

Crime data integrity

Inspection of Hertfordshire Constabulary

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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 will be 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 www.hmic.gov.uk.

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:

1. An examination of crime records for the period 1 November 2012 to 31 October 2013;
2. 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;
3. Visits to forces where inspectors assess local crime recording arrangements under three headings: leadership and governance; systems and processes; and people and skills; and
4. 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.

The scope and structure of the 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 Hertfordshire Constabulary the temporary deputy chief constable is the named, responsible officer for crime data quality. Chief officers promote the importance of crime data integrity throughout the force. The message generally is conveyed through the chain of command and 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.

Officers and staff can raise concerns in respect of unethical practices of any kind through a confidential, internal reporting route to the professional standards department (PSD). This system is managed through a collaborated arrangement with Bedfordshire Police and Cambridgeshire Constabulary, the force's strategic partners.

The force maintains policies and procedures on crime reporting, crime management and criminal investigations which are compliant with the NCRS and HOCR.

During 2013, results from the force's own audit programme began to show under-recording of crime with alarming variance from the crime recording standards expected. As a result, a close review of crime recording practice and compliance with the HOCR and NCRS was commissioned. This revealed that some crime types were being dealt with through local protocols and arrangements which were contrary to the HOCR and NCRS. This meant that they were not being accurately recorded. Actions such as additional training and the removal of local protocols were instigated so as to improve data accuracy and consistency across the force.

The force only placed the issue of crime data accuracy on the force risk register just prior to our inspection, and this was only to describe the risks associated with the potential findings of the inspection. Given the force's own assessment of its crime data accuracy during 2013, it is surprising that the risks associated with inaccurate crime data were not already reflected in, and managed through, the force risk register until immediately prior to the HMIC inspection. This indicates that the force was not appropriately prioritising crime recording integrity.

Recommendation: Within three months, the force should review its assessment of the risks associated with crime data integrity and the apparent under-recording of crime, taking the necessary steps to improve the accuracy of crime recording. Risks should be included in, and monitored through, the force risk register.

For the most part, the force adopts a proportionate approach to the level of detail included in crime reports. The force has an eight-point investigation plan, designed to capture a proportionate amount of information and evidence dependent upon the seriousness of the offence.

Auditing of control room incident logs and crime records takes place according to a pre-determined audit schedule. There is some flexibility in the audit programme to respond to emerging issues although the capacity of staff with auditing skills is a constraining factor.

Recommendation: Within three months, the force should ensure the FCR⁶ has sufficient resources and skills necessary to carry out a proportionate and effective audit programme that balances the cost of the checking process with the need to improve the accuracy of crime recording. This includes the capacity to respond to emerging issues and to re-visit and test the effectiveness of changes made to respond to identified shortcomings.

Results from crime recording audits form a regular and important section of the agenda of the force performance meeting. However, the errors identified in audits have not always been addressed at every level of the organisation. Until October 2013, the individual crime problems identified in the audits were not being fixed either through the recording of a crime (if one should have been recorded) or by creating a more detailed account on organisational records about why a crime was not recorded. Steps have now been taken to rectify this.

Systems and processes

Accuracy of crime recording

When a member of the public telephones the police this contact is recorded as an incident report on a command and control computer system. This may subsequently be recorded as a crime when a decision has been made that, on the balance of probability, a notifiable offence has occurred. Approximately 60 percent of crimes recorded by the Hertfordshire Constabulary are reported in this way.

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.

HMIC examined 224 incident records⁷ and found that 181 crimes should have been recorded. Of the 181 crimes that should have been recorded, only 130 were. Of the 130, 4 were wrongly classified and 4 were recorded outside the 72-hour limit allowed under the HOCR. This is of considerable 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).

The force also has a centralised crime recording unit through which we have estimated that the force records approximately 40 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 34 calls from the public) found that of the 36 crimes that should have been recorded, all 36 were recorded correctly. This is an effective approach to crime recording for the force.

We also examined 50 reports that were recorded on standalone systems within force specialist departments and found 19 crimes that should have been recorded. Of the 19 crimes that should have been recorded, 10 were. Of the 10, 1 was classified incorrectly, and 2 were recorded outside the 72-hour limit allowed under the HOCR. It is extremely concerning that the reports reviewed on this system had not been recorded properly as crimes – including serious sexual offences and offences against children committed by adults.

