

# Crime data integrity

## Inspection of West Midlands Police

August 2014

© HMIC 2014

ISBN: 978-1-78246-489-1

[www.hmic.gov.uk](http://www.hmic.gov.uk)

# Contents

<b>Contents</b>	<b>2</b>
<b>Introduction</b>	<b>3</b>
<b>Methodology</b>	<b>4</b>
The scope and structure of the report.....	4
<b>Part A: Summary of inspection findings and recommendations</b>	<b>5</b>
Leadership and governance.....	5
Systems and processes.....	6
People and skills .....	11
Recommendations .....	12
<b>Part B: Audit findings in numbers</b>	<b>14</b>
<b>Part C: Additional detailed inspection findings</b>	<b>15</b>
Leadership and governance.....	15
Systems and processes.....	18
People and skills .....	23

## Introduction

In its 2013/14 inspection programme<sup>1</sup>, 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 bodies<sup>2</sup> 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”*.<sup>3</sup>

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](http://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)<sup>4</sup> and Home Office Counting Rules (HOCR)<sup>5</sup>.

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

<sup>2</sup> 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.

<sup>3</sup> *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.

<sup>4</sup> 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.

<sup>5</sup> 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

Chief officers in West Midlands Police promote ethical working practices and integrity in all areas of business, not just crime recording. The deputy chief constable is the lead officer for crime data integrity.

The force has an established governance structure of executive meetings. The range of policies in force covering different aspects of crime recording makes clear that compliance with HOCR is expected for every report of crime.

The force maintains a confidential reporting line for officers and staff to report any unethical practices. Those officers and staff we spoke to felt that the culture of the organisation was now one where they felt able to report matters of concern without fear of recrimination and would consider doing this through any one of a number of channels.

The *West Midlands Police and Crime Plan 2014 – 2015* makes several links between public confidence and accurate crime recording, and specifically identifies the need to ensure the accuracy and integrity of incidents reported as a crime.

The force understands the risk and impact that adverse publicity in relation to crime recording can have on public confidence and has placed poor data quality and data compliance on the force risk register. Action is being taken to reduce the risks; thus more resources are being invested in the public protection unit (PPU) which is responsible for the investigation of rape, serious sexual offences, child abuse and domestic abuse cases.

West Midlands Police is aware of the routes by which crime can be reported, and the force structure places the crime service team (CST) at the heart of the crime recording process where they act as 'gatekeeper' for crime recording. This approach provides consistency, rigour and clarity.

The force has retained an effective audit and compliance capability, despite austerity cuts. The audit plan is flexible and contains a full schedule of the audits to be undertaken on an annual basis. The deputy chief constable is consulted about the plan and signs off on it as the responsible officer for this area of business. Audit findings and reports are discussed at an executive level and they are also made available on the force intranet site. The audit and compliance team report direct to command teams and individual crime managers when necessary. Staff and managers are held to account on the results of the audits during monthly tasking meetings.

## Systems and processes

### Accuracy of crime recording

HMIC examined 341 incident records<sup>6</sup> and found that 332 crimes should have been recorded. Of the 332 crimes that should have been recorded, 328 were actually recorded. Of the 328, 13 were wrongly classified and 10 were recorded outside the 72-hour limit allowed under the HOCR. Victims should have confidence that when they report a crime to the West Midlands Police it will be recorded.

The force also has a centralised crime management unit through which we have estimated that the force records approximately 26 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 100 calls from the public) found that of the 124 crimes that should have been recorded, 121 were recorded correctly. This approach to crime recording for the force is also highly effective.

We examined 50 reports that had been referred from other agencies directly to the force's specialist departments. Of the five crimes that should have been recorded, none had been recorded.

In the PPU there is a culture of viewing crime recording as an administrative function that can await the outcome of the investigation. Staff routinely apply to the CST for a non-crime<sup>7</sup> number and, while this is appropriate, if there is not sufficient evidence about the existence of a crime, it should not be used where it is clear that a crime should be recorded in accordance with the HOCR and NCRS.

**Recommendation:** Immediately, the force should take steps to 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

<sup>6</sup> An incident in this context is a report of events received by the police recorded on the electronic incident systems, that requires police attention. Whether or not an incident report becomes a crime record is determined on the balance of probability that a notifiable offence has occurred as set out in the Home Office Counting Rules. If an incident does not turn out to be a crime, it must still be logged in an auditable form on the force's incident-recording system or some other accessible or auditable means.

<sup>7</sup> A non-crime is an incident which in the first instance has not been recorded as a crime as police are unsure as to whether it is a crime or not. A non-crime can eventually be recorded as a crime if the police find evidence that a crime has indeed occurred.

force crime registrar<sup>8</sup> (FCR), to assure itself that reports held on these systems are properly recorded as crimes.

