

Crime data integrity

Inspection of Merseyside Police

November 2014

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Introduction

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

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

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

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

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

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

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

² Police and crime commissioners for police areas outside London: the Mayor's Office for Policing and Crime for the Metropolitan Police Service; and the City of London Corporation for the City of London Police.

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

⁴ NCRS is a standard of crime-recording introduced in 2002 and published as part of the Home Office Counting Rules; it has the twin objectives of ensuring the police focus more on victims of crime and ensuring consistency in crime recording in all police forces.

⁵ HOCR are rules in accordance with which crime data – required to be submitted to the Home Secretary under sections 44 and 45 of the Police Act 1996 – must be collected. They set down how the police service in England and Wales must record crime, how crimes must be classified according to crime type and categories, whether and when to record crime, how many crimes to record in respect of a single incident and the regime for the re-classification of crimes as no-crimes.

Methodology

Each force inspection involves:

- An examination of crime records for the period 1 November 2012 to 31 October 2013;
- In the case of Merseyside Police it was apparent from the inspection findings that a significant change in both the culture and crime recording practice had occurred since September 2013. A further audit was therefore undertaken looking at all incidents for the period June, July and August 2014 to ascertain if the significant commitment by senior officers to drive both accurate and ethical crime recording had manifested itself in improved data accuracy.
- 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. However, it should be noted that the larger sample used in the supplementary audit in this force gave a margin of error of less than +/- 5 percent and a range of 10 percent. The difference between the sampling of the two audits means that any comparison between the two is not statistically significant and the data alone cannot support any general conclusion. Our conclusions and recommendations are, therefore, based on 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 Merseyside Police show strong leadership and promote the importance of crime data integrity throughout the force. Communications about crime data integrity are clear, concise and leave officers and staff in no doubt about what is expected from them. There has been a noticeable shift in recent years away from the unremitting performance drive of previous chief officers to a more rounded, helpful, facilitative approach where crime data integrity is considered alongside crime reduction.

It was clear from the inspection that there had been a cultural change in the organisation around crime recording that was both significant and profound. In an effort to measure the impact of such committed leadership by the deputy chief constable (DCC) and other senior officers, particularly in relation to crime data integrity, it was decided to undertake a supplementary audit, with an enhanced margin of error of less than +/- 5 percent. This was a significant risk for the organisation but one that senior officers were keen to undertake as it could form the basis of a case study that would be of value to other forces. The results of the supplementary audit vindicated the approach, identifying noticeable improvements in all the areas examined.

The DCC is the named, responsible officer for crime data quality. The force has an established governance structure for monitoring performance and crime data integrity which is supported by a comprehensive overarching crime recording policy. The need for ethical recording is well embedded, understood and repeatedly reinforced by chief officers.

Officers and staff can raise concerns over unethical practices of any kind through a confidential reporting line called 'Safecall', which is coordinated by the professional standards department (PSD). However, officers and staff now feel confident that they can raise any issues of concern on crime recording with their line managers.

The force fully understands the risks associated with inaccurate crime recording and the impact it can have on both public confidence and victim satisfaction. It is also fully aware of the recording risks in its key crime areas such as serious and organised crime, vulnerability of victims and hate crime as well as the various channels through which crime is reported to it. One good example was when a force audit identified robberies with firearms being recorded as robbery which has an impact on the overall response to, and analysis of the problem.

The force crime registrar⁶ (FCR) leads the force audit team and strategic analysis unit as well as ensuring compliance with NCRS and the HOCR. Audit data are used effectively throughout the organisation and guide decision making.

We found that the audit regime, while comprehensive, could be more rigorous by the application of an enhanced methodology that includes listening to the calls and not relying solely on incident logs and ringing back the victim. They should also be more risk based; in particular, there has been no recent force-based audit of out-of-court disposals and this was apparent in the cases we examined. This was an area of weakness and should be rectified.

Recommendation: Within three months, the force should adopt a more rigorous, risk-based audit methodology that complements its current structured approach. Within the same timeframe, an audit of out-of-court disposals including cannabis warnings, cautions, PND and restorative justice should be undertaken to ensure they comply with all aspects of national guidance.

Systems and processes

Accuracy of crime recording

In the first audit we examined 174 incident records⁷ and found that 134 crimes should have been recorded. Of the 134 crimes that should have been recorded, the force recorded 88 crimes. Of the 88 crimes recorded, 9 were classified incorrectly and 17 were recorded outside the 72-hour limit allowed under NCRS and the HOCR.

In the supplementary audit we examined 427 incident records and found that 280 crimes should have been recorded. Of the 280 crimes that should have been recorded, the force recorded 247 crimes. However, this is of concern as it means that some victims' crimes are not being recorded and that these victims are not receiving the service they deserve (because, for example, certain victim support services are only triggered once a crime is recorded). Of the 247 crimes recorded during the supplementary audit, only 3 were incorrectly classified against NCRS and the HOCR and 9 were recorded outside the 72-hour limit.

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.

⁷ An incident is a report of events received by the police that require 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 on the force's incident-recording system.

Our original audit identified that only 22 out of 174 incidents examined showed evidence of a supervisory input on crime recording. However we were satisfied, on further examination, that there was indeed a supervisory process but there was not always evidence of this on the relevant logs.