Officers and staff in specialist roles, such as child protection teams, have considered and undertaken the actions required to safeguard the victim from harm, even when the 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. The force has recently targeted these specialist investigators by delivering a presentation setting out the expectations and importance of accurate crime recording.

Supervisors in the force control room listen to calls and radio messages as incidents are being reported and attended by officers; however this is primarily to monitor call-handling standards rather than to consider crime recording requirements. While this is good practice, there is no subsequent structured supervisory oversight at this initial point of contact to monitor whether crimes that have been reported are recorded.

⁷ An incident in this context is a report of events received by the police and 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.

Recommendation: Within three months, the force should introduce a structured and proportionate quality assurance process within the force control room. This should be undertaken on a consistent basis across all teams, include a check of compliance with the NCRS and, where appropriate, feed into the development of professional practice and continuous improvement within the force control room.

The force crime recording policy details how officers and staff should deal with reports of crime which have occurred in another force area. The policy outlines where original documentation should be sent in order to comply with the force policy on disclosure. However, it does not set out the methods by which original evidence and papers should be transferred.

Recommendation: Within three months, the force should change the content of the policy for dealing with crimes which have occurred in another force area to describe clearly the process to be followed to secure the efficient and effective transfer of original evidence and documents.

Out-of-court disposals

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

Cautions – Of the 22 cautions we dip-sampled, we found that in all 22 cases the offender’s previous history made them suitable to receive a caution. In all 22 cases we found evidence that the offender was made aware of the nature and

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 often 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 www.xact.org.uk
- *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

future implications of accepting the caution. Out of the 20 cases where there was a victim, 10 showed that the victims' views had been considered.

Penalty Notices for Disorder – We dip-sampled 25 PND disposals and found that the offender was suitable to receive a penalty notice in 23 cases. In all 25 cases we found evidence that the offender had been made aware of the nature and future implications of accepting the penalty notice. Out of the 17 cases where there was a victim to consult, we found that 6 victims had their views considered when the police decided to issue a penalty notice.

Cannabis warnings – We dip-sampled 25 cannabis warnings and found that the offender was suitable to receive a warning in 21 cases. In 23 cases we found evidence that that the offender had been made aware of the nature and implications of accepting the warning.

Community resolutions - We took a dip-sample of 20 community resolutions and found that in 19 cases the offender was suitable to receive the disposal. Out of the 18 resolutions where there was a victim, only 3 cases showed that the wishes and personal circumstances of the victim had been properly considered. 17 cases showed that the agreed outcome was meaningful and appropriate.¹²

Recommendation: Within three months, the force should improve the supervision of its use of out-of-court disposals to ensure that they are only used in appropriate circumstances. In particular they should not be used when the offending history of the offender precludes their use.

The force has produced videos on the subject of victim focus; officers' and staff compliance with the victim's code¹³ also is checked frequently. In addition a bespoke leaflet, *Cautions and consequences to victims* has been circulated for use. Therefore it was surprising to find that with out-of-court disposals, there was a marked degree of absence of victim consultation.

There is some oversight of out-of-court disposals at a force level through a group called the independent scrutiny panel. The panel meets every two months and reviews cases on a dip-sample basis. If a particular case file requires further exploration, there is the facility for the officer in the case to attend the meeting.

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 A code, established under the Domestic Violence, Crime and Victims Act 2004, which places obligations on organisations providing services within the criminal justice system (including the police) to provide a minimum level of service to victims of criminal conduct.

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 75 no-crime records and found 71 records to be compliant with HOCR and NCRS.

The authority to authorise a no-crime decision rests with four people and there is a high degree of consistency between them.

The force is examining ways of reducing the numbers of crimes having to be cancelled because they are duplicates of crimes already on the crime system. These duplicates arise as a result of more than one officer recording the same crime on the system; this causes additional bureaucracy.

Victim-centred approach

Chief officers, through briefings and guidance, promote a victim-centred approach to crime recording. Most frontline staff, including call-takers, understand this expectation and go on to display it in their everyday work by being polite, professional and helpful. However, it was noted that in some circumstances, call-takers show a degree of frustration with callers who had been drinking, and with people who did not have a strong command of the English language.

