable information requirement, ensuring that decisions of this kind are made by individuals who are independent of local performance accountability and supported by effective and proportionate oversight by the FCIR.

6. The constabulary should amend its guidance so as to specify clearly the point at which, and conditions in which, a report of rape should be recorded as a crime.

Within three months

7. The constabulary should prepare and publish a force crime policy that complies with the NCRS and HOCR and, as soon as practicable thereafter, introduce an appropriate process to test the understanding and application of the policy by officers and police staff.
8. The constabulary should introduce a structured regular audit plan, ensuring as far as is reasonably possible that the resources available to the force crime and incident registrar (FCIR) are sufficient to ensure full compliance with the HOCR and NCRS and with the proper and timely operation of the audits. These should be subject to scrutiny during performance review meetings.
9. The constabulary should take steps to improve the supervision of its use of out-of-court disposals to ensure that the nature and implications of accepting the disposal are explained to the offender and recorded as having been explained, and the views of the victim are taken into account. This should be supported by the immediate introduction of a timely and effective mechanism to monitor decisions on the use of out-of-court disposals to ensure that they are appropriate in the circumstances.

Within six months

10. The constabulary 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 that those who require such training receive it as soon as is reasonably practicable.

Part B: Audit findings in numbers

Our examination of records will be used as part of a statistically robust national audit to allow HMIC to report a figure for national crime recording accuracy across the 43 Home Office forces within our final report to be published in autumn 2014. The audit undertaken at a force level is not of a sufficient size to be statistically robust and is therefore used alongside our fieldwork interviews to form qualitative judgments only.

Crimes reported as part of an incident record		
Incidents reviewed	Crimes identified	Crimes recorded
HMIC reviewed the following number of incident records in Avon and Somerset Constabulary. These include reported incidents of burglary, violence, robbery, criminal damage and sexual offences.	From these incidents HMIC identified the following number of crimes.	From these incidents Avon and Somerset Constabulary recorded the following number of crimes.
154	134	90
Crimes reported directly from the victim		
HMIC reviewed the following number of reports of crimes that were reported directly by telephone to the Avon and Somerset Constabulary centralised crime recording unit. These include reported incidents of burglary, violence, robbery, criminal damage and sexual offences.	HMIC reviewed the following number of reports of crimes that were reported directly by telephone to the Avon and Somerset Constabulary centralised crime recording unit. These include reported incidents of burglary, violence, robbery, criminal damage and sexual offences.	HMIC reviewed the following number of reports of crimes that were reported directly by telephone to the Avon and Somerset Constabulary centralised crime recording unit. These include reported incidents of burglary, violence, robbery, criminal damage and sexual offences.
25	25	22
Crimes reports held on other systems		
Referrals	Crimes identified	Crimes recorded
HMIC reviewed the following number of incidents which included referrals reported directly to Avon and Somerset Constabulary and held on other systems which contained reports of crime.	From these referrals to specialist departments HMIC identified the following number of crimes that Avon and Somerset Constabulary should have recorded.	From these incidents Avon and Somerset Constabulary recorded the following number of crimes.
53	14	3

No-crimes	
HMIC reviewed the following number of recorded crimes of rape, violence and robbery which Avon and Somerset Constabulary had subsequently recorded as no-crime.	From these HMIC assessed the following number of no-crime decisions as being correct.
90	61

Part C: Additional detailed inspection findings

Our detailed findings are set out against three headings: leadership and governance, systems and processes, and people and skills.

Leadership and governance

1 Does the constabulary have arrangements at a senior level to ensure there is confidence in recorded crime figures and all aspects of the HOCR?

1.1 How is Avon and Somerset Constabulary ensuring that leadership responsibilities and expectations for crime data integrity are clearly defined and unambiguously communicated to staff?

