Crime data integrity

Inspection of Cumbria Constabulary

Contents

Introduction

In its 2013/14 inspection programme[1], 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 bodies[2] 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 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].

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[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

Chief officers in Cumbria show strong leadership and promote the importance of crime data integrity throughout the force. They consider accurate crime recording to be an essential prerequisite for their victim-centred approach to policing. The assistant chief constable (ACC) is the named officer responsible for crime data quality.

The force has an established governance structure for monitoring performance which includes crime data integrity. The force does not have an overarching crime recording policy but there are clear procedures that are well understood by officers and staff. The need for ethical crime recording is well embedded, understood and repeatedly reinforced by chief officers.

The force maintains a confidential reporting line for officers and staff to report any unethical practices. Those officers and staff we spoke to felt that the culture of the organisation was one were they could report concerns to line managers or supervisors without fear of recrimination.

The need for accurate crime and incident recording is identified as a key activity in the Cumbria Police and Crime Plan 2013-17 (updated 2014).

At a strategic level, there is evidence that the force understands the risks associated with inaccurate crime recording including reduced public confidence, inaccurate resource deployment and a lack of a comprehensive understanding of vulnerability. A significant change programme in place since 2010, which has been driven by budgetary pressures, has acknowledged its impact on crime recording as an important risk. This is being mitigated by a comprehensive drive to improve officer compliance by the use, where necessary, of unsatisfactory performance procedures (UPP).

The force understands its key crime categories, notably vulnerability, sexual offences, hate crime and violence. In addition to these specific categories, the force has a considerable seasonal problem with travelling criminals or individuals with a criminal propensity moving to the area for seasonal employment.

There is an understanding of the various channels through which crime is being recorded but this could not be described as comprehensive. The main area of concern is third party referrals through public protection units (PPU) where none of the units visited during the inspection was able to identify the total number of referrals received from third parties.

The force has a central public protection referral unit and has adopted a 'triage' approach to dealing with referrals; however, it was apparent that there were particular vulnerabilities. The decision to refer issues concerning vulnerable young people to the police rests with the local children's services, and as a result some crimes are not being recorded. Not all requests from children's services for information are being recorded and reports of low level assaults and abuse were being retained by children's services for further investigation and not being recorded as crimes with police taking the lead. When these concerns were raised with the force they did respond quickly and appropriately.

Recommendation: Within immediate effect, the force needs to ensure that the PPU central referral unit, or triage, is being run in accordance with national best practice, that all crime should be recorded in a timely manner and that there is a comprehensive understanding of the number, type and scope of referrals to the force from third parties.

The force has an audit capability that relies on a small unit under the supervision of the force crime registrar[6] (FCR). Audits to assess compliance with HOCR and NCRS are undertaken regularly but the unit struggles with the capacity to undertake work in other risk areas such as out-of-court disposals and PPU processes. There is an audit plan which is flexible enough to respond to emerging issues but only at the expense of other areas of business. The force makes good use of the audit data produced with timely and proportionate action taken in response to the findings. At a time when more emphasis will be placed on individual officer responsibility, it is essential to have a robust checking mechanism at the centre.

Recommendation: Within six months, the force should have reviewed its audit capacity and ascertained the most cost-effective way, using internal or external auditors, to improve its capacity to undertake both regular and risk-based audits using a more extensive methodology.

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[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 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.

Systems and processes

Accuracy of crime recording

We examined 101 incident records[7] and found that 85 crimes should have been recorded. Of the 85 crimes that should have been recorded, 71 were. Of the 71, four were wrongly classified and six were recorded outside the 72-hour limit allowed under the HOCR. This is of concern as it means that some victims' crimes are not being recorded and they are not getting the service they deserve (for example, because certain victim support services are only triggered when a crime is recorded).

We examined 60 reports that were recorded separately on other force systems. We found that of those 60 reports, 19 crimes should have been recorded but only 8 crimes were.

All incidents are recorded on the STORM command and control system. Those crimes requiring deployment are allocated to officers while low-level crimes not judged to require police attendance are dealt with by the helpdesk. All crimes have to be recorded on the Sleuth IT system.

In addition to the examination of referral files to the PPU, we examined a further 16 files in the dedicated PPU folder on Sleuth and identified 2 incidents that should have been recorded as crime. In addition, in the email inbox there were two messages identifying allegations of assault that had not been recorded and one relating to an incident in a care home. This was an area of concern.

Recommendation: Within three months, the force should undertake a review of the PPU folder on Sleuth and the PPU email inbox to identify any crimes that should have been recorded in accordance with HOCR and NCRS and progress any actions that are outstanding.