There is good supervisory overview and feedback in both the demand management units (DMU) and the force contact centres (FCC) although this did not always appear on the relevant logs.

In the original audit we also examined 50 referrals from other organisations and found that 14 crimes should have been recorded. Of the 14 crimes that should have been recorded, the force recorded 10 crimes. All 10 were classified correctly and 2 were recorded outside the 72-hour limit allowed under NCRS and the HOCR.

The force crime recording policy gives clear guidance for crimes reported in Merseyside but occurring in another force area and vice versa. This includes the transfer of the relevant documentation. It was apparent that staff in, for example, the FCC, operational tasking units (OTU) and family crime investigation units (FCIU) had a good practical knowledge of what needed to be done in these cases. All crimes in Merseyside are recorded on the 'Niche' crime recording system.

In May 2014, the force introduced a revised policy (Operation Curzon) for dealing with the offence of making off without payment with particular reference to people driving off from petrol stations without paying. We acknowledge that this is a particularly prevalent crime that, in some cases, happens accidentally. Nevertheless, the new force guidance needs amending as it does not, in its current form, comply with NCRS and the HOCR. Advice was sought from the national crime registrar and as a result the force will review the recently issued guidance.

Recommendation: The force should, with immediate effect and following liaison with and advice from the national crime registrar, amend the guidance distributed for the offence of 'making off without payment' under its Operation Curzon.

Out-of-court disposals (These were not subject to supplementary audit)

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

Cautions – Out of the 20 cautions we dip-sampled we found that in 17 cases, the offender’s previous history made them suitable to receive a caution. In all 17 of these cases we found evidence that the offender was made aware of the nature and future implications of accepting the caution. Out of the 13 cases where there was a victim to consult, 5 cases showed that the victims’ views had been considered.

Penalty Notices for Disorder – We dip-sampled 18 PND and found that the offender was suitable to receive a penalty notice in all cases. In no cases did we find 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 none of the victims had their views considered when the police decided to issue a penalty notice.

Recommendation: Within three months, the force must ensure that for every PND issued there is evidence that the offender acknowledges they have been informed of the implication of the PND, and that case papers record that the views of the victim were sought and considered.

Cannabis warnings – We dip-sampled 20 cannabis warnings and found that the offender was suitable to receive a warning in 19 cases. In 13 of the cases we found evidence that that the offender had been made aware of the nature and implications of accepting the warning.

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

Community resolutions – We dip-sampled 20 community resolutions and found that in all cases the offender either had no previous offending history or that the offender’s past history still justified the use of the community resolution. Out of the 19 resolutions where there was a victim, 5 cases showed that the wishes and personal circumstances of the victim had been properly considered. Of the 20 resolutions, 7 showed that the agreed outcome was meaningful and appropriate¹².

Recommendation: Within three months, the force must ensure that for every restorative justice case there is clear evidence that the offender acknowledges they have been informed of the implication of this form of disposal, and that case papers record that the views of the victim were sought and considered.

There was minimal evidence shown in any of the disposals examined that the views of the victim had been sought or considered and the force acknowledges this to be a gap. Similarly, the force acknowledges that there are no rigorous audits of out-of-court disposals (see recommendation 1).

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. In the original audit we examined 72 no-crime records and found 38 records to be compliant with NCRS and the HOCR. This was broken down as follows; 13 out of 18 no-crimes for rape were correct, 15 out of 24 no-crimes for robbery were correct and 10 out of 30 no-crimes for violence were correct.

In the supplementary audit we found that out of the 55 no-crime files examined, 49 were deemed to be correct. This was broken down as follows; 10 out of 10 no-crimes for rape were correct, 8 out of 10 no-crimes for robbery were correct and 31 out of 35 no-crimes for violence were correct. This is a noticeable improvement on the original audit results. However further improvement is required.

There was no monitoring of high-risk crimes by an independent person. There was no comprehensive overview of the no-crime decisions taken by dedicated decision makers¹³ (DDM) by an independent person such as the FCR. The FCR acknowledged that both these issues were an area of concern and, while new in

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

post, he was aware that this had not been the case in the past. The force accepted that this situation needed to change and made the appropriate changes immediately.

Recommendation: The force should, with immediate effect, ensure that the all no-crime decisions by dedicated decision makers are ratified by the force crime registrar and that, in the case of rape, only the force crime registrar makes the decision to no-crime in accordance with NCRS and the HOOCR.

Victim-centred approach

The force promotes a victim-centred approach to crime recording and there is now a comprehensive understanding from officers and staff of the need for this approach reinforced through the code of practice for victims of crime¹⁴ (VCoP).

Our audit data for the period November 2012 to October 2013 revealed that some failures to record crimes were the result of officers or staff not believing the caller. Fieldwork during the inspection has shown a more positive approach reflecting the significant work undertaken by senior officers over the last 12 months to address this issue and ensure accurate crime recording where the views of the victim are paramount. It is both timely and appropriate that senior officers reassure themselves that their message about believing the victim is being reflected in behaviour.

Recommendation: Within six months, the force should undertake audit work to reassure itself that a victim-centred approach to crime recording has become well embedded in the organisation.