The assistant chief constable (specialist operations) in Avon and Somerset Constabulary is the designated lead for crime data integrity. Her responsibilities include the regional organised crime unit (ROCU) and counter-terrorism intelligence unit (CTIU), public order, and major events such as the Glastonbury festival. There is no conflict between her responsibilities and performance management. There have been recent changes to senior management responsibilities that have led to confusion among staff over who is the chief officer lead for crime recording. We recognise the important fact is that staff understand the importance of accurate crime recording, but it would be beneficial if the constabulary lead was personally to reinforce the message and satisfy herself that staff were in no doubt what that message is and where it comes from.

The energy and motivation of the chief officers to change attitudes from an historic performance-driven culture to a more victim-centred approach is genuine and clear. Positive indicators of this are the establishment of crime recording gold and silver groups and an out-of-court disposals scrutiny group. CDI also features at monthly strategic performance meetings.

The headline message from chief officers about crime recording is one that promotes compliance with HOCR, encouraging a victim-centric approach, even if this means an increase in volume. This message has been communicated through performance events, a blog written by the head of crime, all-user email messages, personal briefings by the DCC, the FCIR and deputy FCIR and is reflected in the views expressed by most staff. There is also an online blog called 'chatterbox' which invites staff to submit anonymous questions to chief officers on operational and business procedures. However the majority of officers and police staff in the constabulary are not able to recall and recognise chief officer messages on what is expected of them in terms of crime recording standards. There is widespread agreement that a failure to follow HOCR is considered unacceptable. Specialist investigators spoke about a fundamental

change in attitude and approach which had been evident since the change of senior leadership. These messages are reinforced through local management.

The top-level message on crime recording is not underpinned by a constabulary policy and there is little procedural guidance that refers to HOCR, NCRS and NSIR. We were told there is no need for constabulary policy because there are national standards for staff to follow. However, we found national guidance being relied upon which was two years out of date. Clear guidance needs to be communicated to staff, either through policy or other instruction, on exactly what is expected of them in relation to accurate crime recording and the use of constabulary systems in so doing. Currently staff are interpreting the rules with wide variance.

Officers and police staff can raise concerns about unethical practices of any kind through a confidential, internal reporting route into the professional standards department (PSD) and via the online 'chatterbox' blog. Most staff said that because of the importance placed on crime recording and the need to challenge unethical practice as soon as possible, they would be more likely to raise any concerns with their supervisor.

The Policing and Crime Plan 2012-17 does not make a direct reference to the need for accurate crime data; however we did not find evidence of undue performance pressure influencing strategic decision making or constabulary culture. The plan contains a number of priorities which are to reduce the impact that anti-social behaviour has in communities, to tackle domestic and sexual violence and to prevent and reduce burglary.

1.2. How does Avon and Somerset Constabulary ensure it has a proportionate approach to managing the strategic and organisational risk of recording crime data?

The associated risks of not accurately recording crime are not recorded and scrutinised through the constabulary strategic risk register. These include not providing a truly victim-focused service (which has a damaging impact on victim satisfaction and confidence), and the loss of opportunities for crime pattern analysis and intelligence. We believe that given the challenges the constabulary is experiencing correctly transferring incidents and occurrences to crimes within the public protection area, along with the extensive change programme the constabulary is undertaking at the same time as it migrates to NICHE, these risks need to be considered by the constabulary.

To its credit, the constabulary has established crime recording gold and silver groups to provide oversight and seek improvements in the accuracy of crime recording. We note that the gold group sets the strategy and the silver group has the ability to set actions. However, these are not specific, measurable, actionable, realistic and timed (SMART) actions and could be better tracked for accountability.

The capacity and resource committed to risk-based audit and monitoring of both crime and incidents could be improved. Virtually all the audit focus in the past 11 months has been on the data to be examined by HMIC and, specifically, the incidents-to-crime category. However, the greatest risks lie elsewhere, in the PPU and in restorative justice disposals being used for sexual offences, violence and domestic incidents. Post-inspection, the constabulary needs to audit more broadly and deeply to incorporate other areas of core business such as the PSD, reclassifications, TIC and the PPU. The audits should include an element of listening to incident calls as we found some disparity between what the caller said and what was recorded.