In relation to the offence of shoplifting, there was evidence to indicate that shops or stores were not reporting all crimes to the police for a variety of reasons. This includes a business decision by the store to deal with the matter through civil recovery, and a belief that the police are too busy to deal with such offences.

**Recommendation:** Within three months, the force should review and assess the reporting and recording of shoplifting, including consultation with the business community, and implement a process that ensures HOCR and NCRS compliance with all reports of shoplifting. Clear and unambiguous guidance for officers and staff should form part of the force response to this issue.

We found evidence of supervisory intervention to monitor calls and quality assure decisions in both the force control room and the CST in relation to all aspects of crime recording.

There is evidence that officers are seeking advice from detectives regarding the classification of crime. This should not be happening as advice should be sought from the CST for all matters relating to the recording of crime so as to ensure consistency in the advice and guidance received throughout the force.

**Recommendation:** Immediately, the force should take steps to clarify and communicate to all staff that crime recording advice should only be sought from the CST to ensure consistency in advice and guidance.

We found evidence that staff have a clear understanding of the process to be adopted regarding the transfer of crimes and associated evidence to West Midlands Police from another force. The matter would be initially dealt with and recorded by CST prior to allocation for investigation. The matter cannot be finalised without the cross referencing of numbers from both forces.

<sup>8</sup> 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.

## Out-of-court disposals

Out-of-court disposals include cautions, penalty notices for disorder (PND),<sup>9</sup> cannabis warnings<sup>10</sup> and community resolutions.<sup>11</sup> The HOCA (section H) states that national guidance must be followed<sup>12</sup>.

**Cautions** – Out of the 20 cautions we dip-sampled we found that in 19 cases the offender's previous history made them suitable to receive a caution. In all 20 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 12 cases showed that the victim's views had been considered.

**Penalty Notices for Disorder** – We dip-sampled 20 PNDs and found that the offender was suitable to receive a penalty notice in 18 cases. In all 20 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 eight cases, where there was a victim to consult, we found no record that the views of the victim had been considered when the police decided to issue a penalty notice.

**Cannabis warnings** – We dip-sampled 20 cannabis warnings and found that the offender was suitable to receive a warning in 18 cases. In 13 cases we found evidence that the offender had been made aware of the nature and implications of accepting the warning.

**Community resolutions** – We reviewed a random sample of 22 community resolutions and found that in 20 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 22 resolutions where there was a victim, all 22

<sup>9</sup> 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.

<sup>10</sup> 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.

<sup>11</sup> 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.

<sup>12</sup> 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](http://www.xact.org.uk)
- *Simple Cautions for Adult Offenders*, 14 November 2013. Available from [www.justice.gov.uk](http://www.justice.gov.uk)
- *Code of Practice for Adult Conditional Cautions*, 8 April 2000. Available from [www.justice.gov.uk](http://www.justice.gov.uk)
- *Home Office Police Operational Guidance for Penalty Notices for Disorder*, March 2005. Available from [www.justice.gov.uk](http://www.justice.gov.uk)
- *ACPO Guidance on Cannabis Possession for Personal Use*, 28 January 2009. Available from [www.acpo.police.uk](http://www.acpo.police.uk)



cases showed that the wishes and personal circumstances of the victim had been properly considered. Some 21 cases showed that the agreed outcome was meaningful and appropriate for both the offender and the victim<sup>13</sup>.

The force audits all out-of-court disposals, with the exception of PND which are examined as part of thematic audits. Final approval for out-of-court disposals rests with officers of inspector rank. Our audit confirmed supervisory input into the use of out-of-court disposals. This is good practice.

West Midlands Police is keen to deter people from crime and one initiative being undertaken with Cambridge University's Institute of Criminology is a project called *Turning Point*. This project aims to divert individuals with no convictions, or only one historic one, away from crime by voluntary engagement with the offender management team or the Youth Offending Service (YOS). This option is only applicable in those cases where there is sufficient evidence to prosecute.

### **No-crimes**

No-crime refers to an incident that was initially recorded as a crime but has subsequently been found not to be a crime on the basis of additional verifiable information<sup>14</sup>. We examined 92 no-crime records and found 70 records to be compliant with HOCR and NCRS.

Of those records that did not comply with HOCR, we found two recurring reasons. The first related to harassment offences which had been classified as no-crime on the basis that it was a first offence when it was apparent from the taped call that it was a continuation of a course of conduct. The second relates to the interpretation of, or the sufficiency of, additional verifiable information; not believing the victim cannot justify, of itself, a decision to no-crime.