The force conducts surveys of victims of crime and, in addition, they also survey victims of anti-social behaviour (ASB) with an example being violent crime. Owing to satisfaction rates in this category of crime being the lowest for the force, groups of victims of violent crime are invited to talk directly to a senior officer from their area. The force uses the data from the surveys to improve crime-recording practices.

Rape offences

The force policy sets out clearly how officers should deal with reports of rape. It makes specific reference to the timescales within which a crime should be recorded, who should be responsible for recording the crime, and the need for ethical recording.

We found that some specialist investigation officers do not properly record all reports of rape as crimes, but instead record the investigation into these reports on a standalone system. This has led to the late recording of crimes beyond the 72-hour period allowed within the NCRS. It also means that the force does not have a full picture of the crimes occurring in the force area. Some staff involved in reviewing the crime recording standards for rape crimes had identified reluctance by officers to record such crimes until they had been provided with a full explanation by the victim. This 'investigate-to-record' approach is not compliant with the requirements of the HOCR and NCRS.

Recommendation: Immediately, the force should ensure that reports recorded separately on other force systems (e.g., those used by the public protection teams) are recorded as crimes. The force should put in place proportionate and effective audit arrangements, through the FCR, to assure itself that reports held on these systems are properly recorded as crimes.

We found that of the 22 rape no-crime decisions we reviewed, 18 complied with the NCRS and HOCA. To achieve a consistent approach, the vast majority of such decisions are taken by one experienced staff member; this is good practice. To secure even greater compliance, and provide this individual with additional support in this important area of work, oversight of rape no-crime decisions by the force crime registrar (FCR) should be considered.

Recommendation: Immediately, the force should review its management of the recording of reports of rape and other serious sexual offences, ensuring that:

- the force policy is sufficiently clear to ensure the NCRS and HOCA are applied;
- the FCR has oversight of no-crime decisions for higher-risk offences, including rape;
- staff involved at each stage have a clear understanding of their roles and responsibilities; and
- supervision of each stage of the process is robust and effective.

IT systems

The force computer systems for the incident and crime recording functions are not linked, this leads to information being entered onto the two systems separately and can create auditing difficulties. The force is beginning to use Toughbook laptops to allow officers directly to record reports of crime at the scene of an incident and has plans to replace its crime information system (CIS) in the future, although there is no clear time-scale for this.

The systems are well managed with regular audits and information weeding. There are clear instructions to officers and staff to use only the systems prescribed by the force.

People and skills

Staff and supervisors responsible for managing out-of-court disposals and no-crimes, and those working in specialist departments were found to have an appropriate knowledge of NCRS and HOCA.

The views of frontline officers were fairly mixed about the supervision levels applied to different types of out-of-court disposals. Some indicated that

relatively little supervisory time was given to disposals, particularly community resolutions.

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 ethical recording of crime. Their knowledge of NCRS and HOCR has not met the required standard and specialist advice was not sought when needed. The force has delivered a presentation to staff in these specialist areas emphasising the importance of raising a crime report, explaining that this does not conflict with how an investigation is progressed or any professional judgments needed about appropriate criminal justice outcomes.

Officers we interviewed were in agreement that failure to follow HOCR is considered unacceptable. Senior managers are encouraged to secure accurate crime recording and we did not find evidence of pressure to under-record or incorrectly record crimes. There are also no signs of performance pressures or other unethical bias operating in the force to prevent accurate crime recording.

There is some training within the force to reinforce the requirement for accurate crime standards. Towards the end of 2013, a series of presentations was given to groups of staff and managers who were pivotal to accurate crime-recording practice in the force. There is a plan to ensure all new recruits who join the force in the future are also given a presentation on the importance of crime data integrity during their initial training. This could be extended to all frontline staff, including enquiry office staff.

There has been no recent meaningful training for frontline officers about the importance of accurate crime recording standards and data integrity.

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

Force crime registrar (FCR)

We found that the FCR has insufficient resources to carry out his role effectively. The force is aware that the FCR's audit team is under-resourced, and that skills and capacity gaps have emerged owing to personnel changes (see recommendation 5). Staff currently struggle with workloads and have to prioritise work as a result. Under this pressure, previously scheduled training days for the team have been abandoned, and with them, opportunities to check understanding of what are frequently complex issues has been lost.