During our original audit we were able to listen to 172 calls. There were only 2 occasions out of the 172 calls where the operator was deemed not to be polite, professional and helpful. This was reinforced during the supplementary audit when there were only 2 occasions out of 406 calls where the operator was deemed not to meet the service criteria. The force routinely undertakes independent surveys of both victims and customers and uses the data to inform strategic thinking and challenge individual behaviours.

Rape offences

The force has adopted a centralised approach to dealing with offences of rape through the unity team which was established in January 2010. This brings significant benefits to the recording, investigation and partnership working that is necessary for successful investigation of rape. There is strong leadership and a comprehensive understanding of the nature of the problem. A 26 percent increase in the reporting of rape over the life of the unit is attributed to victims having more confidence to report, and an effective sexual assault referral centre (SARC) that

¹⁴ The code of practice for victims of crime:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/254459/code-of-practice-victims-of-crime.pdf

deals with anonymous reports. The 'Rape and serious sexual assault (policy and procedure)' was revised and re-issued in January 2014 and is both clear and well understood by officers and staff. There is clarity on the process for recording of reports of rape and how to deal with allegations that occur in another force area. It stresses that the needs of the victim are paramount.

For the 12 months to March 2013, the force was recorded as having a 6 percent no-crime rate for adult rape offences which was half the national average of 12 percent¹⁵. Notwithstanding this relatively low volume, the findings from our original audit of no-crime procedures for rape and their compliance with HOCR gave concern. This was highlighted when we found that 13 out of the dip-sample of 18 files were assessed as justifying a no-crime decision. This was primarily attributable to a lack of suitable additional verifiable information (AVI) to negate the original allegation (see recommendation 5).

The results from the supplementary audit for the period June, July and August 2014 identified that of the 10 no-crime files for rape that we examined, all 10 were correctly classified as no-crime. This is a welcome improvement and one which compliments the other good work being undertaken in this area of business.

IT systems

All crimes within Merseyside Police are recorded on the Niche records management system which links to the STORM command and control system. The two systems share some information automatically but manual intervention is required for some functionality. For example, inserting the incident number on the crime file has to be done manually unless the officer has asked for the appropriate interface to be activated. The systems are both 'owned' at assistant chief constable (ACC) level and are well managed by the information technology (IT) department. They are capable of appropriate audit and weeding, although care has to be taken with the latter in order that a linked report on Niche is not corrupted.

People and skills

Crime recording in the force is the responsibility of individual officers but there was no evidence that the knowledge of NCRS and the HOCR was anything other than appropriate to their roles. Indeed, in the DMU there was a good knowledge that manifested itself in consistently high results in force audits on crime recording. There was good supervision in the DMU visited with a good level of knowledge, and the staffing levels were appropriate for the unit's role. Operational staff can and do seek advice from the DMU on crime recording. Specialist staff in the FCIU visited had an appropriate knowledge of HOCR and NCRS.

¹⁵ National rape monitoring group – Adult and child rape data for 2012/13

Staff in all areas had received appropriate training and further refresher training was planned in the FCC as it moves to an enhanced role. There was an acknowledgement that the force needs to consider further training around AVI, specifically for the dedicated decision makers (DDM) when considering no-crime decisions.

Chief officers, and especially the DCC, had given out very strong messages about the need for accurate crime recording, adopting a victim-centred approach and timeliness. We found that there was now a culture of integrity for crime recording with staff willingly accepting the need for accuracy and understanding the organisational risks of not getting it right.

We found no evidence of staff, of whatever rank, being put under any pressure, implicit or explicit, to under record or mis-record crime.

There was evidence of officers having to consult senior officers before recording various crimes. This was rank-specific depending on the severity of the crime in one area, and it was normal practice in another area for burglaries to be passed to the burglary squad which both recorded and investigated the crime. If the rationale for this practice is for the more junior officer to obtain advice and guidance there may be a case for doing so, but in many cases the reporting officer was more senior in service than the one being consulted. This approach may have been adopted for the best of reasons but the perception could be that it is being undertaken with the intention of downgrading a crime. Given the refreshing culture now evident in the organisation, we are inclined to believe the former but senior officers should satisfy themselves that these arrangements are both ethical and necessary.

Recommendation: Within six months, the force needs to ensure that any local arrangements where officers have to consult supervisors, senior officers or burglary squad members before recording a crime are both ethical and necessary.

Any training around crime recording does reinforce the need for accuracy and an ethical approach although there was no evidence that accurate crime recording features as an issue in selection processes.

Force crime registrar

The FCR has extensive knowledge and experience in the management of crime data and the application of the NCRS and the 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 should, following liaison with and advice from the national crime registrar, amend the guidance distributed for the offence of 'making off without payment' under its Operation Curzon.
2. The force should ensure that the all no-crime decisions by dedicated decision makers are ratified by the force crime registrar and that, in the case of rape, only the force crime registrar makes the decision to no-crime in accordance with NCRS and the HOOCR.

Within three months

3. The force should adopt a more rigorous, risk-based audit methodology that compliments its current structured approach. Within the same timeframe, an audit of out-of-court disposals including cannabis warnings, cautions, PND and restorative justice should be undertaken to ensure they comply with all aspects of national guidance.
4. The force must ensure that for every PND issued there is evidence that the offender acknowledges they have been informed of the implication of the PND, and that case papers record that the views of the victim were sought and considered.
5. The force must ensure that for every restorative justice case there is clear evidence that the offender acknowledges they have been informed of the implication of this form of disposal, and that case papers record that the views of the victim were sought and considered.