The current process in the PPU places responsibility for recording any crime identified on the detective constable who has been allocated the case. This leads to an 'investigate to record' mentality that delays the recording of crimes and, at worst, leads to crimes not being recorded at all. A better system would be for the detective sergeant who assesses the initial referral or incident to enter the matter as a crime before it is allocated for investigation.

Recommendation: With immediate effect, the force should ensure that any crimes identified in the PPU are recorded at the first opportunity by the detective sergeant assessing the referral and, in any case, within 72 hours prior to allocation for investigation.

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

Out-of-court disposals

Out-of-court disposals include cautions, Penalty Notices for Disorder (PND),[8] cannabis warnings[9] and community resolutions.[10] The HOCR (section H) states that national guidance must be followed[11].

Cautions – Out of the 20 cautions we dip-sampled, we found that in 18 cases the offender's previous history made them suitable to receive a caution. In 16 cases we found evidence that the offender was made aware of the nature and future implications of accepting the caution. Out of the 15 cases where there was a victim to consult, 12 cases showed that the victims' views had been considered.

Penalty Notices for Disorder – We dip-sampled 25 PND and found that the offender was suitable to receive a penalty notice in 24 cases. In one case we found evidence that the offender had been made aware of the nature and future implications of accepting the penalty notice. Out of the 18 cases where there was a victim to consult, we found that 2 victims had their views considered when the police decided to issue a penalty notice.

Cannabis warnings – We dip-sampled 21 cannabis warnings and found that the offender was suitable to receive a warning in 16 cases. In 18 cases we found evidence that that the offender had been made aware of the nature and implications of accepting the warning.

Community resolutions – We dip-sampled 20 community resolutions and found that in 17 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, 13 cases showed that the wishes and personal circumstances of the victim had been properly considered. Only 11 cases showed that the agreed outcome was meaningful and

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[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

appropriate[12]. In the 14 cases that concerned youths, none had any evidence of involvement from the youth offending teams, criminal justice unit or triage despite the offender being a juvenile. Reality testing showed evidence of supervisory consultation on community resolutions but there is a lack of an auditable supervisory footprint.

Recommendation: Within six months, the force should have redesigned the current PND form to ensure that the offender is made aware of the implications of this means of disposal and has acknowledged this on the form. These new forms should then be brought into use immediately.

Recommendation: Within six months, the force should consider subscribing to the national Pentip system in order to be able to ascertain if an offender has received a cannabis warning in another force area

Recommendation: Within six months, the force should have undertaken a thorough review and audit of community resolutions to ensure that force processes comply with national guidance and standards. In the case of juveniles, there needs to be clarity that the 'ACPO guidelines on the use of Community Resolutions'[13] are being adhered to, and in particular that resolutions are only given when appropriate and that there is a clear, auditable trail of decision making for the youth triage process adopted in Cumbria.

No-crime

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 46 no-crime records and found 38 records to be compliant with HOCR and NCRS. Seven of the nine no-crimes of rape were correct. Six of the seven no-crimes for robbery were correct and 25 of the 30 no-crimes for violence were correct.

No-crime decision making is effective although the process can cause undue delays and is inefficient. The current situation where constables can pass requests for no-crime direct to the FCR is unsustainable. No-crimes should

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[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 HOCR.

[13] ACPO Guidelines on the use of Community Resolutions (CR) Incorporating Restorative Justice (RJ):
http://www.acpo.police.uk/documents/criminaljustice/2012/201208CJBAComResandRJ.pdf

pass through an appropriately skilled supervisor, possibly of inspector rank, who should ensure that all the necessary documentation and additional verifiable information is available on the file to enable the FCR or head of the crime management unit (CMU) to make the final no-crime decision.

The no-crime delays are further exacerbated by the inability of other members of staff to access the no-crime data addressed to the FCR. This again results in undue delays in the absence of the FCR. A system has to be devised that enables other authorised members of staff to access the FCR folders.

Recommendation: Within three months, the force should have revised the process for no-crime decisions to minimise delays while retaining the consistency afforded by a centralised process and compliance with the NCRS and HOCR.

Victim-centred approach

We found a strong victim-centred approach during reality testing. We found a strong victim-centred approach during reality testing. In particular, high levels of empathy were displayed towards the victims in the work of the force's single point of contact (SPOC) and hate crime co-ordinator in association with the Furness Multicultural Centre in Barrow, and in the approach adopted by call handlers. There was good knowledge of what was meant by a victim-centred approach among those staff interviewed and it was clear that the force was moving in the right direction in this area. This was contrary to the findings of the audit where many out-of-court disposals contained little evidence of the victim having been contacted. We were satisfied that the force promotes a victim-centred approach to crime recording and outcomes but there needs to be more emphasis on recording detail of the interaction. Surveys are used appropriately and effectively and inform activity.

