

Police and Crime Panel

8th March 2018



HMIC Crime Data Integrity Inspection

Report of the Office of the Police, Crime and Victims' Commissioner

Purpose

1. To advise Police and Crime Panel Members about the HMICFRS report into Durham's Crime Data Integrity, which was published on 15th February 2018.

Background

2. In November 2015, HMICFRS announced that it would inspect forces' crime-recording practices in a rolling programme of every force in England and Wales. This rolling programme will be completed over a period of several years, and reports on the progress made by forces since crime data integrity inspections which were carried out in 2014. The report into Durham Constabulary's Crime Data Integrity was published on 15th February.
3. The published report is attached at Appendix 2.
4. Recording crimes accurately is important for several reasons, including:
 - Enabling investigations to be carried out
 - Making support available for victims
 - Public confidence
 - Data accuracy.
5. Police forces have faced a number of challenges in recording crimes accurately due to frequent changes in the National Crime Recording Standards (NCRS) with which they have to comply, and the Home Office Counting Rules. Several types of incident, which previously would not have been recorded as crimes, now need to be. This has in turn caused the crime figures to increase. Examples include harassment, which is now recorded as a crime at the first time of reporting, and certain low-level public order offences, which might previously have been recorded as anti-social behaviour.
6. The PCVC wrote to Councillors on 12th February to explain the recent rise in recorded crime.

Current Position

7. Overall, the report shows that the Constabulary is "Good" at recording crime properly and accurately. Durham is one of only a handful of forces to be rated "Good". None has been rated as "Outstanding".

8. The report shows that 91.5% of crimes have been recorded accurately by Durham. However, this means that at least 4,700 crimes have not been recorded. The 8.5 percent of reported crimes that went unrecorded particularly include public order crime and online crime where young people share indecent images of themselves.
9. The report was particularly complimentary of the leadership shown in ensuring that crime is recorded properly, grading this as “outstanding”.
10. The report contains three recommendations. The PCVC is satisfied that the Constabulary is responding to the issues identified. The PCVC and his Office continue to hold the Constabulary to account robustly through face-to-face meetings with both the Executive and the Force Crime Registrar, and is satisfied as to the work that the Constabulary is carrying out to ensure continued improved compliance. This remains an area which the PCVC will continue to scrutinise.

Recommendation

11. That the Panel note the contents of the report and seek any relevant points of clarification.

Alan Reiss
Chief of Staff

Appendix 1: Risks and Implications

Finance

None

Staffing

None

Equality and Diversity

None

Accommodation

None

Crime and Disorder

None

Children's Act 2004

None

Stakeholder/Community Engagement

None

Environment

None

Collaboration and Partnerships

None

Value for Money and Productivity

None

Potential Impact on Police and Crime Plan Priorities

Recording crime accurately ensures that support can be made available for victims and crimes can be investigated.

Commissioning

None

Other risks

None

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Durham Constabulary: Crime Data Integrity inspection 2017

Published February 15th 2018

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Overall judgment



Durham Constabulary has made concerted efforts to improve crime-recording accuracy since [HMICFRS' 2014 Crime Data Integrity inspection report](#). Importantly, we found a commitment to ethical crime recording that is victim-focused and free from performance pressures of any kind. We found that the constabulary:

- achieves high levels of recording accuracy for reported sexual offences;
- records all modern slavery offences reported to it and disclosed during investigations;
- makes good decisions when considering whether or not to cancel a recorded crime;

- has improved the knowledge and understanding of the crime-recording requirements among its officers and staff for offences of stalking, harassment and common assault;
- has implemented all of the recommendations set out in our 2014 report; and
- has made good progress against a national action plan developed to improve crime recording by police forces.

These are very encouraging findings. Nonetheless, based on the findings of our examination of crime reports for the period 1 January 2017 to 30 June 2017, we estimate that the constabulary fails to record over 4,700 reported crimes each year.

This represents a recording rate of 91.5 percent (with a confidence interval of +/- 1.67 percent). The 8.5 percent of reported crimes that went unrecorded are particularly affected by the under-recording of public order crime and online crime where young people share indecent images of themselves. Further improvements are therefore required in some areas.

We believe that where reports of crime go unrecorded this generally occurs when staff and officers do not recognise that an offence has been committed or do not fully understand the need to record multiple offences disclosed during investigations.