Within six months

6. The force should undertake audit work to reassure itself that a victim-centred approach to crime recording has become well embedded in the organisation.
7. The force needs to ensure that any local arrangements where officers have to consult supervisors, senior officers or burglary squad members before recording a crime are both ethical and necessary.

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 Merseyside. 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 Merseyside Police recorded the following number of crimes.
174	134	88
Crime reports held on other systems		
Referrals	Crimes identified	Crimes recorded
HMIC reviewed the following number of referrals reported directly to Merseyside Police and held on other systems which contained reports of crime.	From these referrals HMIC identified the following number of crimes that Merseyside Police should have recorded.	From these identified crimes Merseyside Police recorded the following number of crimes.
50	14	10
No-crimes		
HMIC reviewed the following number of recorded crimes of rape, violence and robbery which Merseyside Police had subsequently recorded as no-crime.	From these HMIC assessed the following number of no-crime decisions as being correct.	
72	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 Merseyside Police 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 throughout the force. The new deputy chief constable (DCC), who was appointed in September 2013, has been particularly vociferous in communicating the need for accurate crime recording directly with staff. This has been achieved through regular briefings, multi-tiered messages delivered through senior officers and individual briefings with staff who undertake the role of crime management in each basic command unit (BCU). The messages are clear and staff emphasised the need to record accurately and to meet the needs of victims and the public. These simple messages are constantly reiterated and we found that officers and staff were aware of NCRS and the HOCR and fully understood the need to record crime ethically.

Unfortunately the date of our original audit sample, from November 2013 going back 12 months, means that the clear change in the culture of the organisation that was apparent from our inspection did not manifest itself in the audit results. In an effort to ascertain the impact of such committed leadership on crime data integrity it was decided to undertake a supplementary audit, with an enhanced margin of error of less than +/- 5 percent. This was a significant risk for the organisation but one which senior officers were keen to undertake as it could form the basis of a case study that would be of value to other forces.

The senior leadership team has also been active in the last 18 months in driving the need for the timely recording of crime to ensure that it is recorded within the 72-hour limit specified by NCRS and the HOCR. Each morning an e-mail is circulated to identify those crimes that have yet to be recorded and reiterating the need to record crime within 72 hours.

There has been a noticeable shift in recent years away from the unremitting performance drive of previous chief officers to a more rounded, helpful, facilitative approach where crime data integrity is considered alongside crime reduction. We found no evidence of performance pressure influencing crime recording.

The DCC is the lead for force performance but his more facilitative approach to the performance regime and his drive for crime data integrity are not mutually exclusive and there is a firmly held view that crime data issues form part of the overall performance picture. This message is reinforced at the bi-monthly force performance meetings and at the quarterly area and departmental meetings undertaken by the assistant chief constables (ACC).

There is an anonymous, confidential reporting line called Safecall that is primarily used for corruption issues but staff are aware that it could also be used to report concerns about crime recording. To date that has not occurred as all officers and staff interviewed felt confident that they could now report matters of concern directly to their line managers and believed that they would be supported.

There is an overarching crime recording policy in place, which in its introduction and aims clearly reiterates the need for ethical crime recording. The police and crime plan 2013-14 is more general and makes no reference to crime recording.

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

The force understands the risks associated with inaccurate crime recording and chief officers are acutely aware how adverse figures can play out in the local press and of their impact on public confidence and victim satisfaction. This is part of the DCC's mantra that was widely quoted: "if the public don't believe that the police are ethically recording crime then they will not believe anything else". The force is also aware of the impact that poor data quality can have on effective problem solving and resource deployment.

The force has assessed its key crime categories and understands the recording risks in those areas. It not only has senior leads for each area but also has regular strategic meetings to review overall progress. The key issues are serious and organised crime, vulnerability of victims, hate crime, robberies and burglaries. There are force leads at superintendent level for acquisitive crime, violence and the night-time economy as well as an effective response for serious and organised crime. Regular 'gold' meetings are held for each of these crimes supported by a performance pack that includes information on crime data quality, compliance with the 72-hour rule and the number of crimes correctly classified in each group. There are effective audits at both force and local level that review both the key crime categories and other important areas of business.

While there is a standard data input for all crime, there is evidence that more serious crime requires and receives more extensive information, in particular in the modus operandi (MO) field. There is a 12-point checklist for all crime to ensure that the minimum information required has been captured and this is subject to regular quality assurance.

The force understands the various channels through which crime is reported. Five channels have been identified; calls to the 101/999 system, by an officer who encounters crime directly, from the local enquiry desk, directly to the operational tasking units (OTU) or using the force e-mail and internet site or from a third party (with the latter unique to the public protection units (PPU)). It has been estimated by the force that almost 90 percent of crime is recorded via the 101/999 systems. Responding to the calls can be either by deployment if categorised as grades 1 or 2, by an appointment process or by dealing with the call in the DMU where a record of the crime is taken over the telephone.