Rape offences

The force has comprehensive guidance on how to deal with all aspects of rape recording and investigation called 'The standard for the investigation of rape and serious sexual assault – October 2011'. The systems for recording and managing reported crimes of rape are robust although senior staff acknowledge that they could not be certain all rapes are reported to the force. The need to record rape in a timely manner has been reiterated by the new head of public protection. Each rape investigation is reviewed independently to ensure it is being dealt with effectively, recorded correctly and that all leads have been investigated. Officers and staff are aware of their roles. The FCR is the only person who can no-crime a rape allegation.

The force guidance, while comprehensive, does not contain advice for officers or staff on how to deal with a victim of rape when the location of the offence is in another force area but the victim is reporting the incident in Cumbria.

Recommendation: Within three months, the force guidance on rape - The standard for the investigation of rape and serious sexual assault – should be amended to contain specific guidance on how to deal with allegations of rape occurring in another force area including the crime transfer process, evidence transfer and victim care.

IT systems

The force uses the Sleuth system to record crime, and STORM for the command and control of incidents. There is no other crime recording system in the force. The systems are linked and allow for efficient and effective management of crime recording although due to the age of the former, there is limited scope for data to be automatically transferred from one to the other.

People and skills

The force has invested significantly in training for supervisors and staff on HOCR and NCRS and there is frustration evident that this has not had a material impact on the overall compliance with HOCR and NCRS. As a result of research undertaken internally, it has concluded that officers and staff need to be made more aware of the implications of not recording crime accurately. On 1 August 2014, the force introduced a policy that supports officers if they fail to record accurately but which ultimately could lead to unsatisfactory performance procedures being invoked if there is no improvement. This has the support of the local Police Federation.

There is a culture of integrity around crime data with staff willingly accepting the need for accurate crime recording and understanding the organisational risks of not getting it right. We found no evidence that performance pressures, either implicit or explicit, are influencing the accurate recording of crime.

Force crime registrar

The FCR has extensive knowledge and experience in the management of crime data and the application of the NCRS and HOCR. He is well respected, supported and accepted as the final arbiter for all crime recording issues and enjoys the full support of all chief officers.

Recommendations

Immediately

1. The force needs to ensure that the PPU central referral unit or triage is being run in accordance with national best practice, that all crime should be recorded in a timely manner and that there is a comprehensive understanding of the number/type and scope of referrals to the force from third parties.

2. The force should ensure that any crimes identified in the PPU are recorded at the first opportunity by the detective sergeant assessing the referral and, in any case, within 72 hours, prior to allocation for investigation.

Within three months

3. The force should undertake a review of the PPU folder on Sleuth and the PPU email inbox to identify any crimes that should have been recorded in accordance with HOCR and NCRS and progress any actions that are outstanding.

4. The force should have revised the process for no-crime decisions to minimise delays while retaining the consistency afforded by a centralised process and compliance with the NCRS and HOCR.

5. The force guidance on rape - The standard for the investigation of rape and serious sexual assault – should be amended to contain specific guidance on how to deal with allegations of rape occurring in another force area including the crime transfer process, evidence transfer and victim care.

Within six months

6. The force should have reviewed its audit capacity and ascertained the most cost-effective way, using internal or external auditors, to improve its capacity to undertake both regular and risk based audits using a more extensive methodology.

7. The force should have redesigned the current PND form to ensure that the offender has been made aware of the implications of this means of disposal and has acknowledged such on the form. These new forms should then be brought into use immediately.

8. The force should consider subscribing to the national Pentip system in order to be able to ascertain if an offender has received a cannabis warning in another force area

9. The force should have undertaken a thorough review and audit of community resolutions to ensure that force processes comply with national guidance and standards. In the case of juveniles, there needs to be clarity that the 'ACPO guidelines on the use of Community Resolutions' are being adhered to, and in particular that resolutions are only given when appropriate and that there is a clear, auditable trail of decision making for the youth triage process adopted in Cumbria.

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 Cumbria 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 identified crimes Cumbria Constabulary recorded the following number of crimes.
101	**85**	**71**
Crime reports held on other systems		
Referrals	**Crimes identified**	**Crimes recorded**
HMIC reviewed the following number of referrals reported directly to Cumbria Constabulary and held on other systems which contained reports of crime.	From these referrals HMIC identified the following number of crimes that Cumbria Constabulary should have recorded.	From these identified crimes Cumbria Constabulary recorded the following number of crimes.
60	**19**	**8**
No-crimes		
HMIC reviewed the following number of recorded crimes of rape, violence and robbery which Cumbria Constabulary had subsequently recorded as no-crime.		From these HMIC assessed the following number of no-crime decisions as being correct.
46		**38**

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 force 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 the Cumbria Constabulary ensuring that leadership responsibilities and expectations for crime data integrity are clearly defined and unambiguously communicated to staff?