Within West Midlands Police, no-crime decisions are taken by crime managers of chief inspector rank for more serious cases, and by experienced staff in the CST for those less serious crimes and administrative no-crimes. All no-crimes are verified by experienced staff in the CST to ensure they comply with the HOCR and NCRS. These members of staff play no part in the force

<sup>13</sup> 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.

<sup>14</sup> Information which can be verified by the police to show that a recorded crime did not occur, thereby enabling the police to reclassify a recorded crime as a no-crime (HOCR, General Rules Section C, No Crimes).

performance regime. As an extra safeguard in the case of rape offences, the FCR has to verify the no-crime decision.

**Recommendation:** Immediately, the force should take steps to quality assure and audit no-crime decisions to ensure that additional verifiable information has been properly considered. Harassment cases, in particular, should be subject to scrutiny.

### **Victim-centred approach**

The force promotes, through chief officer briefings, a victim-centred approach to crime recording, crime outcomes and no-crimes. All staff interviewed were aware of the need for a victim-centred approach and what that means in practice; for example, actually speaking to the victim to seek their views, especially in relation to out-of-court disposals. We found officers and staff were polite, professional and helpful.

A central team within the audit and compliance unit phones back a proportion of people who have reported incidents or crimes, and more formal surveys are undertaken by the organisation and service development department. Two major force surveys are currently ongoing. *Feeling the Difference* is a six-monthly, independent company-led survey of members of the public who are selected at random. *Contact Counts* is an ongoing survey undertaken by West Midlands staff targeted at people who have received a service as a result of being a victim of crime or a caller for service. Results are published each month and provided to command teams in departments and locally with the aim of staff learning from the results.

### **Rape offences**

The force has a very detailed policy for the management of rape offences, dealing with the reporting and investigating of rape and serious sexual assault cases. This policy includes guidance for all staff involved in the reporting and investigative process, including call handlers, supervisors and reporting officers. The policy is also clear that it shall be the reporting officer's responsibility to complete the crime record. The PPU reviews every report each day to identify if an allegation should be recorded as rape, and crime managers also review crimes to ensure that no report of rape has been missed.

We found that there was a clear understanding by all staff of what their role was in the recording and investigation of rape and there was confirmation that they felt under no pressure to avoid recording the offence.

West Midlands Police works with partner agencies and voluntary groups in the third sector to encourage the reporting of rape offences. There was no evidence during our audit of any mis-recording of rape.

The force policy on rape clearly sets out and explains the circumstances in which offences of rape that have been recorded as a crime can be classified as

no-crime in compliance with the HOCR. The policy gives examples from previous non-compliant decisions reviewed and amended by the FCR. All no-crime decisions in relation to the offence of rape have to be sanctioned by the FCR and audits are undertaken each month.

The force policy on rape is clear about the course of action regarding allegations coming from outside the force, as well as instructions about what to do with evidence in the form of statements, other paperwork or exhibits. We found officers and staff to be well aware of the policy including the use of specially trained sexual offences officers. It is clear that the force considers victim care to be paramount in this area.

## **IT systems**

West Midlands Police uses the OASIS incident management system and the CRIMES crime recording system. There are also three ancillary systems that are compatible with CRIMES and provide enhanced functionality. Information and data are shared across the four crime related systems. There are no separate standalone systems for crime recording.

All of the systems are well managed, with regular audits and information weeding.

## **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 HOCR.

There is less need for specialist staff to understand the intricacies of the HOCR and NCRS as the process that puts the CST at the heart of crime recording also provides a pool of people with a higher level of knowledge of the rules than could be achieved by training individual officers. It also provides a focal point for advice and guidance. Staff in specialist units therefore did not need as comprehensive an understanding of the HOCR as may be required elsewhere. We found that the issues in the PPU relating to the late recording of crimes reflected the culture of those units, where recording was seen as an administrative task, rather than any lack of knowledge.

The force has placed the CST at the centre of its crime recording process and staff in the unit have messages about ethical crime recording and compliance with HOCR and NCRS constantly reinforced to them. Their role as the crime recording force experts in the organisation has recently been reinforced by the deputy chief constable. As a consequence, they challenge officers of all ranks in relation to crime recording issues where necessary.

While there was no evidence of specific corporate messages in relation to crime recording, it was apparent that staff were aware of the need for ethical crime

recording. They were also aware of the impact on public confidence and the reputational damage to the force if they got it wrong.

HMIC found no evidence of pressure being applied to any staff at any level to mis-record or under-record crimes. Indeed, one example was found where a unit felt under significant pressure to reduce burglaries but nobody interviewed would consider under-recording or mis-recording as they viewed it as unethical and counter-productive.