The constabulary would benefit from an assessment of the proportion of reported crime through each of the various reporting channels to reassure itself of the quality of crime data. As the constabulary moves towards more direct recording by police officers, there are insufficient checks and balances in place to give confidence in the quality of data.

Senior managers are encouraged to secure accurate crime recording and we did not find evidence of pressure, explicit or implied, to under-record, or other unethical bias operating in the constabulary to prevent accurate crime recording. This message is reaching frontline staff. While there is a genuine desire to reduce crime, and particularly serious crime, this is not done at the cost of compliance with HOCR or NCRS.

For the most part, the constabulary adopts a proportionate approach to the level of detail included in crime reports. Systems exist to ensure the necessary detail on various types of crimes, and the degree of seriousness involved, are recorded properly; these include working on Toughbook laptops which have software installed to guide officers to prove all relevant detail.

1.3. How does Avon and Somerset Constabulary use HOCR, NCRS, and NSIR to ensure there is confidence that crime is recorded accurately?

The constabulary is working hard to ensure that crimes and incidents are recorded in accordance with the HOCR and NCRS but still has further work to do. The constabulary acknowledges that the way in which incidents are converted to crimes could be improved. Some crime-related incidents closed as non-crime incidents should have resulted in crime reports.

The constabulary conducts some audits of incident and crime records to assess crime recording accuracy but does not currently have sufficient dedicated resources to carry out the audits required. The audit regime has little flexibility and takes limited account of emerging issues. Results of crime recording audits are sometimes taken into account during crime performance management and review processes.

For example, the out-of-court disposals scrutiny group has identified significant numbers of such disposals being used for domestic and sexual incidents. The group is now reviewing these to establish whether they have been used appropriately.

Some proportionate action is taken to address crime-recording errors and audit findings at individual, team and organisational levels. For example, having identified non NCRS-compliant making off without payment guidance, the constabulary has now issued new guidance for staff that should ensure national standards are consistently applied. Although we did find examples of the old guidance being applied, this was being rejected by the case screeners.

We were told by call-takers and case screeners in the communications centre that the results from audits are not shared with them and that they receive little feedback on whether or not they are doing a good job.

In addition to the formal audit, we also examined a number of additional recent crime-related incidents. For example, we looked at 20 incidents closed as ASB and of these, 7 failed to meet the standards required by NCRS; these included assaults and thefts. The decision making of call-takers is crucial to accurate crime recording and when uncertain, they use categories such as 'disturbance' as a default. We also found incidents opened and closed as violence against the person but failures to record crime were due to a lack of understanding of the rules by everyone in the process, including the sergeant, inspector and case screener.

Officers and front desk staff can directly input crimes and there is a desire to increase the number of staff who have this capability. Currently the Guardian support team conducts limited checking of accuracy and data quality and the constabulary should develop a methodology to provide greater scrutiny of directly recorded crimes. This will be even more important as the migration to NICHE occurs. In addition to the need for compliant crime recording, inaccurate data within IT systems can cause significant problems with duplicate nominals and locations.

In its assessment of the reasons for not recording crime against NCRS or for failing to classify correctly at the practitioner level, HMIC did not find evidence that performance pressures had a bearing on decision making. Indeed, many staff were emphatic that the opposite applied. The reasons are more associated with poor understanding of the rules.

Systems and processes

2 Does the constabulary have systems and processes in place to ensure that: crime is correctly recorded in accordance with HOCR and NCRS; standards of out-of-court disposals are maintained; and no-crime decisions are correct?

2.1 How does Avon and Somerset Constabulary effectively manage and supervise incidents, other reporting routes and crime records in order to ensure that crimes are correctly recorded?

We examined 154 incident records and found that 134 crimes should have been recorded. Of the 134 crimes that should have been recorded, 90 were. Of the 90, all were correctly classified and 3 were recorded outside the 72-hour limit allowed by the HOCR. This is of serious concern as it means that some victims' crimes are not being recorded and they are not getting the service they deserve (because, for example, certain victim support services are only triggered when a crime is recorded).