Chief officers show strong leadership and promote the importance of crime data integrity (CDI) throughout the force. The ACC is the named responsible officer for CDI and is widely acknowledged as such throughout the organisation.

The ACC is also the lead for force performance although there is no evidence to suggest this creates a conflict given the nature of the performance regime now in place in the force which, in the absence of specific quantitative targets in the Cumbria Police and Crime Plan 2013-17, concentrates on qualitative issues and audit findings. Staff acknowledged there had been a significant shift in the past two years in the performance regime and we found no evidence of any pressure, either implicit or explicit, not to record or to mis-record crime.

The force has an established governance structure for monitoring performance which includes crime data integrity. Meetings, such as the force operations board chaired by the ACC, are used as a forum to promulgate the need for accurate crime recording and this is further reinforced through the integrity and ethics programme. Further meetings are held in each territorial policing area (TPA) which are more tactical but replicate strategic meetings in that they reinforce the need for accurate crime recording.

A significant change programme began in 2010 to address budgetary pressures. Part of this programme revised the process for crime recording taking it from a devolved model with a CMU in each of the three basic command units (BCU) to a central model with an accompanying cultural shift to ensure that local sergeants and inspectors take responsibility for crime recording. The ACC is widely associated with these changes and also for the higher profile that CDI has enjoyed in the force over the last 12 months.

The force has acknowledged that performance in this area of business can dip during a period of significant change and this proved to be the case with compliance, as assessed by internal force audits of NCRS which showed a reduction in compliance by up to ten percentage points. A lot of research has

been undertaken on the causes underlying this drop and significant training has been put in place for both sergeants and inspectors. This has been followed by the introduction of an initiative that could result in officers being placed on unsatisfactory performance measures if, despite support, they continue not to record crime accurately. This is a drastic step but nevertheless shows the determination of senior officers to achieve accurate and ethical crime recording.

Communication from senior officers is well evidenced but it is not always apparent that more junior officers are responding to the message. Compliance is tested by way of a series of performance meetings taking place once every 5 and 15 weeks, but the force acknowledges that some officers, notably 'those more senior, long-in-service' are often the most difficult to reach. Chief officers use a variety of approaches including multi-tiered briefings through a corporate structure which includes, for example, the force operations board and strategic tasking and co-ordinating groups, specific training for sergeants and inspectors, briefing boards, intranet, emails to each officer and briefings to individual management teams.

Staff indicated that they were confident they could raise matters of integrity in crime recording with supervisors or line managers but there is also a confidential reporting line if they would prefer to use that route. This is monitored by the professional standards department (PSD) and any issues raised would be brought to the attention of the most appropriate chief officer, although there was no record of any issues having been raised in the last 12 months.

There are no crime recording policies in Cumbria as the force prefers to adopt nationally authorised policing practices (APP) and refer to national guidance such as HOCR and NCRS. The need for accurate crime and incident recording is identified as a key activity in the Cumbria Police and Crime Plan 2013-17 (updated 2014).

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

At a strategic level there is evidence that the force understands the risks associated with inaccurate crime recording; indeed, the change programme identified that as a key area of concern. The risks to the organisation from reduced public confidence, inaccurate resource deployment and a lack of a comprehensive understanding of vulnerability are all acknowledged at a strategic level. This level of understanding is not as apparent lower down the organisation where staff are not as aware of, or fail to recognise, the risks.

The force understands its key crime categories, notably vulnerability, sexual offences, hate crime and violence. In addition to specific categories, the force has a considerable seasonal problem with travelling criminals or individuals with a criminal propensity moving to the area for seasonal employment.

This is recognised and puts considerable extra strain on the organisation as a whole. There is a focus for force audits on the areas of vulnerability but there is limited central capacity to undertake this work. Central audits are supplemented by supervisory checks in each of the TPA and departments.

The force crime recording system is Sleuth, which is widely viewed as easy to use but does have limitations given its age (installed in 2008). After assessment by call-handlers, those crimes requiring deployment are allocated to officers who complete both a case management entry called 'caseman' and a victim management entry 'vicman' on the Sleuth system. The system ensures that the level of detail required for crime recording is consistent across all crime records. It is expected that more serious crimes will have more comprehensive MO[14] detail, although this was not always apparent in the samples examined during the audit.