There are no specific training courses for general staff in relation to the HOCR and the NCRS and this produces a risk for the force despite the role of CST in crime recording. The experts, in the form of CST staff, have received appropriate training. A course being held for crime managers, during the inspection period, contained inputs on crime data integrity. New recruits receive two hours training in crime recording.

**Recommendation:** Within six months, the force should conduct a training needs analysis of all staff involved in crime recording, and introduce an appropriate level of training for relevant identified staff to increase awareness and understanding of NCRS and HOCR to underpin ethical crime recording.

### **Force crime registrar**

The FCR has extensive knowledge and experience in the management of crime data and the application of the NCRS and HOCR.

The status of the FCR in West Midlands Police was reinforced during the extended absence of the current incumbent when the force took the decision to make the head of intelligence, an officer of chief superintendent rank, the acting FCR.

The FCR has unrestricted access to the deputy chief constable who is the force lead for data integrity. All crime-recording disputes are appropriately referred to the FCR who is seen as the final arbiter in any disputes arising in the crime recording process.

The FCR has sufficient resources to undertake the role.

## **Recommendations**

### **Immediately**

1. The force should take steps to 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 take steps to clarify and communicate to all staff that crime recording advice should only be sought from the CST to ensure consistency in advice and guidance.
3. The force should take steps to quality assure and audit no-crime decisions to ensure that additional verifiable information has been properly considered. Harassment cases in particular should be subject to scrutiny.

#### **Within three months**

4. The force should review and assess the reporting and recording of shoplifting, including consultation with the business community, and implement a process that ensures HOCR and NCRS compliance with all reports of shoplifting. Clear and unambiguous guidance for officers and staff should form part of the force response to this issue.

#### **Within six months**

5. The force should conduct a training needs analysis of all staff involved in crime recording, and introduce an appropriate level of training for relevant identified staff to increase awareness and understanding of NCRS and HOCR to underpin ethical crime recording.

## 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.

<b>Crimes reported as part of an incident record</b>		
<b>Incidents reviewed</b>	<b>Crimes identified</b>	<b>Crimes recorded</b>
HMIC reviewed the following number of incident records in West Midlands Police. 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 West Midlands Police recorded the following number of crimes.
<b>341</b>	<b>332</b>	<b>328</b>
<b>Crimes reported directly from the victim</b>		
HMIC reviewed the following number of reports of crimes that were reported directly by telephone to the West Midlands Police 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 West Midlands Police should have recorded.	From these identified crimes West Midlands Police recorded the following number of crimes.
<b>100</b>	<b>124</b>	<b>121</b>
<b>Crimes referred from other agencies directly to West Midlands Police specialist departments</b>		
<b>Referrals</b>	<b>Crimes identified</b>	<b>Crimes recorded</b>
HMIC reviewed the following number of referrals reported directly to West Midlands Police specialist departments from other agencies which contained reports of crime.	From these referrals to specialist departments HMIC identified the following number of crimes that West Midlands Police should have recorded	From these identified crimes West Midlands Police recorded the following number of crimes.
<b>50</b>	<b>5</b>	<b>0</b>
<b>No-crimes</b>		
HMIC reviewed the following number of recorded crimes of rape, violence and robbery which West Midlands Police had subsequently recorded as no-crime.	From these HMIC assessed the following number of no-crime decisions as being correct.	
<b>92</b>	<b>70</b>	

## 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 West Midlands Police ensuring that leadership responsibilities and expectations for crime data integrity are clearly defined and unambiguously communicated to staff?**

Chief officers in West Midlands Police are aware of the impact unethical crime recording can have on public confidence. They promote ethical working practices and integrity in all areas of business, not just crime recording. The *Pride in Our Police* initiative reinforces the need for ethical and honest working practices and all staff are encouraged to do the right thing. Staff acknowledged there had been a significant shift in the past two years in the performance regime and nobody spoken to during the inspection felt under any pressure not to record or to mis-record crime. Indeed, there is evidence of recorded crime increasing materially for certain offence categories, such as shoplifting, as a result of a more ethical approach being adopted.

The named chief officer for the strategic management of crime data integrity is the deputy chief constable (DCC). He is also the lead for force performance but there is no evidence to suggest this creates any conflict. There is strong evidence that the initiative by chief officers, and the DCC in particular, to overhaul the recording of crime by the introduction of crime service teams (CST) from January 2012 has resulted in significant improvements.

The force has a well-established governance structure driven through the strategic leadership forum and the strategic tasking meeting, the latter dealing primarily with force performance and held on a quarterly basis. These are supplemented by quarterly performance meetings in each local policing unit (LPU) where an assistant chief constable discusses both qualitative and quantitative performance with commanders and their senior teams. Crime data integrity is an intrinsic part of all these meetings and they also include an examination of internal audits on a range of subjects, including crime recording data, reports from the FCR and the results of national inspections, such as those undertaken by HMIC. The assessment of audit data alongside more

conventional performance data gives a more rounded picture of overall performance.