Some crime-recording disputes are suitably referred to the FCR; however, the FCR is not, as prescribed by the HOCR and NCRS, always seen as the final

arbiter in respect of crime-recording decisions. Some staff were unclear as to who was the final arbiter and therefore the FCR's role should be communicated and reinforced to all staff.

Recommendation: Immediately, the force should ensure that officers and staff understand the independence of the FCR and his role as the final arbiter in respect of crime recording decisions. This arbiter function should not be carried out by others.

The FCR has no scheduled direct meetings with the chief officer lead. They are however seen by staff to work together to place strong emphasis on corrective action in response to force crime audits when these are discussed at the force performance board.

Recommendations

For immediate attention

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

Within three months

4. The force should review its assessment of the risks associated with crime data integrity and the apparent under-recording of crime, taking the necessary steps to improve the accuracy of crime recording. Risks should be included in, and monitored through, the force risk register.

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

Within six months

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

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 Hertfordshire 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 Hertfordshire Constabulary recorded the following number of crimes
224	181	130
Crimes reported directly from the victim		
HMIC reviewed the following number of reports of crimes that were reported directly by telephone to the Hertfordshire Constabulary centralised crime recording unit. These include reported incidents of burglary, violence, robbery, criminal damage and sexual offences.	From these reports received directly by telephone from the victim by the centralised crime recording unit HMIC identified the following number of crimes that Hertfordshire Constabulary should have recorded.	From these identified crimes Hertfordshire Constabulary recorded the following number of crimes
34	36	36
Crimes referred from other agencies directly to Hertfordshire Constabulary specialist departments		
Referrals	Crimes identified	Crimes recorded
HMIC reviewed the following number of referrals reported directly to Hertfordshire Constabulary specialist departments from other agencies which contained reports of crime.	From these referrals to specialist departments HMIC identified the following number of crimes that Hertfordshire Constabulary should have recorded	From these identified crimes Hertfordshire Constabulary recorded the following number of crimes
50	19	10
No-crimes		
HMIC reviewed the following number of recorded crimes of rape, violence and robbery which Hertfordshire Constabulary had subsequently recorded as no-crime.	From these HMIC assessed the following number of no-crime decisions as being correct.	
75	71	

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

The temporary deputy chief constable in Hertfordshire Constabulary is the designated lead for crime data integrity. Her responsibilities include directing and overseeing the performance management structures of the force. She is described repeatedly as sending clear and consistent messages about the importance of ethical crime reporting, compliant with the HOCR and NCRS. Senior managers who report to her confirmed that she regularly emphasised this message in meetings.

As the chief officer message is being conveyed through the chain of command, operational uniform staff and some support teams are not always aware of who is the chief officer lead is for crime data integrity. Some believe crime data integrity is led and managed through a collaborated senior management role beyond Hertfordshire's borders. However whilst this lack of clarity exists, most managers and frontline staff understand the force's expectations and importance of the integrity of crime recording.

A series of chief officer roadshows on leadership, ethics and integrity is planned and will include the importance of crime data accuracy.

Officers and staff can raise concerns in respect of unethical practices of any kind through a confidential, internal reporting route into the professional standards department (PSD). This system is managed through a collaborated arrangement with Bedfordshire Police and Cambridgeshire Constabulary, the force's strategic partners. Most officers said that because of the importance placed on crime recording and the need to challenge unethical practice as soon as possible, they would bring any concerns to the attention of their supervisor.

The crime related policies and strategies of the force refer to the NCRS and HOCR. They assist and direct officers in a proper and thorough investigation of crimes. With the exception of the policy on rape and sexual offences, there is

limited reference to the need for an ethical approach to recording crime or of the circumstances and timing of when crime should be recorded.

There is no reference to the need for accurate crime data in the local policing and crime plan 2013-18. The plan does contain targets for the force to reduce all crime by 2 percent, and to reduce anti-social behaviour (ASB) by 2 percent.

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

The force only placed the issue of crime data accuracy on the force risk register just prior to our inspection, and this was only to describe the risks associated with the potential findings of the inspection. Given the force's own assessment of its crime data accuracy during 2013 it is surprising that the risks associated with crime data accuracy were not already reflected in, and managed through, the force risk register prior to the inspection. This indicates that the force is not appropriately prioritising crime recording integrity and does not have a developed understanding of the associated risks.