The force also has a centralised crime recording unit through which we have estimated that the force record approximately 12 percent of the total of their recorded crime. This unit records reports of crime directly from members of the public which do not require the creation of an incident record. Our inspection of this unit (a review of 25 calls from the public) found that of the 25 crimes that should have been recorded, 22 were recorded correctly.

We examined 53 reports that were referred internally and from other agencies directly to the constabulary's public protection department and found that 14 crimes should have been recorded. Of the 14 crimes that should have been recorded, 3 were. Of the 3, all were correctly classified and 2 were recorded within the 72-hour limit allowed by the HOCR. It is concerning that those not recorded included sexual offences and offences against children committed by adults.

Many specialists have considered and undertaken the actions required to safeguard the victim from harm, even when a crime has not been recorded. They have also, contrary to the HOCR and NCRS, chosen not to record some crimes for fear of criminalising young and vulnerable people. Many do not understand and misinterpret the 72-hour rule. The constabulary has recently put in place training and roadshows that include a presentation setting out the expectations and importance of accurate crime recording, designed to improve compliance with HOCR and NCRS. However, detectives and specialist investigators have not always been attending the presentations.

Operators in the communications centre use the STORM command and control system and it is generally thought to work satisfactorily. It enables operators to identify repeat victims by location and contact number, and vulnerability is assessed using drop-down checklists that are associated with incident opening codes.

The constabulary does not have a crime recording policy that details how officers and staff should deal with reports of crime that have occurred in another force area. Such a policy could outline where original documentation should be sent in order to comply with the rules on disclosure and set out the methods by which original evidence and papers should be transferred.

2.2 How does Avon and Somerset Constabulary ensure that out-of-court disposals suit the needs of victims, offenders and the criminal justice system?

Cautions – Out of the 20 cautions we dip-sampled, we found that in all cases the offender’s previous history made them suitable to receive a caution. In 14 cases we found evidence that the offender was made aware of the nature and future implications of accepting the caution. Out of the ten cases where there was a victim to consult, four cases showed that the victims’ views had been considered.

Penalty Notices for Disorder – We dip-sampled 20 PND and found that the offender was suitable to receive a penalty notice in 13 cases. We found that all offenders had been made fully aware of the nature and implications when accepting the penalty notice. Out of the 14 cases where there was a victim to consult; we found that 3 victims had their views considered when the police decided to issue a penalty notice.

Cannabis warnings – We dip-sampled 20 cannabis warnings and found that the offender was suitable to receive a warning in 18 cases. We found that in 16 cases, the offender had been made aware of the implications of the warning.

Community resolutions – We dip-sampled 20 community resolutions and found that in all cases, the offender either had no previous offending history or that the offender’s past history still justified the use of the community resolution. Out of the 20 resolutions where there was a victim, 18 cases showed that the wishes of the victim had been properly considered. Nine cases showed that the agreed outcome was meaningful and appropriate.

A number of out-of-court disposals were found to contain insufficient information to conform to the requirements of HOCR and national guidance. This was due in large part to the way a number of constabulary forms had been designed to assist with the disposal. The forms for cannabis warnings do not adequately record offenders’ admissions of guilt or whether or not they understand the implications of accepting such disposals. In many cases there is no record that a clear statement was given to the offender explaining that police can disclose such outcomes if specific checks of the offending history are made in the future. New purpose-designed forms should be introduced to improve compliance.

Our audit revealed that in most cases, the needs of the victims are properly balanced with the needs of the offender and the wider criminal justice system when out-of-court disposals are used. However, there is limited record of any consultation undertaken to obtain victims’ views. Given the constabulary’s

strong message about being victim-focused and raising satisfaction levels, the constabulary could look for ways to ensure officers understand the need for such consultation and record what results from it.

There is some oversight of out-of-court disposals at a constabulary level through a group called the out-of-court disposals steering group. The group meets every three months and reviews cases on a dip-sample basis. The group is currently reviewing all disposals for serious sexual offences and domestic assaults. The PCC scrutiny panel also reviews out-of-court disposals.