There isn't a comprehensive understanding of the various channels through which crime is being recorded although there is an assessment of volume. For example, the force believes that 70 percent of crimes are recorded through the communications centre with the remaining 30 percent split equally between help desks, 'on street reports' and third party reports. This latter area is a significant cause for concern with none of the units able to identify the total number of referrals received from third parties (see recommendation 1).

The force has a central public protection referral unit and has adopted a triage approach to dealing with referrals. However, it was apparent that there were particular vulnerabilities, notably that the decision to refer matters to the police rests with the local children's services and as a result, some crimes are not being recorded. Not all requests from children's services for information are being recorded and low-level assaults and abuse are being retained by children's services for further investigations, not being recorded as a crime and with police not taking the lead. When these concerns were raised with the force they did respond quickly and appropriately (see recommendation 1).

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

The force undertakes audits of crime and incident recording, the last comprehensive one being in February 2014. There is an audit plan and there is evidence of planning ahead as they have identified incidents to crimes, reclassifications, no-crimes and fraud as areas they wish to audit. There is not a dedicated audit unit but, under the line management of the FCR, staff undertake this work alongside other duties. The capability of the unit is not in doubt and the audits are very thorough as evidenced in the October 2013 and February 2014 audits of crime and incident compliance.

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[14] MO – *modus operandi*

Nevertheless, staff have limited capacity and inevitably have to prioritise work which means that some areas of business, such as out-of-court disposals or crime dealt with by the PPU, receive scant attention.

The force is committed to good data quality delivered by multi-skilled officers and staff but they have recognised that this needs to be underpinned by an effective audit regime. At a time when more emphasis will be placed on individual officer responsibility, it is essential to have a robust checking mechanism at the centre. There is not currently the audit capacity in force to achieve this aim (see recommendation 2).

Through the police and crime commissioner (PCC) there is access to an outside audit facility delivered through the county council that has been used in the past for one-off audits. Despite the limitations on capacity, the audit team is not inhibited by opening and closing codes used on the command and control system but it is limited, due to capacity, in its ability to respond to emerging trends which can only be undertaken at the expense of other work.

Audit data, when available, are used at both strategic and local performance meetings; the FCR has regular access to senior officers as well as shift sergeants and inspectors and will feed back issues of concern or discuss individual cases with them. Audit data are also used when appropriate in the personal reviews with staff which take place every 5 and 15 weeks, ensuring that action is taken at all levels in the organisation.

The audit regime uses the Audit Commission tests 1 and 2 but the force has recognised that it would benefit from a more extensive methodology where calls are listened to in real time and the crime tracked through to completion. This includes a ring-back to the victim to assess that what was recorded accurately reflects what they reported (see recommendation 2).

Systems and processes

2   Does the force 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 Cumbria Constabulary effectively manage and supervise incidents, other reporting routes and crime records in order to ensure that crimes are correctly recorded?

All incidents in Cumbria are recorded on the STORM command and control incident system which links with the crime recording system, Sleuth. In 2013/14 there were 130,992 incidents and 23,926 crimes recorded. It was apparent that staff had a good knowledge of both systems with the audit identifying that in 88 out of the 101 incidents examined, the correct closing codes had been used while staff were deemed to have been polite, helpful and professional in 99 out of the 101 incidents. Indeed we were pleased to note that the level of empathy displayed by staff during the calls was higher than in many other forces.

Supervisors do monitor incident logs, especially in high-risk areas such as hate crime, domestic violence and sexual offences that can be monitored in real time. There is a lack of a supervisory audit trail as just 10 out of the 101 incidents examined had evidence of supervision. The force has a Language Line facility that is well-used especially in the summer months with a seasonal rise in visitors to the county.

We examined 101 incident records and found that 85 crimes should have been recorded. Of the 85 crimes that should have been recorded, 71 were. Of the 71, four were wrongly classified and six were recorded outside the 72-hour limit allowed under the HOCR. This is of concern as it means that some victims' crimes are not being recorded and they are not getting the service they deserve (for example, because certain victim support services are only triggered when a crime is recorded).

We examined 60 reports that were recorded separately on other force systems. We found that of those 60 reports, 19 crimes should have been recorded but only 8 crimes were.

All crimes in Cumbria are recorded on the Sleuth system but not all require an officer to be deployed. There is a help desk facility that dealt with 13 percent of crimes over the telephone in 2013/14 and there may be scope to increase this level as pressure on deployable resources increases. Some crimes are reported direct to the PPU by third party referrals from other agencies such as social services but all crimes identified should be recorded as such on the Sleuth system.