The detective sergeant in that unit assesses referrals to the PPU unit before entering the details on the 'Protect' confidential database. From September 2014, the force intended to use the Niche system for this purpose and to discontinue use of the Protect system. We visited the PPU during our inspection and established that on average, there are 500 third party referrals received each month although not all are related to criminal incidents. Those that require a crime record are dealt with appropriately. In a dip-sample of 20 cases on the Protect system we found only one case where a crime had not been recorded and that was an additional crime of assault that had been overlooked although the original matter had been recorded as a crime. There is a weekly checking mechanism within the PPU to ensure that all crimes that should be recorded have been.

1.3. How does Merseyside Police use HO CR, NCRS and NSIR to ensure there is confidence that crime is recorded accurately?

There are comprehensive and regular audits undertaken by the crime audit team that address crime recording accuracy, timeliness and classifications. These are undertaken on a force-wide basis every three months and broken down into individual crime categories and by BCU. An audit of no-crime is also undertaken each month, again broken down to individual BCU. The audit methodology is based primarily on closing codes and as such, the application of the NCRS, HO CR and NSIR does not inhibit the effectiveness of any of the audits. The force does not include listening to the original call in the methodology, relying instead on reading the log created and this is considered to be an area that could be improved to give a more accurate assessment of the type or number of crimes that should be recorded (see recommendation 1).

Audits are not only undertaken at a force level but also within each BCU and department. For example, on the Wirral all crime records are examined for compliance with NCRS and the HO CR while in the Liverpool North OTU, a range of checks and audits are undertaken including:

Daily checks for breaches of the 72 hour rule:

- Three times a week, a search of occurrences marked as sexual offences is undertaken, checking for those without a crime number; and
- Weekly checks to see if all hate crime has been dealt with in accordance with guidance.

In the PPU, all logs for the previous 24 hours are checked to ensure that all those reports that should have been recorded as crimes have been correctly recorded. Reality testing at St Helens confirmed both the veracity and comprehensive nature of these checks.

There is a force audit plan for the year and while the audit regime is structured, it also has the capability to respond to emerging issues, the only limiting factor being capacity. While audits of out-of-court outcomes have been undertaken at a local level, none of them examined whether the offender had been notified of the implications of the outcome in relation to future disclosure and barring service (DBS) checks or if the victim had been notified of the outcome. This was an area of weakness identified from our audit that would benefit from a more comprehensive and regular force audit (see recommendation 1).

The results from force audits are considered at both force performance meetings held on a bi-monthly basis and also at the quarterly performance reviews on each BCU and department undertaken by the ACC. In addition, the local data are considered at monthly OTU meetings and daily management meetings (DMM). DMM are where timely interventions can be put in place to rectify any errors or audit findings while more long-term measures are considered at the bi-monthly force meetings.

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

The force does not directly record crime but estimates that over 90 percent of the total reports of crime are received via the 101 or 999 systems. With the exception of third party reports to the family crime investigation units (FCIU) and the force unity team that deals with rape, all crimes receive an incident number and are then graded one to four. Grades one and two receive a deployment while grades three and four are passed to the DMU staff who either make a scheduled appointment or deal with the matter over the telephone. Officers attending incidents record the crime directly onto the Niche system and these entries are quality assured in the OTU by staff proficient in the NCRS and the HOCR. The OTU acts as the main conduit through which all crime passes for both allocation and disposal. Staff there use a 12-point checklist to ensure that accurate details have been obtained for each crime and due attention paid to the victim.

In the first audit we examined 174 incident records and found that 134 crimes should have been recorded. Of the 134 crimes that should have been recorded, the force recorded 88 crimes. Of the 88 crimes recorded, 9 were incorrectly classified against NCRS and the HOCR. In addition we examined 50 referrals from other organisations and found that 14 crimes should have been recorded. Of the 14 crimes that should have been recorded, the force recorded 10 crimes. All 10 were classified correctly and 2 were recorded outside the 72-hour limit allowed under NCRS and the HOCR.

In the supplementary audit we examined 427 incident records and found that 280 crimes should have been recorded. Of the 280 crimes that should have been recorded, the force recorded 247 crimes. This represents an accuracy of 88 percent +/- 5 percent. Of the 247 crimes recorded during the supplementary audit, only 3 were incorrectly classified against NCRS and the HOCR.

Our original audit identified that there was limited evidence on the crime record of any supervisory input with only 22 out of 175 incidents examined showing evidence of supervision. However we were satisfied on further examination during reality testing that there was indeed a supervisory process, but this was not always recorded on the relevant logs. There is good supervisory overview and feedback in both the DMU and the FCC but this is not always recorded on the relevant logs.

We were impressed with the knowledge of staff and the working practices for crime recording in both the DMU and OTU. Crime reported through the DMU is effectively dealt with and staff demonstrated a thorough understanding of the importance of accurate crime recording and an understanding of the legislation. The FCIU at St Helens also had effective systems and processes in place for crime recording.

The force crime recording policy is clear on what officers should do when crime is reported in Merseyside but occurred in another force area and vice versa. This includes the transfer of the relevant documentation. It was apparent that staff, for example in the FCC, OTU and FCIU, had a good practical knowledge of what needed to be done in these cases although they were less sure if there was a policy in existence. All crime in Merseyside Police is recorded on the Niche crime recording system.