During 2013, results from the force's own audit programme began to show under recording of crime with alarming variance from the crime recording standards expected. As a result, a close review of crime recording practice and compliance with the HOCCR and NCRS was commissioned through the force strategic and operational performance boards. This revealed that some crime types were being dealt with through local protocols and arrangements which were contrary to the HOCCR and NCRS. Most notably, the policy on dealing with making off without payment offences¹⁴ and retail theft had to be substantially changed. Other areas of crime such as rape and sexual offences are being closely scrutinised to ensure recording is appropriate. This meant that they were not being accurately recorded. Actions such as additional training and the removal of local protocols were instigated so as to improve data accuracy and consistency across the force.

For the most part, the force adopts a proportionate approach to the level of detail included in crime reports. Systems exist to ensure the necessary details on various types and seriousness of crimes are recorded properly. Officers use Toughbook laptops with the Solomon software installed; this guides officers towards providing all relevant detail. The force has an eight-point investigation plan, designed to capture a proportionate amount of information and evidence dependent upon the seriousness of the offence.

¹⁴ Making off without payment is the offence of taking goods or services and then leaving without making payment. Most often this relates to people making off from petrol stations without paying for the petrol taken, but the offence can also apply to taxi fares and restaurant bills for example.

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

Since December 2013 it has put in place quality controls to check recording within the principal routes by which crimes are reported; telephone calls; direct to front enquiry offices, direct to officers and via third party agencies such as schools. Previously, because of problems generated by the introduction of a major command and control system in the control room, these quality checks by supervisors were sacrificed in favour of maintaining effective answering of emergency calls.

During the inspection, a visit was paid to an enquiry office where we observed a victim of crime being told she could not report the theft of some money and her mobile phone. Checks by the Inspectorate revealed that this was done because of a mistaken view held by staff that a mobile phone crime could only be recorded if the unique production number (IMEI number) of the phone was available. The theft of the money was also not recorded, but advice on how to locate the IMEI number and how to make a subsequent report of crime was given. It is important that the force satisfies itself that frontline staff working in enquiry offices have an accurate understanding of crime recording standards and expectations.

Auditing of both control room incident logs and crime records takes place according to a pre-determined audit schedule. This audit schedule has been recently revised under the temporary deputy chief constable's direction to take account of the identified crime recording issues within the force and the recent publication of a report from the national rape monitoring group. These audits are able to report on performance and are not adversely affected by the way the force applies the HOCR, NCRS or the National Standard for Incident Recording (NSIR).

There is some flexibility in the audit programme although the capacity of staff with auditing skills is a constraining factor. The deputy chief constable was able to point to a number of examples where the auditing scheduled had been changed to respond to emerging concerns, such as when risks were identified in respect of the recording of crimes from records in the community safety area of business. Results from crime recording audits form a regular and important section of the agenda of the force level performance meeting where discussions take place to understand why crimes are missed or not properly recorded.

However the errors identified in audits have not always been addressed at every level of the organisation. Up until October 2013, the individual crime problems identified in the audits were not being fixed either through the recording of a crime (if one should have been recorded) or by creating a more detailed account on organisational records about why a crime was not recorded. Steps have now been taken to rectify this.

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 Hertfordshire Constabulary effectively manage and supervise incidents, other reporting routes and crime records in order to ensure that crimes are correctly recorded?

When a member of the public telephones the police this contact is recorded as an incident report on a command and control computer system. This may subsequently be recorded as a crime when a decision has been made that, on the balance of probability, a notifiable offence has occurred. Approximately 60 percent of crimes recorded by the Hertfordshire Constabulary are reported in this way.

The level of detail recorded on the control room logs following police attendance at an incident was found frequently to contain insufficient information to explain why a crime was not recorded. Since December 2013 the force has been working to improve this, it is important that this attention is sustained.

We examined 224 incident records and found that 181 crimes should have been recorded. Of the 181 crimes that should have been recorded, 130 were. Of the 130, four were wrongly classified and four were recorded outside the 72-hour limit allowed under the HOCR.

The force also has a centralised crime recording unit through which we have estimated that the force record approximately 40 percent of the total of its 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 34 calls from the public) found that of the 36 crimes that should have been recorded, all 36 were recorded correctly. This is an effective approach to crime recording for the force.