The force has an aspiration for all incident logs to be reviewed in real time but recent changes to the control room have meant this has not been achieved and,

at the time of the inspection, approximately 50 percent were being reviewed. Reality testing did confirm that there was supervision of crimes on the Sleuth system although the system allows supervisors to view a crime without automatically creating an audit trail unless the supervisor decides to place a specific comment on the log.

Chief officers have been concerned about crime recording and the NCRS compliance rate following changes to the crime recording process as a result of budgetary pressures and there is some concern that resistance may be more embedded and cultural. For example, some officers during research by the force were found to hold the view that a crime did not need to be recorded if the victim did not wish to prosecute which is contrary to the HOCR. Despite extensive training for inspectors and sergeants, advice to constables and staff and more intrusive checks, it is apparent that the accuracy of crime recording has not improved significantly over time. This has led to the conclusion that compliance is a key area for improvement and the force has, in July 2014, introduced guidelines for officers who repeatedly fail to record crime accurately. These individuals will be subject to a development plan in the first instance, followed by more management intervention which ultimately, at the third time of asking, could lead to the UPP procedures being invoked. One sergeant has been posted to each of the TPA to run this process and give advice to officers.

We felt that this provided clear evidence of the determination of chief officers to raise the profile of crime recording in the force and ensure that all reports are accurate and compliant with the NCRS and HOCR.

The audit dip-sampled 60 referrals to the PPU and identified 19 crimes that should have been recorded; the force recorded 8. During reality testing a further dip-sample of 16 files in the PPU folder on the Sleuth system identified 2 crimes of assault that had not been recorded, one of which related to an assault in a care home. The force was aware of problems in this area as on the 9 July 2014, an email had been sent by the head of public protection and crime operations reiterating to all staff the need to record all rape and sexual offences immediately when officers "were satisfied that it is more likely than not that a crime had been committed". Not all crimes reported to the PPU are of a sexual nature and the evidence of the audit and reality testing identified that there may be crimes referred to the PPU and stored in the Sleuth folder or in the PPU email inbox, that have not been recorded as such (see recommendation 3).

The process in the PPU is such that detective sergeants review referrals but do not record the crime. The referral is passed to a detective constable to investigate and and decide if a crime should be recorded. This builds in unnecessary delays and is potentially contrary to the HOCR as crimes are not recorded as soon as the NCRS test is met. All the staff interviewed in this area of business agreed that it would be better for the recording of the crime to be

undertaken by the detective sergeant, before allocation (see recommendation 4).

There is no crime recording policy in the force; Cumbria Constabulary uses nationally approved professional practice (APP) and reference to the HOCR and NCRS. There are also no specific guidelines to give advice on the procedures to be adopted if a crime is reported that occurred in another force area. Reality testing did identify that while this was considered a rare event, there was knowledge in the force how to deal to deal with such issues but the force may wish to encapsulate this in some form of guidance (also see recommendation 9).

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

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

Cautions – Out of the 20 cautions we dip-sampled, we found in 18 cases that the offender's previous history made them suitable to receive a caution. In 16 cases we found evidence that the offender was made aware of the nature and future implications of accepting the caution. Out of the 15 cases where there was a victim to consult, 12 cases showed that the victims' views had been considered.

Penalty Notices for Disorder – We dip-sampled 25 PND and found that the offender was suitable to receive a penalty notice in 24 cases. We found only one case where there was evidence that the offender had been made aware of the nature and future implications of accepting the penalty notice. Out of the 18 cases, where there was a victim to consult, we found that only 2 victims had their views considered when the police decided to issue a penalty notice.

Cannabis warnings – We dip-sampled 21 cannabis warnings and found that the offender was suitable to receive a warning in 16 cases. In 18 cases we found evidence that that the offender had been made aware of the nature and implications of accepting the warning.

Community resolutions – We dip-sampled 20 community resolutions and found that in 17 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, 13 cases showed that the wishes and personal circumstances of the victim had been properly considered. Only 11 cases showed that the agreed outcome was meaningful and appropriate. In 14 cases that concerned youths, none had any evidence of involvement from the youth offending teams, criminal justice unit or triage despite the offender being a juvenile. Reality testing showed evidence of supervisory consultation on community resolutions but there is a lack of an auditable supervisory footprint (see recommendation 7).

In Cumbria Constabulary a triage process applies to young people aged 17 years and under who are arrested and brought into police custody for the first time for a less serious offence. They must have admitted the offence and the circumstances must not be suitable for them to be dealt with by means of a Youth Restorative Disposal (YRD).

We found some evidence of cases unsuitable for triage being referred to the YRD and had concern that there was an absence of an audit trail for decision making, despite the force being accountable for out-of-court outcomes.