There has been a comprehensive drive over the last 18 months to improve the timeliness of crime recording. Our audit data for the period November 2012 to October 2013 indicated that of the 88 crimes examined, 71 were recorded within the 72-hour limit as required by NCRS and the HOCR. More recent figures from the force indicate a higher rate of compliance. This was confirmed during the supplementary audit when we found that of the 247 crimes recorded, 238 were recorded within the 72-hour limit.

In May 2014, the force introduced a revised policy called Operation Curzon for dealing with the offence of making off without payment with a particular reference to people driving off from petrol stations without paying. We acknowledge that this is a particularly prevalent crime and that in some cases the offence is not committed intentionally. However, the new guidance needs amending as it does not, in its current form, comply with NCRS and the HOCR. Advice was sought from the national crime registrar and as a result the force will review the recently issued guidance (see recommendation 2).

2.2. How does Merseyside Police ensure that out-of-court disposals suit the needs of victims, offenders and the criminal justice system? (Note: out-of-court disposals were not reviewed in the supplementary audit)

Cautions – Out of the 20 cautions we dip-sampled, we found that in 17 cases the offender's previous history made them suitable to receive a caution. In 17 cases we found evidence that the offender was made aware of the nature and future implications of accepting the caution. Out of the 13 cases where there was a victim to consult, 5 cases showed that the victims' views had been considered.

Penalty Notices for Disorder – We dip-sampled 18 PND and found that the offender was suitable to receive a penalty notice in all cases. In no cases did we find 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 none of the victims had their views considered when the police decided to issue a penalty notice (see recommendation 3).

Cannabis warnings – We dip-sampled 20 cannabis warnings and found that the offender was suitable to receive a warning in 19 cases. In 13 of the cases we found evidence that the offender had been made aware of the nature and implications of accepting the warning. Where the offender was deemed suitable to receive this means of disposal, it was not possible to check if the individual had received another cannabis warning in a different part of the country as the force does not subscribe to the Pentip database.

Community resolutions – We dip-sampled 20 community resolutions and found that in all cases, the offender either had no previous offending history or that the offender's past history still justified the use of the community resolution. Out of the 19 resolutions where there was a victim, 5 cases showed that the wishes and personal circumstances of the victim had been properly considered. Of the 20 resolutions, 7 showed that the agreed outcome was meaningful and appropriate (see recommendation 4).

There was minimal evidence in any of the disposals examined that the views of the victim had been sought or considered and the force acknowledges this to be a gap. Similarly, the force acknowledges that there are no rigorous audits of out-of-court disposals (see recommendation 1).

The force is exploring three new approaches to disposal which, if successful, could be seen as innovative. The first for less-serious crime involves the use of police discretionary resolution (PDR) that allows officers to decide if the offence is of such a minor nature that an investigation need not take place. The second is a way of dealing with juveniles found to be in possession of cannabis and with no previous convictions. The third is another way of dealing with youths found to be in possession of cannabis. A 'triage' system, approved by the Merseyside criminal justice board in 2013, is used to try and divert young people away from drugs. None of the schemes has been fully evaluated as yet but they do provide evidence of the willingness of chief officers to innovate.

The guidelines for the PDR system state that it should only be used when there is a named suspect or a potential identifiable subject and the offence is less serious. A crime is recorded but the outcome is filed as 'not in the public interest/police decision'. The PDR are reviewed on a daily basis by a supervisor within the OTU and are being used for offences of minor shoplifting, minor criminal damage and common assaults. The officer in charge of the case (OIC) provides the victim with a notice that informs them that no police action is to be taken and it seeks the victim's views. At the time of our inspection the policy had yet to be agreed.

The second scheme, which is being trialled on the Wirral BCU, is run in conjunction with the Wirral drug clinic. An officer who detains a person in possession of a small amount of cannabis checks Niche and the police national computer (PNC) to ensure they have no previous convictions or cautions and reports the offender for the offence. The details of the offender are then sent to the OTU which sends a letter to the offender requesting that they attend a drugs lecture given by an appropriate drug worker. A police sergeant confirms the attendance of the individual. It is organised so that 15-20 offenders attend at the same time. If an offender fails to respond to the first letter, a second letter is sent and if the offender fails to respond on the second occasion, they are issued with a summons. All incidents are recorded as a crime and receive a positive outcome.

The third approach is the use of a triage. Young people under 17 years old found to be in possession of cannabis and with no previous convictions for the use or possession of the drug have to attend a two-stage triage process run by the youth offending service (YOS). Triage 1 is for individuals who admit the offence, have no previous convictions and are then dealt with by social workers or police officers depending on the BCU; these individuals discuss health and law issues with the young persons. Triage 2 is for those who have committed another offence following a triage 1, where there are exceptional circumstances or if there are concerns about a particular vulnerability. Following a triage 2 intervention there may be a fuller assessment and consideration of how other agencies might help the individual.

The triage is done under the restorative justice system and, in the case of cannabis offences where there is no victim, the force takes the view that the victim is the child themselves as well as the community. The restorative element is that they have to attend a meeting with a triage worker and they may have to undergo a session with a substance abuse worker. If they do not comply then the case is returned to the OIC to progress through other means within the criminal justice system. The main point with the majority of these cases is that dealings are with the family as a whole and not just with the child.