The use of out-of-court disposals for offenders whose previous criminal history should preclude their use is occurring too often, particularly for PND. Checks of past offending history for suspects are not always completed thoroughly. Indeed, some officers explained that they thought community resolutions were easier to apply to cases where other outcomes might be more difficult to achieve. Checks of out-of-court disposals are completed within the existing audit regime although the out-of-court disposal scrutiny group which meets quarterly is starting to identify issues and seek remedies. For some forms of disposal such as cannabis warnings, frontline supervisors do not rigorously supervise the process.

2.3 Are no-crime decisions for high-risk crime categories correct and is there robust oversight and quality control in Avon and Somerset Constabulary?

No-crime refers to an incident that was initially recorded as a crime but has subsequently been reclassified on the basis of additional verifiable information. We examined 90 no-crime records and found 61 records to be compliant with HOCR and NCRS. Our audit of 90 no-crime decisions in the important crime areas of robbery, violence and rape revealed that 61 were correctly recorded.

In January 2014, the roles of incident receiver and crime screener were merged to form roles in the new incident Assessment Unit (IAU). Staff from the IAU check crimes and act in a designated decision-making (DDM) role and, currently, supervisors at all ranks can make recommendations for no-crime and submit them direct to the IAU. In terms of providing adequate training to meet these changes, the constabulary has set itself significant challenges.

Some forces tightly limit the number of staff approved to carry out this function as too many decision makers who are not independent of investigations can pose a risk to the understanding and application of additional verifiable information (AVI) which is required to enable a crime to be no-crime. All officers spoken to during reality testing were able to recite the process for achieving a no-crime. They stated that the victim would be required to provide a statement or sign a pocket notebook entry and that a submission would be made on the crime management system. This would then go to a supervisor for consideration and onward transmission to the IAU for a no-crime decision to be considered by the case screeners, who are the final decision makers.

The authority to authorise a rape no-crime decision rests with the FCIR and his deputy, and there is scope to improve the accuracy of no-crime decisions for rape.

2.4 How does Avon and Somerset Constabulary promote a victim-centred approach to crime recording and associated outcomes?

The constabulary is putting a great deal of emphasis on the importance of giving meaningful support to victims and paying attention to their welfare. There is determination across the constabulary to drive up what are already good levels of victim satisfaction with the service they provide. This includes a range of actions involving victims of crime such as improved updates and better communication with victims before deciding on the best outcome where an offender is known.

Placing the victim at the centre of the criminal justice system is part of the policing and crime plan. The constabulary is shortly to take part in a four-force pilot (Project Lighthouse) where Ministry of Justice funding, managed by the police and crime commissioner, is aimed at focusing services on local need. A new integrated victim care team of 60 people is being recruited. Benefits for the public will include identifying vulnerable, intimidated and persistently-targeted victims at the first point of contact and assessing their needs. These callers, who are estimated to make up 27 percent of all victims, will be referred or signposted to a range of locally-funded support services. A dedicated staff of 60 will be allocated to the project which is led by an ACC. These arrangements were to be put in place from 1 October 2014.

Most frontline staff, including call-takers, understand the victim-centred approach and go on to display it in their everyday work by being polite, professional and helpful.

Visits to the communications centre and operational stations during our inspection, together with evidence from calls evaluated during the audit, show that staff understand the victim-centred approach. Of the incidents examined from available records of telephone calls from the public, we found that call-handlers were polite, helpful and professional in all cases.

The constabulary carries out surveys of victims of crime as required by the Home Office user satisfaction programme and makes use of data gathered by the constabulary. It does not conduct any scheduled work outside this activity.

The constabulary has carried out some work to map and understand its migrant, diverse and emerging communities and has made progress in engaging with them, particularly over issues of child sexual exploitation. It has also engaged with the local Somali community which is the largest in Europe. There are mechanisms for flagging incidents which enable better identification of crimes reported by minority communities. The constabulary has also increased its focus on female genital mutilation (FGM) in partnership with local health

services; this has been another focus for the community engagement team which, with women's groups, has encouraged third party reporting.