We also examined 50 reports that were recorded on standalone systems within force specialist departments and found that 19 crimes should have been recorded. Of the 19 crimes that should have been recorded, 10 were. Of the 10, all were correctly recorded, and two were recorded outside the 72-hour limit allowed under the HOCR. It is extremely concerning that the reports reviewed on this system had not been recorded properly as crimes – including serious sexual offences and offences against children committed by adults.

Officers and staff in specialist roles, such as child protection teams, have considered and undertaken the actions required to safeguard the victim from harm, even when the 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. The force has recently targeted these specialist investigators by delivering a presentation setting out the expectations and importance of accurate crime recording.

Supervisors conduct some monitoring of calls and incidents to ensure accurate crime recording and a victim-centred approach. The force realised that an insufficiency of supervision in the control room had led to a significant rise in non-compliance with the HOCR. An innovative approach is to have supervisors walking about in the control room engaging with staff and monitoring the quality of their work; this has been shown to improve standards. Supervisors will soon be issued with tablet technology to assist with this mobile monitoring. All supervisors listen to calls and radio messages as incidents are being reported and attended to by officers; however this is primarily to monitor call handling standard, rather than to consider crime recording requirements.

The force crime recording policy details how officers and staff should deal with reports of crime which have occurred in another force area. The policy outlines where original documentation should be sent in order to comply with the force policy on disclosure. However, it does not set out the methods by which original evidence and papers should be transferred. Despite this, our inspection found that officers generally understood what to do and ensured a swift, reliable and efficient exchange of original evidence and documents.

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

Cautions – Of the 22 cautions we dip-sampled, we found that in all 22 cases the offender’s previous history made them suitable to receive a caution. In all 22 cases we found evidence that the offender was made aware of the nature and future implications of accepting the caution. Out of the 20 cases where there was a victim to consult 10 showed that the victims’ views had been considered.

Penalty Notices for Disorder – We dip-sampled 25 PND disposals and found that the offender was suitable to receive a penalty notice in 23 cases. In all 25 cases we found evidence that the offender had been made aware of the nature and future implications of accepting the penalty notice. Out of the 17 cases where there was a victim to consult, we found that 6 victims had their views considered when the police decided to issue a penalty notice.

Cannabis warnings – We dip-sampled 25 cannabis warnings and found that the offender was suitable to receive a warning in 21 cases. In 23 cases we found evidence that that the offender had been made aware of the nature and implications of accepting the warning.

Community resolutions – We took a dip-sample of 20 community resolutions and found that in 19 cases the offender was suitable to receive the disposal. Out of the 18 resolutions where there was a victim, only 3 cases showed that

the wishes and personal circumstances of the victim had been properly considered. 17 cases showed that the agreed outcome was meaningful and appropriate.

The force has produced videos on the subject of victim focus and compliance with the victims' code is frequently checked. In addition a bespoke leaflet, *Cautions and consequences to victims* has been circulated for use. Therefore it was surprising to find that with out-of-court disposals, there was a marked degree of absence of victim consultation.

The views of frontline officers were fairly mixed about the supervision levels applied to different types of out-of-court disposals. Some indicated that relatively little supervisory time was given to disposals, particularly community resolutions. Others, such as the sexual offence specialist investigators, revealed that careful consideration is given to every case where, following a false allegation of rape, an out-of-court disposal is used for the offence of wasting police time.

There is some oversight of out-of-court disposals at a force level through a group called the independent scrutiny panel. The panel members include members of the force, court services, probation services and the independent justice board. The panel meets every two months and reviews cases on a dip-sample basis. If a particular case file requires further exploration there is the facility for the officer in the case to attend the meeting.

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

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 75 no-crime records and found 71 records to be compliant with HOCR and NCRS.

The authority to authorise a no-crime decision rests with four people and there is a high degree of consistency between them.

The force is examining ways of reducing the numbers of crimes having to be cancelled because they are duplicates of crimes already on the crime system. In the force's own no-crime audit of the months of June and July 2013, 239 such crimes were checked of which 74 of the audit sample were duplicate crimes. These duplicates arise as a result of more than one officer reporting the same crime on the system; this causes additional bureaucracy.