There is a confidential reporting line in operation, but this has not been used for any crime recording issue in the last 12 months. We found evidence of a robust approach to anyone found trying to record crimes incorrectly. Staff felt that the culture of the organisation was now one where they felt able to report matters of concern without fear of recrimination and would consider doing this through any one of a number of channels, such as line managers, local policing unit command, audit and compliance or the professional standards department.

The *West Midlands Police and Crime Plan 2014 – 2015* makes several links between public confidence and accurate crime recording. There is reference in the plan to a previous HMIC report on crime data integrity dated 2012 and also the need to reassure the public through the use of regular audits. There are specific deliverables in the plan, notably; 'continue to ensure the accuracy and integrity of incidents reported as crime', 'encourage the reporting of crimes and incidents that are reported as crime' and 'encourage the reporting of crimes from vulnerable victims, such as those subject to domestic abuse, hate crime and sexual exploitation' while also identifying the need to improve public satisfaction, notably to 'increase satisfaction with services provided relating to crimes'.

There are only three specific reduction targets in relation to crime; to reduce public place violence by five percent, reduce burglary by two percent and robbery by five percent while also identifying that they need to establish a baseline for business crime. This reinforces evidence elsewhere relating to the shift in the performance regime away from a pure focus on numbers and targets to a more qualitative basis. The range of policies in force covering different aspects of crime makes it clear that compliance with the HOCR is expected for every report of crime.

## **1.2 How does West Midlands Police ensure it has a proportionate approach to managing the strategic and organisational risk of recording crime data?**

Poor data quality and data compliance both appear in the force risk register and the force understands the risk and impact that adverse publicity in relation to crime recording can have on public confidence as evidenced in the *West Midlands Police and Crime Plan 2014 – 2015*. The force has assessed its main crime categories and has prioritised all forms of personal vulnerability as a priority; it is in the process of investing more resources in to public protection units (PPU). These units deal with all forms of rape and serious sexual offences as well as domestic abuse and child abuse. While all crimes require similar information for recording purposes, there is a proportionate approach to more severe crimes or those with high vulnerability attracting the need for more information and staff are trained to both ask for, and provide, that level of detail.



West Midlands Police is aware of all the possible routes through which crime can be reported including third party recording, information from voluntary groups or other agencies as well as victim reports. The force structure places the CST at the heart of the crime recording process where it acts as the gatekeeper for crime recording. This approach provides consistency, rigour and clarity – crime numbers cannot be issued without passing the request through the CST which acts as a quality assurance function, a reference point and an effective filter. Any disagreement with the decision of the CST can be passed to the FCR for a final decision.

### **1.3 How does West Midlands Police use HOCR, NCRS, and NSIR to ensure there is confidence that crime is recorded accurately?**

West Midlands Police has retained an effective audit and compliance capability, despite austerity cuts. This shows the importance placed on this area of business by both the police and crime commissioner (PCC) and the chief officer team.

There is an annual audit plan, which details the programmed audits for the year. This is signed off by the DCC. While the organisation works to this plan there is sufficient flexibility to adapt and respond to emerging issues, such as the shoplifting audits in 2011 – 2012 or more recently, no-crime audits of vulnerable persons. Weekly auditing of repeat callers is undertaken by survey. The force also conducts monthly audits of rape and serious sexual offences, serious violence, domestic abuse and hate crime as well as crime related incidents or non-crimes. Each quarter the force examines indictable offences dealt with by out-of-court disposals and incidents classified as no-crimes.

Audit results are discussed at strategic tasking and senior leaders meetings and detailed evidence for the relevant departments or local policing units is cascaded for action by the relevant unit heads. Audit findings and reports are made available on the force intranet site within the performance portal. The audit and compliance team reports direct to command teams and individual crime managers when necessary. Staff and managers are held to account on the results of the audits during monthly tasking meetings.

West Midlands Police has adopted one opening code for crimes but staff did not feel this inhibited the auditing function in any way; in fact they felt the word searches they undertook enhanced the audit as there was more chance of picking up all relevant incidents, including outliers, more easily than a prescriptive code could achieve.

## **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 the West Midlands Police effectively manage and supervise incidents, other reporting routes and crime records in order to ensure that crimes are correctly recorded?**

We examined 341 incident records and found that 332 crimes should have been recorded. Of the 332 crimes that should have been recorded, 328 were actually recorded. Of the 328, 13 were wrongly classified and 10 were recorded outside the 72-hour limit allowed under the HOCR. Victims should have confidence that when they report a crime to the West Midlands Police it will be recorded.