All officers spoken to during reality testing were able to state that the constabulary took a victim-centred approach and were clear on the importance both they and the constabulary placed on keeping the victim at the centre of the service. Staff asserted that the victim will always be believed, and there is a real drive to do the right thing for the victim.

2.5 How does Avon and Somerset Constabulary ensure systems for receiving, recording and managing reported crimes of rape are robust?

In the absence of a force crime recording policy, the constabulary has issued specific guidance on how to deal with reports of rape. The guidance states that if a victim contacts the police and confirms in person that they have been the subject of a rape, providing details of the acts committed that amount to rape, the matter should be crimed at the outset. If the victim refuses to provide any identifying information, then the report should be recorded as a constabulary incident. If there are lines of investigation to be followed, it should be recorded as a crime-related incident (CRI). If the victim is under the influence of alcohol, drugs or other substances and is unable to provide a coherent account, the report is recorded as a CRI. If the victim has said "I have been raped" but has not provided any detail of the acts committed, then the matter should be recorded as a CRI pending a further account. This constabulary guidance risks breaching NCRS and requires further clarification to ensure the timely recording of such crime. The guidance also outlines the procedure to be followed where the report is made via a third party.

Our audit reveals that specialist investigation officers do not properly record all reports of rape as crime with the investigation being recorded as a crime-related incident. This has led to the late recording of crimes beyond the 72-hour period allowed within the NCRS. It also means that the constabulary does not have a full picture of these crimes occurring in the constabulary area. In addition, failures to record are sometimes linked to cases where the victim doesn't want to cooperate with the police. This investigate-to-record approach is not compliant with the requirements of the HOCR and NCRS.

The constabulary acknowledges that the routes of crime reporting are inconsistently understood. Until recently, reports of rape made on forms designed to record domestic abuse, stalking and harassment and honour based violence (DASH) forms were not being considered as crime, and reports of rape were routinely recorded as a CRI for a period of seven days. There is also an acceptance that, despite efforts to eradicate it, some officers still investigate-to-record rape offences. This remains a challenge for the constabulary and it needs to ensure compliance with HOCR.

Reports of rape sent to Avon and Somerset from another force, or generated in Avon and Somerset and transferred elsewhere, are not dealt with under a bespoke policy or guidance. There is no policy or guidance to which staff can refer when dealing with such reports.

2.6 How do Avon and Somerset Constabulary IT systems allow for efficient and effective management of crime recording?

Guardian is the main crime-recording system for Avon and Somerset Constabulary and STORM is the incident recording and dispatch system. There are other systems such as HOLMES and Special Branch systems within the constabulary supported by a data warehouse called Assist which enable officers to cross-check across the constabulary systems. There is no automatic transfer of information from STORM to Guardian. The constabulary has started to use predictive analysis programmes within the communications department to try to improve incident-to-crime compliance.

Historically, intelligence units have not always recognised that there may be unrecorded crimes contained within intelligence reports and the constabulary has made efforts to rectify this issue. However, we found some officers who still did not always recognise when they should also record a crime following submission of an intelligence report.

People and skills

Does the constabulary have staff whose conduct and skills ensure accurate crime recording?

3.1 What arrangements does Avon and Somerset Constabulary have in place to ensure that staff have the necessary skills to ensure accurate crime recording?

Between April and June 2014, the constabulary delivered 38 structured training events on NCRS and HOCC with over 800 (or 70 percent of) officers receiving the training. This should, in time, enhance crime recording accuracy which currently requires improvement.

We found staff and supervisors in the IAU generally had an appropriate knowledge of NCRS and HOCC and have had some training to support the new structure. The former crime screeners are also acting as mentors to the previous incident receivers to assist them to make accurate decisions in crime recording.