There are also plans to improve the oversight of requests to no-crime a recorded crime by having a detective inspector review any such request that is submitted to the crime service team. It is hoped that this will lessen the burden on the crime service team by ensuring the crime is suitable to be cancelled and no additional explanation or evidence is needed.

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

Many of the force policies on crime recording stress the importance of giving meaningful support to victims and giving attention to their welfare. There is a determination by the force to raise current levels of satisfaction with the service they provide. This includes a range of actions involving victims of crimes such as improved victim updates and better communication with victims before deciding on the best method of outcome where an offender is known.

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. However, it was noted that in some circumstances, call takers show a degree of frustration with callers who had been drinking, and with people who did not have a strong command of the English language.

The force conducts surveys of victims of crime and, in addition, they also survey victims of anti-social behaviour (ASB). There is an action plan which is undertaken at a local level to maintain and monitor satisfaction rates.

Customer satisfaction data, feedback and complaints are reviewed with a view to improving crime-recording practice. Survey data is reported to the operational performance board, the strategic performance board and at the local policing command operations board. Monthly updates are also placed onto the intranet and circulated to local policing areas.

Another example of the determination to improve crime-recording practice is in the area of violent crime. Due to the satisfaction rates for violent crime being the lowest of all crime categories, groups of victims of violent crime are invited to talk directly to a senior officer from their area. The feedback from these discussions is used to inform improvements in how the force delivers its services.

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

There is a policy which clearly sets out how officers should deal with reports of rape. It makes specific reference to the timescales within which a crime should be recorded, who should be responsible for recording the crime and the need for ethical recording. The policy also stresses the way a crime can be reported by a person acting on behalf of the victim. Practice within the crime service team is that if an outline report is received in the unit, this is prioritised for conversion into a full rape crime on the crime system as soon as possible.

Some officers and staff have a clear understanding of the policy; they also knew when and how these crimes should be recorded. Recent statistical information from the rape monitoring group has revealed that the force has one of the

lowest rates of recorded rape crimes in England and Wales. Similarly, its numbers of no-crime rape crimes are among the highest in the same areas.

Our audit reveals that specialist investigation officers do not properly record all reports of rape as crimes, but instead record an investigation into these reports on a standalone system. This has led to the late recording of crimes beyond the 72-hour period allowed within the NCRS. It also means that the force does not have a full picture of the crimes occurring in the force 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.

In February this year, the chief officer team discussed a new force-wide approach to the recording of all sexual offence allegations. This change, including the introduction of new monthly audits, should provide a more complete insight than the previous approach of auditing once every six months.

The force is building up an understanding of the totality of reports of rape it has received through various reporting routes. The crime service team is responsible for making judgments about classification for those reports recorded in Solomon when converting them to full crime records. At each daily management meeting, checks are made to ensure reports of rape are being dealt with appropriately. The force also has a number of preventative strategies running to highlight the need for personal safety in certain situations when meeting new people.

Some staff involved in reviewing the crime recording standards for rape crimes had identified reluctance by officers to record such crimes until they had been provided with a full explanation by the victim. Discussions are to be held with the police and crime commissioner about whether there is room for a performance measure in future policing plans which accommodates rises in reports of rape and other areas of potentially under-recorded crime.

We found that of the 22 rape no-crime decisions we reviewed, 18 complied with the NCRS and HOCR. To achieve a consistent approach, the vast majority of such decisions are taken by one experienced staff member; this is good practice. To secure even greater compliance, and provide this individual with additional support in this important area of work, oversight of rape no-crime decisions by the force crime registrar (FCR) should be considered.

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

The force has a good understanding of the IT systems it uses which may contain reports of crime. Concerns were expressed during the inspection that some localised solutions might be used which operate outside those systems reviewed and audited by FCR. The force has already identified issues involving

the way the community safety suite system (CSS) is used to hold unrecorded crime matters and this is actively being targeted by management.

Information is not automatically shared across systems which contain reports of crime. The Solomon system allows easy conversion into a crime on the crime system (CIS) once it has been quality assured by the crime service team. Officers are beginning to complete Solomon entries at scenes through the issue of Toughbook laptops.