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

There are 28 accredited dedicated decision makers (DDM) across the force and this presents a challenge to the organisation on how best to ensure consistency when deciding to classify a crime record as no-crime. To no-crime a record requires AVI to negate the offence and it is the interpretation of what constitutes AVI, coupled with the large number of DDM in Merseyside, that lies at the heart of the problem.

The original audit indicated that out of the 72 no-crime files examined, 38 were deemed to be correct. This was broken down as follows; 13 out of 18 no-crimes for rape were correct, 15 out of 24 no-crimes for robbery were correct and 10 out of 30 no-crimes for violence were correct.

Responsibility for the no-crime decision for rape rests with the head of the unit that investigates rape offences. There are discussions between the FCR and the head of the unit but the final decision does not rest with the FCR as ultimate arbiter. There was no monitoring of high-risk crimes by an independent person and no comprehensive overview of the no-crime decisions taken by DDM by an independent person such as the FCR. The FCR acknowledged that both these issues were an area of concern and, while new in post, he was aware that this had not been the case in the past. The force accepted that this situation needed to change and took immediate action (see recommendation 5).

In the supplementary audit we found that out of the 55 no-crime files examined, 49 were deemed to be correct. This was broken down as follows; 10 out of 10 no-crimes for rape were correct, 8 out of 10 no-crimes for robbery were correct and 31 out of 35 no-crimes for violence were correct. This is a noticeable improvement on the original audit results. However further improvement is required.

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

The force promotes a victim-centred approach to crime recording through the crime recording policy, the use of victim contracts and the overarching philosophy from the chief constable of 'Just Talk, Just Think, Just Lead' which is about talking to people, being approachable, being professional, having integrity and showing personal leadership. The victim contracts are entered into with each victim of crime and they are audited centrally.

During our original audit we listened to 172 calls. There were only two cases where the operator was deemed not to be polite, professional and helpful. This was reinforced during the supplementary audit when there were only two occasions out of 406 calls where the operator failed to demonstrate good service. However, the audit data revealed that some failures to record crimes were the result of officers or staff not believing the caller. There has been a great deal of work undertaken by senior officers over the last 12 months to address this issue and ensure accurate crime recording. However the timescale of the audit was such that the impact of this drive would not be reflected in our audit sample taken from the period November 2012 to October 2013. Limited fieldwork during our inspection phase of the work showed a more positive approach but it would be advisable for senior officers to reassure themselves that a more victim-centred approach to crime recording with a greater tendency to believe the caller is now more embedded (see recommendation 6).

The force undertakes regular customer and victim satisfaction surveys. These are carried out by an independent company and the results fed back to the organisation at both a strategic and local level. The results are used effectively and adverse feedback such as a lack of follow-up is acted upon at an individual level if necessary.

A new operating model is planned for Autumn 2014 that will centralise the DMU functions into one unit, provide greater empowerment to call-handlers for those calls not requiring deployment and provide an enhanced victim focus. It is also proposed that the current high compliance with NCRS and the HOCR by staff within the current DMU will be further enhanced by greater supervision through one central unit.

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

A revised 'Rape and serious sexual assault (policy and procedure) was issued in January 2014 and is both clear and well understood by officers and staff. It clearly identifies the different routes by which a report of rape can be received and the correct procedure to adopt for crime recording. The policy is explicit about the different roles and responsibilities for the recording of rape, the investigation and most importantly, the care to be afforded the victim.

A specialist unit within the force called 'Unity' investigates all current and historic offences of rape. Since its inception in January 2010, force data indicated that there has been a rise in recorded rape from 327 in 2009/10 to 412 in 2013/14. This is attributed to victims having more confidence to report the crime and the increase in anonymous reporting via the SARC. The supervisor in the unit reviews all reports of rape or serious sexual assault within 24 hours of the incident being reported. The policy clearly states that crimes will be recorded within 72 hours in accordance with NCRS and the HOCR.

All allegations of rape that we reviewed during our original audit were recorded correctly. The policy specifies that any requests to no-crime an allegation will be forwarded to the detective inspector in the specialist team who, in liaison with the FCR, will make a determination whether the record should be the subject of a no-crime decision.

For the 12 months to March 2013, the force was recorded as having a 6 percent no-crime rate for adult rape offences which was half the national average of 12 percent. Notwithstanding this relatively low volume, the findings from our original audit of rape no-crimes against the HOCR identified that for the period November 2012 to October 2013, of the 18 files examined, 13 were correctly categorised as a no-crime. The remaining five cases primarily exhibited a lack of suitable AVI to negate the original allegation. This is an area of concern and is the subject of a specific recommendation on who should make the final decision for a no-crime in these cases (see recommendation 5).

It should be noted that results from the supplementary audit for the period June, July and August 2014 identified that of the 10 no-crime files for rape that were examined, all 10 were correctly classified as no-crime. This is a welcome improvement and one which complements the other good work being undertaken in this area of business.

The Unity team has produced a guidance document for officers called the initial victim account report (IVAR) that enables a first account to be taken from the victim, to assess the immediate safety of the victim, secure and preserve evidence and identify any potential suspects. The document has been submitted to the association of chief police officers (ACPO) for adoption nationally.