The force also has a centralised crime management unit through which we have estimated that the force records approximately 26 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 100 calls from the public) found that of the 124 crimes that should have been recorded, 121 were recorded correctly. This approach to crime recording for the force is highly effective.

We examined 50 reports that were referred from other agencies directly to the force's specialist departments. Of the five crimes that should have been recorded, none had been recorded.

In the PPUs we found that there is a culture of viewing crime recording as an administrative function that could await the outcome of the investigation. Staff routinely apply to the CST (who act as gatekeepers for all crimes but can only base their decisions on the information provided to them) for a non-crime number in order to record the initial referral or incident. This is appropriate if there isn't sufficient evidence at that stage to prove the existence of a crime, for example when trying to trace the victim. However a crime should always be recorded at the point at which there is confirmation a crime has occurred in accordance with the HOCR and NCRS. While there was no evidence that the PPU staff were not conducting appropriate investigations, the absence of any management overview, or evidence of checks to see if the crime had been recorded when it should have been, is a concern.

There was an acknowledgement from staff and management in the PPUs that they should have recorded numerous incidents as crimes much sooner and identified cases were rectified during our inspection. It is of concern that prior to our inspection there was no evidence of any follow up by the CST to ensure that non-crimes that had been outstanding for some considerable time within the PPU were checked for compliance with the HOCR and NCRS.

In relation to the offence of shoplifting, there was evidence to indicate that shops or stores were not reporting all crimes to the police for a variety of reasons. This includes a business decision by the store to deal with the matter through civil recovery, and a belief that the police are too busy to deal with such offences. This is a high-volume crime and whilst not subject to specific audit during our inspection, it is acknowledged that the force has made great strides in the last two years to improve the way shoplifting is recorded. We consider that there is enough evidence to suggest that the force should ensure it understands the full extent of the problem, given that one of the deliverables in the *West Midlands Police and Crime Plan 2014 – 2015* is to establish a baseline for business crime.

HMIC found evidence of supervisory intervention to monitor calls and quality assure decisions in both the force communications centre (FCC) and the CST in relation to all aspects of crime recording, although this was not as apparent in the local policing units. This is to be expected given that the CST now performs the central crime recording role and officers can seek advice from them for any crime-related matter.

The force is aware, as the matter was raised by the FCR, of a practice that was common a number of years ago where officers were consulting detectives regarding the classification of a crime before recording it as such. The force will need to reassure itself that this practice is no longer in place and that the CST should be the point of contact for officers seeking crime recording advice so as to ensure consistency in the advice and guidance received across the force.

HMIC found evidence of a clear understanding of the process to be adopted regarding the transfer of crimes and associated evidence to West Midlands Police from another force. The matter would be dealt with initially and recorded by CST prior to allocation for investigation; the matter cannot be finalised without the cross referencing of numbers from both forces.

## **2.2 How does West Midlands Police ensure that out-of-court disposals suit the needs of victims, offenders and the criminal justice system?**

When using out-of-court disposals, the force needs to ensure it only uses them in line with appropriate guidance so that only offenders who are entitled to be offered an out-of-court disposal receive them.

**Cautions** – Out of the 20 cautions we dip-sampled, we found that in 19 cases the offender's previous history made them suitable to receive a caution. In all 20 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, 12 cases showed that the victim's views had been considered.

**Penalty Notices for Disorder** – We dip-sampled 20 PND and found that the offender was suitable to receive a penalty notice in 18 cases. In all 20 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 eight cases, where there was a victim to consult, we found no record that the views of the victim had been considered when the police decided to issue a penalty notice.

**Cannabis warnings** – We dip-sampled 20 cannabis warnings and found that the offender was suitable to receive a warning in 18 cases. In 13 cases we found evidence that the offender had been made aware of the nature and implications of accepting the warning.

**Community resolutions** – We dip-sampled 22 community resolutions and found that in 20 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 22 resolutions where there was a victim, all 22 cases showed that the wishes and personal circumstances of the victim had been properly considered. Of those, 21 cases showed that the agreed outcome was meaningful and appropriate for both the offender and the victim.

The force audits all out-of-court disposals, with the exception of PND which are examined as part of thematic audits. Final approval for out-of-court disposals rests with officers of inspector rank. Our inspection confirmed supervisory input into the use of out-of-court disposals; this is good practice.

West Midlands Police is keen to deter people from crime and one initiative being undertaken with Cambridge University's Institute of Criminology is a project known as *Turning Point*. This project aims to divert individuals with no convictions, or only one historic one, away from crime by voluntary engagement with the offender management team or the Youth Offending Service. This is not viewed as a soft option and is only applicable in those cases where there is sufficient evidence to prosecute.