It was also apparent that out-of-court disposals were not audited by the force. Given the findings from this inspection, it is important that the force finds ways to review these areas of risk to ensure that all out-of-court disposals comply with national guidance. There may be scope to use the out-of-court scrutiny panel that was established in April 2014 to oversee the whole range of out-of-court disposals. The panel includes representatives from magistrates, Victim Support, probation and volunteers and their views are fed back to the force.

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

We examined 46 no-crime records and found 38 records to be compliant with HOCR and NCRS. Seven of the nine no-crimes of rape were correct. Six of the seven no-crimes for robbery were correct and 25 of the 30 no-crimes for violence were correct.

All no-crime decisions in Cumbria are made by the FCR. Officers often submit reports requesting no-crime decisions direct to the FCR although some are sent via supervisory officers and there is no consistency of approach. The centralisation of no-crime decision making supports accuracy and compliance with HOCR. The minimum number of crimes considered in the period under review is testament to the effectiveness of the process; however, this does not reflect the volume of work undertaken given the large number of files. It is estimated that 75 percent of no-crime requests are refused or sent back for further clarification.

Centralisation does lead to delays and the FCR has to prioritise the more serious cases. There is an acknowledgement that this reflects badly on the rest of the organisation where staff are under pressure to record crimes within 72 hours but decisions on a no-crime can take months.

Files submitted that are refused generally show a lack of understanding of additional verifiable information (AVI) by the officer submitting the request or that insufficient evidence or documentation has been provided. These issues all exacerbate the main area of concern which is the delay in decision making. If all requests for no-crime were to pass, in the first instance, through an appropriately trained and accredited inspector on each TPA or department, this would act as a filter to quality assure the files and prevent requests being sent

direct to the FCR from individual officers. The final decision to no-crime would remain with the FCR. It was also apparent that during the absence of the FCR nobody else can access the files. If this facility was available files could be reviewed by the head of the crime management unit who could make the decision in the absence of the FCR (see recommendation 8).

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

There is strong evidence of a victim-centred approach to crime recording but it was not found to be universal throughout the force.

Call-handlers were found to be empathetic with callers and polite and helpful in 99 of the 101 incidents that we listened to during the audit. There was evidence from reality testing of a good knowledge of the code of practice for victims of crime (VCoP) with posters in evidence in many police buildings. In particular, high levels of empathy were displayed towards the victims in the work of the force's single point of contact (SPOC) and hate crime co-ordinator in association with the Furness Multicultural Centre in Barrow where there is a drop-in for people from different ethnicities who want to contact the police, notably those of Turkish, Asian, Polish or recently Indonesian origin.

The force 'vicman' system on Sleuth actively supports compliance with VCoP and ring-backs are undertaken by the helpdesk for quality assurance and service recovery issues.

Senior officers feel that satisfaction ratings of over 90 percent support their assessment that the force is victim-centred and they reinforce the message via normal communication channels, insisting on a focus on the victim at daily management meetings (DMM).

Surveys are carried out each month on behalf of the force by an independent company and reguarly by staff in the communications centre. All survey results are fed back in to performance meetings at a strategic and local level.

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

The force has comprehensive guidance on how to deal with all aspects of rape recording and investigation called 'The standard for the investigation of rape and serious sexual assault – October 2011'. In addition, recent guidance dated 9 July 2014 from the new head of public protection (who also sits on a national advisory committee for rape investigation) has reiterated the need to record allegations of rape as crimes as soon as possible and that officers should not undertake investigations prior to recording a crime; staff should crime first and then investigate. The force major incident team reviews each rape investigation

to ensure it is being progressed effectively, recorded correctly and that all leads have been investigated.

Reality testing indicated that there was a good understanding among staff of what needs to be done if they receive an allegation of rape, the importance of recording it as a crime and the requirement to seek assistance from trained officers to deal with the investigation.

Senior staff acknowledge that they do not fully understand the totality of rape allegations in the county. There is a sexual assault referral centre (SARC) which is based in Preston and shared with Lancashire Constabulary but because of the size of Cumbria, it is unlikely that victims from the west of the county would travel that far. Negotiations are ongoing with the PCC in an effort to establish a SARC just for Cumbria Constabulary but at the time of writing no decision had been made. There are checks in place to ensure that rapes are not misclassified or downgraded and the audit found no evidence of integrity issues in relation to the reporting of rape.

All no-crime decisions on rape are taken by the FCR in accordance with HOCR. The numbers in the audit were low (nine) but there were two no-crime decisions that were felt to be inappropriate, one of which was attributed to full evidence not being available at the time of the decision and the other to a subjective decision regarding AVI. The process where no-crime decisions for rape are taken by one individual does ensure consistency but it may benefit from an external 'peer review' where an FCR from another force gives a second opinion on the decisions.