The force policy is clear on how to deal with allegations of rape that occurred in other force areas and it stresses the need for victim care:

“under no circumstances will the victim of an alleged rape or serious sexual assault be referred to another police station/force in person or by telephone. Support for the victim will be provided from the very first contact and consideration must be given to the potential loss of any medical or forensic evidence.”

It is also clear that the victim must be cared for while negotiations take place with the other force regarding primacy and evidence transfer.

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

All crimes within Merseyside Police are recorded on the Niche records management system, which links to the STORM command and control system. The confidential Protect system used in the public protection arena by the FCIU is soon to be discarded and all confidential issues will be recorded on Niche with appropriate firewalls, although all crimes in that area of business are still recorded on Niche. There is the ability for some, but not all, crime information to be transferred from STORM to Niche. This is accepted by the force and there is a Niche steering group that is examining how to improve the functionality. Both systems are ‘owned’ at ACC level, are well managed and capable of appropriate audit and weeding, although care has to be taken with the latter in order that a linked report in Niche is not corrupted.

People and skills

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

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

Crime recording in the force is the responsibility of individual officers, staff in the DMU who record crime over the telephone or staff in specialist units. There was no evidence that their knowledge of NCRS and the HOCR was anything other than appropriate to their roles. Indeed, in the DMU there was a good knowledge that manifested itself in consistently high results in force audits on crime recording.

In the face of further savings being required, the force is intending to move to a centralised DMU model in Autumn 2014 and one of the stated outcomes to be achieved from the transition is a high compliance rate with NCRS and the HOOCR.

There was good supervision in the DMU we visited with a high level of knowledge on crime recording procedures. The staffing levels were appropriate for the demands on the team. Operational staff can and do seek advice from the DMU in relation to crime recording. We also visited specialist staff in the FCIU and found that they too had an appropriate knowledge of NCRS and the HOOCR.

Staff in all areas had received appropriate training, and further refresher training was planned in the FCC as it moves towards an enhanced role. There was an acknowledgement that the force needs to consider further training on AVI, specifically for the DDM when considering requests for no-crime.

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

It was acknowledged by all officers and staff that there had been very strong messages from chief officers, especially the DCC since he took up post in September 2013, on the need for accurate crime recording, adopting a victim centred approach and timeliness. We found that there was now a culture of integrity for crime recording with staff willingly accepting the need for accuracy and understanding the organisational risks of not getting it right. For example, at a DMM, officers were identifying additional victims and crimes from overnight logs and highlighted that an incident should have been recorded as a robbery and not burglary as well as checking if any incidents had not been recorded within 72 hours. It was clear from the supplementary audit that the determination of the DCC and other chief officers to improve crime recording is having a significant positive effect on both the culture of the organisation and all aspects of crime recording.

We found no evidence of staff, of whatever rank, being put under any pressure, implicit or explicit, to under-record or mis-record crime and there was a drive to 'get it right first time'. It was acknowledged that there had been a significant change in the approach to performance in recent years and staff felt more relaxed in raising issues with supervisors about crime recording.

We found evidence in both BCU of officers having to consult senior officers before recording various crimes. In one area there is a specific list of officers (by rank) who were to be consulted before recording a crime. For example, the detective inspector had to be consulted if the allegation was grievous bodily harm contrary to section 18 Offences Against the Person Act or a detective sergeant if it was a burglary dwelling. In another BCU, all burglary dwelling incidents are passed to burglary squad officers who both record and investigate the crime. In all these cases the reason put forward is that officers, often young in service, can receive appropriate advice on how to deal with the initial stages of the investigation and ensure that the classification of the

crime is correct. If this truly is the case, it could be argued that it is a laudable approach. However, the perception could be that officers are requested to consult in order to downgrade a crime and this is also a duplication of effort. Given the culture pervading the organisation we are inclined to believe the former but senior officers should satisfy themselves that these arrangements are both ethical and necessary (see recommendation 7).

Any training on crime recording does reinforce the need for accuracy and an ethical approach although there was no evidence that accurate crime recording features as an issue in selection processes.

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

The force FCR has responsibility for ensuring both NCRS and the HOCR are consistently applied and has overall responsibility for all force crime audits. The role has expanded as a result of cutbacks elsewhere to include roles previously undertaken in strategic development and the area support coordination team. For example, strategic analysis now comes under the remit of the FCR.

The FCR retains the necessary impartiality to undertake the role but there has been a blurring of the role in the last two years with responsibility for no-crime decisions being placed with DDM and the head of Unity for reports of rape. This is not advisable and the FCR has agreed to take immediate steps to rectify this situation (see recommendation 5).

The role is undertaken by a police officer of chief inspector or superintendent rank and there is no evidence that this results in undue pressure being applied by more senior officers. Indeed, the FCR who reports direct to the DCC has the full support of the chief officer team with unfettered access when necessary. He is viewed across the organisation as the final arbiter for all crime-recording issues and matters relating to NCRS and the HOCR.

Any local policies designed to combat specific crime problems normally come to the attention of the FCR, either directly or indirectly, and he can and does make comment to ensure compliance with NCRS and the HOCR. For example, an initiative on the recording of mobile phone theft was amended on his advice.