### **2.3 Are no-crime decisions for high-risk crime categories correct and is there robust oversight and quality control in the West Midlands Police?**

On occasion recorded crimes are found not to have occurred. Where there is additional verifiable information to show this to be the case, the record of the crime can be cancelled; this is then known as a no-crime. The decision to no-crime has to be dealt with appropriately and with probity; it is not a decision that should be taken lightly.

In West Midlands Police, no-crime decisions are taken by crime managers of chief inspector rank for more serious cases and by experienced staff in the CST for those less serious crimes and administrative no-crimes. All no-crimes are verified by experienced staff in the CST to ensure they comply with the HOCA and NCRS. These members of staff play no part in the force performance

regime. As an extra safeguard in the case of rape offences, the FCR has to verify the no-crime decision.

Examination of 92 no-crime records for robbery, rape and violence found 70 had been recorded correctly. This was evenly spread across all three categories. Of those records that did not comply with HOCR we found two recurring reasons. The first related to harassment offences which had been classified as no-crime on the basis that it was a first offence when it was apparent from the taped call that it was a continuation of a course of conduct. The second relates to the interpretation of, or the sufficiency of, additional verifiable information, not believing the victim cannot justify, of itself, a decision to no-crime.

All decisions to no-crime taken by the appropriate crime manager in local policing units or the detective chief inspector in rape and serious sexual offences unit have to be verified by experienced staff in the CST to ensure they comply with the HOCR and NCRS. The CST members of staff play no part in the force performance regime. As an extra safeguard in the case of rape offences the FCR has to verify the no-crime decision.

#### **2.4 How does West Midlands Police promote a victim-centred approach to crime recording and associated outcomes?**

The force promotes, through chief officer briefings, a victim-centred approach to crime recording, crime outcomes and no-crimes. All staff interviewed were aware of the need for a victim-centred approach and what that means in practice; for example actually speaking to the victim to seek their views especially in relation to out-of-court disposals. We found staff to be polite, professional and helpful.

A central team within the audit and compliance unit phones back a proportion of people who have reported incidents or crimes, and more formal surveys are undertaken by the organisation and service development department. Two major force surveys are currently ongoing. *Feeling the Difference* is a six-monthly, independent company-led survey of members of the public who are selected at random. *Contact Counts* is an ongoing survey undertaken by West Midlands staff targeted at people who have received a service as a result of being a victim of crime or a caller for service. Results are published each month and provided to command teams in departments and locally with the aim of staff learning from the results.

## **2.5 How does West Midlands Police ensure systems for receiving, recording and managing reported crimes of rape are robust?**

The force has a very detailed *Rape and Serious Sexual Assault Policy* (Project Quartz - published April 2009). This deals with the reporting and investigating of rape and serious sexual assault cases. Reporting can be through various routes and it is clear that all allegations made by any victim in the first instance will be accepted as truthful. The policy includes guidance for all staff involved in the reporting and investigative process, including call handlers, supervisors and reporting officers. The policy is also clear that it shall be the reporting officer's responsibility to complete the crime record. The PPU reviews every report each day to identify if an allegation should be recorded as rape and crime managers also review crimes to ensure that no report of rape has been missed.

We found evidence of a clear understanding by all staff of what their role was in the recording and investigation of rape and there was confirmation that they felt under no pressure to avoid recording the offence.

West Midlands Police works with partner agencies and voluntary groups in the third sector to develop as complete a picture of offending as possible and to encourage the reporting of rape. There was no evidence during our audit of any mis-recording of rape.

The rape policy clearly sets out and explains the circumstances in which offences of rape that have been recorded as a crime can be classified as no-crime in compliance with the HOCR, in particular the meaning of additional verifiable information in respect of allegations of rape. It even gives examples from previous non-compliant decisions reviewed by the FCR. All no-crime decisions in relation to the offence of rape have to be sanctioned by the FCR and audits are undertaken each month.

During our inspection, 30 records involving an initial allegation of rape that were subsequently classified as no-crime were examined, 24 of which complied with the requirements of the HOCR and NCRS. The six cases that did not comply involved the incorrect interpretation of additional verifiable information.

The rape policy is clear about the course of action regarding allegations coming from outside the force, as well as instructions about what to do with evidence in the form of statements, other paperwork or exhibits. Staff are well aware of the policy including the use of specially trained sexual offences officers (STOs), and it is clear that victim care is paramount.

## **2.6 How do the West Midlands Police information technology (IT) systems allow for efficient and effective management of crime recording?**

West Midlands Police uses the OASIS incident management and the CRIMES crime recording system. There are also three ancillary systems that are

compatible with CRIMES and provide enhanced functionality, namely Docutrack<sup>15</sup>, Crimescan<sup>16</sup> and Crime Portal<sup>17</sup>. Information and data is shared across the four crime related systems with CRIMES being the main database. There are no separate standalone systems for crime recording.