The force guidance, while comprehensive, does not contain advice for officers or staff on how to deal with a victim of rape when the location of the offence was in another force area but the victim is reporting the incident in Cumbria (see recommendation 9).

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

The force uses the Sleuth system to record crime and STORM for incidents, command and control. The two systems are linked but because of the age of the former there is limited scope for data to be transferred automatically from one to the other. There is no other crime recording system in the force. Data entered on Sleuth do automatically populate other parts of the system. For example, location and offence entered on the crime module will populate the intelligence module within Sleuth. The force recognises the need to update the Sleuth system and the need to adopt mobile data devices to allow officers access to force systems and to be able to record crime while still at the scene. Both the systems are capable of audit and weeding of data, and ownership is clear. The blockage to effective auditing is having the necessary resources to

undertake the work with sufficient regularity and the force acknowledges that given other financial pressures, this area of business suffers.

People and skills

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

3.1.   What arrangements does Cumbria Constabulary have in place to ensure that staff have the necessary skills to ensure accurate crime recording?

Recent changes have resulted in the centralisation of the CMU function with a small unit within the force control room positioned next to the helpdesk staff who deal with telephone recording of crime. The knowledge of HOCR and NCRS was good and commensurate with the team's roles. At the time of the inspection there was only one member of staff running the CMU due to illness and leave, but even when fully staffed there are only three members in the unit. While adequate, this leaves little resilience and there may be options to train helpdesk staff to assist given their close proximity and the fact that staff in the helpdesk felt they could take on more work.

Chief officers have invested in training supervisory staff on HOCR/NCRS and NSIR[15] issues. They have now taken the view that compliance is a key driver to achieve more accurate crime recording and believe that any shortcoming in performance in these areas is a consequence of non-compliance by officers. There is evidence of TPA officers now returning from patrol an hour early to ensure the accuracy of incident logs as they feel that the onus rests with them and that they have little support from the force control room operators with accuracy of the content. When the force moves to more widespread use of mobile data devices, officers should be able to update logs accurately while still on patrol which would be more efficient and effective.

The audit revealed that compliance with HOCR and NCRS was poorer in the PPU. The process where crime recording decisions were not made until after the file was allocated to PPU staff for investigation was felt to be at the heart of the problem, and the decision to record a crime should be made by the detective sergeant who first reviews the referral (see recommendation 4).

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

There were clear messages on crime recording and integrity from senior officers that are well understood by both police officers and staff. The latest UPP initiative, which is supported by the local Police Federation, has focused minds even more on this issue. We found no evidence of any staff being put under any pressure, either implicit or explicit, either not to record or to mis-record crime.

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[15] NSIR – National Standard for Incident Recording

It was acknowledged by all staff that there had been a significant change in the force's approach to crime recording over the last two to three years.

Reality testing also confirmed that supervisors supported their staff by introducing revised processes locally to ensure that crime is recorded accurately and incident logs accurately reflect reality. For example, one inspector has introduced the following arrangements:

1. for any crime-related STORM log to be written off without a crime being recorded, a supervisor must be consulted and this consultation recorded on the log; and

2. in these cases, the officer dealing must ensure that they review the wording of the mark up before retiring from duty, in order to ensure that it reflects the circumstances fully.

There was significant evidence of training around HOCR and NCRS, both generic and role-based, but no evidence that crime recording features as part of selection processes other than as part of broader questions on integrity.

3.3. How is the accuracy of crime recording in Cumbria Constabulary actively overseen and governed by the force crime registrar (FCR)?

The force has an FCR who is well respected and supported by chief officers. He is involved all strategic meetings relating to performance and has numerous one-to-one meetings with senior officers and heads of departments. The FCR is also responsible for undertaking force audits with the assistance of a force incident registrar (FIR) and a staff of two. This small team has undoubted capability and professionalism but the capacity of the unit to undertake a full range of risk-based audits is limited (see recommendation 2).

The FCR acts impartially, unhindered by any external or internal influences, and is involved in the formulation of all crime-related policies and guidance in the force. He is the final arbiter for all HOCR and NCRS issues and is the dedicated decision maker[16] (DDM) for all no-crime decisions. He has direct, unfettered access to the ACC, formally and informally whenever that is required, but retains total independence. There was no evidence of any local policies or procedures and, if they were considered, the FCR would be consulted prior to implementation.

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[16] DDM are police officers or police staff making objective decisions on detections with more critical and sensitive aspects. In general DDM must be:

- Approved by the ACPO officer responsible for crime recording.

- Totally independent of the original investigation.