There are still some implementation issues that affect timely crime recording within the IAU. A number of the frontline staff we interviewed indicated they were often kept holding on the telephone until a member of staff became available to record a crime for them. One officer also indicated that, following the initial reporting of a crime on a Toughbook, there were frequent delays

before updates could be put on the crime report by officers as a result of delays at the IAU.

3.2 How do the behaviours of Avon and Somerset Constabulary staff reflect a culture of integrity for crime recording practice and decision-making?

There is a clear expectation from the constabulary that crimes are correctly recorded, investigated and concluded against the HOCR, national guidelines and with a strong victim focus. This is partly reflected in our findings from audit and in the culture among staff. The constabulary has a strong desire to improve continuously and is doing so through its active review of structures, processes and behaviours as it moves towards the new operating model.

The headline message from chief officers about crime recording is one that promotes compliance with HOCR, encouraging a victim-centric approach, even if this means an increase in volume.

We did not find evidence to indicate that any failures to record crime against NCRS at the user level are driven by performance pressures. Any failures are more a consequence of misunderstanding the HOCR, both by frontline officers and at the point of incident closure and screening.

It is clear that many specialist staff have not always recognised the importance of accurate crime-recording standards and have elevated other outcomes such as safeguarding and not criminalising the young and the vulnerable above the need to record crime ethically. Their knowledge of NCRS and HOCR has not met the required standard and specialist advice was not sought when needed. Not all specialists have attended the presentations conducted by the FCIR at which the importance of raising a crime report is emphasised alongside the point that this does not inhibit the investigation or any professional judgments needed about appropriate criminal justice outcomes.

There is widespread agreement that failure to follow the HOCR is considered unacceptable. Most staff spoke about a fundamental change in attitude and approach, which had been evident since senior management team had changed in recent years. Changes in practice and behaviour have also occurred, such as the way any offence at a garage or similar venue is properly checked to see if a crime has occurred, rather than it being treated as a civil debt as used to be the case.

Senior managers are encouraged to secure accurate crime recording and there is no pressure, explicit or implied, to under-record or incorrectly record crimes. We found no obvious sign of performance pressure or other unethical bias operating in the constabulary to prevent accurate crime recording and most staff receive support from their supervisors and managers to record crimes accurately.

Staff all acknowledged that the move in the constabulary has been away from a target-based performance culture to one emphasising appropriate outcomes and meeting the needs of victim.

3.3 How is the accuracy of crime recording in Avon and Somerset Constabulary actively overseen and governed by the force crime and incident registrar (FCIR)?

The former full time FCIR retired in March 2010 after which the constabulary underestimated the importance of the role and did not appoint a full-time replacement. Following our pilot inspection in November 2013, a chief inspector was temporarily appointed to the role while a permanent qualified candidate could be appointed. The FCIR role was also realigned to sit under the professional standards department to reinforce impartiality. The temporary FCIR does not possess in-depth knowledge of NCRS/HOCR; he is not suitably trained or experienced and relies heavily on the deputy FCIR. He also has other duties such as professional standards department case files and on-call operational responsibilities. The FCIR and his deputy have tried hard to elevate the position of FCIR and to provide some training to other members of his staff.

The role of FCIR is to act as the constabulary conscience for crime-recording issues and the importance of a knowledgeable and engaged FCIR cannot be overstated. The constabulary is currently recruiting a new FCIR and it is unfortunate that the likely candidate will not be in post until the end of October 2014. The constabulary may wish to bolster support for the role in the interim, which may allow the FCIR to develop a more visible presence across the constabulary.

There is a need for improved resilience in the FCIR unit. The capacity and resource committed to risk-based audit and monitoring of both crimes and incidents could be increased. The limited resources available for audit have been concentrated on the areas HMIC was to inspect. The constabulary needs to audit both more broadly and more deeply to incorporate other crime-recording issues such as professional standards, reclassifications, offences taken into consideration (TIC) and the public protection unit (PPU). The audits should include an element of listening to incident calls as we found some disparity between what the caller said and what was recorded.