All the IT systems, which also have backups, are capable of being audited and this is undertaken on a regular basis by the information computer technology department. There are owners for all the systems.

## **People and skills**

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

#### **3.1 What arrangements does West Midlands Police have in place to ensure that staff have the necessary skills to ensure accurate crime recording?**

West Midlands Police has made a significant investment in resourcing the CST, which is based on three sites. Supervisors and staff are all trained to a high level in the application and knowledge of the HOCR and NCRS. Despite pressure on budgets, the force has also retained an effective audit and compliance unit. The staff in the FCC record low-level crime with no evidential lines of enquiry. All these units are at the heart of crime recording within West Midlands Police, and have staff and supervisors who exhibit high levels of knowledge and ethics in relation to crime recording.

There is less need for specialist staff to understand the intricacies of the HOCR and NCRS in West Midlands Police as the process that puts the CST at the heart of crime recording also provides a pool of people with a higher level of knowledge of the rules than could be achieved by training all frontline officers. The CST also provides a focal point for advice and guidance. Staff in specialist units therefore did not need as comprehensive an understanding of the HOCR as may be required elsewhere where a unit such as the CST does not exist. Issues highlighted within the PPU relating to the late recording of crimes reflected the culture of those units, where recording was seen as an administrative task, rather than any lack of knowledge.

<sup>15</sup> Docutrack - this is a tasking system that enables crimes and documents to be allocated to officers. It allows officers and staff to view electronic copies of crime reports.

<sup>16</sup> Crimescan – this system stores and displays electronic copies of crime reports and other documents relating to a particular crime number.

<sup>17</sup> Crime Portal – this is an easy-to-use application that allows officers and staff to update information on the crime record without having to log in to different screens

### **3.2 How do the behaviours of the West Midlands Police staff reflect a culture of integrity for crime recording practice and decision-making?**

The force has placed the CST at the centre of its crime recording process and staff in the unit have messages about ethical crime recording and compliance with HOCA and NCRS constantly reinforced to them. Their role as the crime recording force experts in the organisation has recently been reinforced by the deputy chief constable. As a consequence they challenge officers of all ranks in relation to crime recording issues where necessary. .

Whilst there was no evidence of specific corporate messages in relation to crime recording, it was apparent that staff were aware of the need for ethical crime recording. They were also aware of the impact on public confidence and the reputational damage to the force if they got it wrong. There is a wider thrust within the force to promote ethical and honest behaviour and the desire to get things right communicated through the *Pride in our Police* initiative.

HMIC found no evidence of pressure being applied to any staff at any level to mis-record or under-record crimes. Indeed one example was found where a unit felt under significant pressure to reduce burglaries but nobody interviewed would consider under-recording or mis-recording as they viewed it as unethical and counter-productive. Staff received support from supervisors and managers to record crime accurately.

There are no specific training courses for staff in general in relation to the HOCA and the NCRS and this produces a risk for the force despite the role of CST in crime recording. The experts, in the form of CST staff, have received appropriate training. A course being held for crime managers during the inspection period contained inputs on crime data integrity. New recruits receive two hours training in crime recording.

### **3.3 How is the accuracy of crime recording in the West Midlands Police actively overseen and governed by the force crime registrar (FCR)?**

West Midlands Police has a highly respected FCR who was selected for his high standards of professionalism and integrity. The role is to oversee compliance with the HOCA and NCRS and ensure they are consistently applied. The post-holder has no responsibility for force performance and acts as the final arbiter in all aspects of crime recording and compliance with national guidance. Any disputes or disagreements in relation to crime recording that cannot be addressed by the CST or the audit and compliance teams are adjudicated by the FCR.

The status of the FCR in West Midlands Police was reinforced during the extended absence of the current incumbent when the force took the decision to make the head of intelligence, an officer of chief superintendent rank, the acting FCR.



The FCR has unfettered access to the DCC through daily conversations; it is made known that he has the full support of all chief officers and there is no pressure applied from those individuals in relation to crime recording. He can and does raise issues of concern at senior management level and with chief officers. One such example was the unofficial policy in one local policing unit of directing officers to consult with detectives prior to recording a crime for certain categories of crime, notably burglary and robbery.

The FCR has sufficient resources to undertake the role.

There is evidence of the FCR being consulted over local policies that might impact on crime recording. One such example was a local initiative in relation to an individual having to know the international mobile equipment identity (IMEI) number of their mobile phone before they could accept a report of crime – this was refused by the FCR on the basis of non-compliance with HOCR.