There is no interface or other mechanism between CSS and CIS for the easy extraction of crime-related data. Similarly, there is no connectivity between the incident management system (STORM) and CIS which leads to problems in recording crime numbers. There is no organisationally agreed method for recording a crime number on a STORM incident log; this can make auditing difficult. CSS logs have a place for any relevant crime number to be recorded but staff in specialist departments rarely complete this detail.

All force IT systems which contain reports of crime, are capable of being audited. More recently, CSS has been added to the regular audit programme. The FCR has ensured that he has access to Solomon to enable him to undertake six-weekly reviews. The auditing of Solomon is done using a very good word search facility which enables effective auditing.

It was found that the majority of IT systems containing reports of crime are well managed with regular audits and information weeding; however, concerns exist about the extent to which the CIS system is routinely weeded and reviewed. There are plans to replace the CIS system with the ATHENA system which is an IT collaboration project involving a large number of forces; there is not a date, as of yet, for when ATHENA will be available to be used by forces.

People and skills

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

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

Within the control room environment and the department responsible for checking crimes, there are sufficient staff and supervisors to record and review incidents and crimes effectively. Most of the staff and supervisors have the requisite training, knowledge and competence in the HOCR, NCRS and NSIR.

The crime service team provides the mechanism to ensure that any crime entered on the force system is correctly classified and of the appropriate data quality. The staff in this team are the first line in resolving any disputes about how crimes should be managed and recorded. Supervisors are alert to the need

to check on incidents which do not result in a crime being recorded when one may be necessary. A series of emails linked to the crime service team is generated whenever this occurs to prompt the action required.

Staff and supervisors responsible for applying out-of-court disposals and no-crimes, and those working in specialist departments were found to have an appropriate knowledge of NCRS and HOCR.

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

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 ethical recording of crime. Their knowledge of NCRS and HOCR has not met the required standard and specialist advice was not sought when needed. The force has delivered a presentation to staff in these specialist areas emphasising the importance of raising a crime report, explaining that this does not conflict with how an investigation is progressed or any professional judgments needed about appropriate criminal justice outcomes.

There is widespread agreement that failure to follow the HOCR is considered unacceptable. Specialist investigators spoke about a fundamental change in attitude and approach which had been evident since the end of the last calendar year. Changes in practice and behaviour have 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 we did not find evidence of pressure to under-record or incorrectly record crimes. There are also no signs of performance pressures or other unethical bias operating in the force to prevent accurate crime recording and most staff receive support from their supervisors and managers to record crimes accurately.

During interviews with frontline officers, it was suggested that the annual assessment process may influence crime recording behaviour, but overwhelmingly the majority of officers felt free of any encouragement to record crime inaccurately. One sergeant observed:

“It happened years ago, I have had no pressure for several years now, direction is now around solving problems by tactical deployments.”

There is some training within the force to reinforce the requirement for accurate crime standards. Towards the end of the year, a series of presentations was given to groups of staff and managers pivotal to accurate crime recording

practice in the county. There is a plan to ensure all new recruits who join the force in the future are given a presentation on the importance of crime data integrity during their initial training. This could be extended to all frontline staff, including enquiry office staff.

There has been no recent meaningful training for frontline officers about the importance of accurate crime recording standards and data integrity.

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

The FCR is able to act objectively and impartially to ensure that the force records crime correctly. However, the span of his responsibilities only allows limited time for the development, implementation and monitoring of crime recording policies. The same is true of his involvement in audit programmes. There is a strong personal commitment to ensuring high standards of data integrity and he is not afraid to challenge where he thinks this is appropriate. At present he has referred at least one matter regarding the proposed cancellation of a rape crime to the National Crime Registrar (NCR) as he disagreed with the senior rape investigators proposing this action.

We found that the FCR has insufficient resources to carry out the role effectively. The force is aware that the FCR's audit team is under-resourced and that skills and capacity gaps have emerged owing to personnel changes. Staff currently struggle with workloads and have to prioritise work as a result. Under this pressure, the previously scheduled training days for the team have been abandoned, and with them, opportunities to check understanding of what are frequently complex issues have been lost. National circulations by the NCR and other updates are now routinely distributed by email.

Some crime-recording disputes are referred suitably to the FCR; however, the FCR is not, as prescribed by the HOCR and NCRS, always seen as the final arbiter in respect of crime recording decisions. Some staff were unclear as to who was the final arbiter and therefore the FCR's role should be communicated and reinforced to all staff.