Summary of inspection findings

The constabulary has improved its crime-recording processes since HMICFRS' 2014 report. In particular, we found that the constabulary has:

- developed a process whereby the majority of reports of crime which have not had a crime-recording decision taken within 23.5 hours of the report, are recorded onto a staging database. This has the effect of creating a basic crime record within the 24 hours permitted by the crime-recording rules and which is later updated;
- given responsibility to a small team of dedicated inspectors on a 24/7 shift pattern in the force control room for ensuring the correct crime-recording decisions are taken in regard to reports of crime;
- improved knowledge and understanding of crime-recording requirements among officers and staff particularly in respect of crimes of stalking, harassment and those cases of assault where only the threat of violence is present;
- improved the supervision of its use of out-of-court disposals to ensure that they are being used appropriately and ethically;
- an effective process for providing feedback to staff and officers who make poor crime-recording decisions;
- developed and provided training to address those areas where officers and staff regularly make the same crime-recording mistakes;
- implemented all of the recommendations set out in our 2014 report; and
- made good progress against a national action plan developed to improve crime recording by police forces.

We also found that the force crime registrar (FCR) and deputy FCR – responsible for oversight and audit of crime-recording requirements – have completed a [national College of Policing course for FCRs](#) and are fully accredited for the role. The FCR is supported by a deputy FCR, a team with audit capacity and a crime desk. The crime desk is a team of seven staff who categorise all recorded crimes, check for unrecorded reports of crime, and file all crime records upon completion of investigations.

Despite those advances, the constabulary's performance in respect of crime recording could be better in the following areas:

- The constabulary is currently under-recording some:
 - violent crimes (including some arising from domestic abuse incidents);
 - public order crimes; and
 - online crimes where young people share indecent images of themselves.

The constabulary must improve the accuracy of the recording of these reports.

- The constabulary must improve the extent to which it collects information regarding the effect of criminality on identifiable groups within communities. In particular, groups with identifiable protected characteristics (e.g. gender, sexuality or ethnicity).

We consider that these failures generally occur when reported crimes are not recorded on the staging database or when other crimes are disclosed during investigations into crimes that have been recorded.

Improvements are required in these areas.

Areas for improvement

The constabulary should immediately:

- remind all staff with crime-recording responsibilities of the need to record all crimes at the first point at which sufficient information exists to do so;
- ensure that reports of crime made by third parties acting on behalf of the victim in a professional capacity are recorded; and
- improve how it collects diversity information from victims of crime and how it uses this to inform its compliance with its equality duty.

How effective is the constabulary at recording reported crime?



Overall crime-recording rate

91.5% of reported crimes were recorded

Over 4,700 reports of crime a year are not recorded

The constabulary has further work to do in order to ensure it records all reports of crime in accordance with the [Home Office Counting Rules \(HOCR\)](#). We examined reports of crime which the constabulary received, and for which an [auditable record was created](#). The constabulary informed HMICFRS that all crime that is recorded (excluding fraud) came through an auditable crime-reporting route.

We found that the constabulary recorded 91.5 percent of these crimes (with a confidence interval of +/- 1.67 percent). We estimate that this means the constabulary is not recording over 4,700 reports of crime each year. Those failings are potentially depriving some victims of the services to which they are entitled.

Of a total of 1,093 reports of crime that we audited, we found 241 that we assessed to be crimes related to [domestic abuse](#). Of these 241 crimes, the constabulary had recorded 214. The 27 offences not recorded included offences involving violence, such as common assault, and sending malicious communications.

We found that many of these offences involved the reporting of a crime at the first point of contact with the constabulary, but these crime reports went unrecorded due to the call taker wrongly categorising the matter as a domestic incident rather than as a domestic crime which would create an entry on the staging database. The failure to use the correct incident category also means that the incident is not scrutinised to ensure that the correct crime-recording decision has been taken. HMICFRS notes that following this inspection the constabulary took immediate action to resolve this issue.

We also found that where a crime related to domestic abuse was not recorded this often occurred where officers failed to record additional crimes disclosed during their investigations. However, we found that when domestic abuse crimes had not been recorded, safeguarding requirements and an investigation had been undertaken in a majority of cases. This is good.

HMICFRS also found that the constabulary carried out checks on the National Firearms Licensing Management System in domestic abuse cases. These checks provide additional safeguarding to victims in cases where the perpetrators have access to firearms. They also ensure that the constabulary can provide an appropriate response and consider officer safety.

Of significance in the under-recording of crime are offences of public order. These are not being identified and recorded as such at the earliest opportunity, and when this occurs there is a subsequent lack of oversight to ensure that the correct crime-recording decisions are later taken.

Offences where young people share indecent images of themselves are also an area of under-recording for the constabulary. This happens where officers and staff do not fully recognise the extent of the crimes that are present and fail to record all offences disclosed during their investigations.

We note, in concluding this section, that the constabulary responded immediately to our findings and is already taking action to address them.

Violence against the person

92.7% of reported violent crimes were recorded

Over 1,200 reports of violent crime a year are not recorded

We found that 92.7 percent of violent crimes reported to the constabulary are recorded (with a confidence interval of +/- 2.66 percent). This is higher than the overall crime-recording rate noted above. By our estimate, this means the constabulary fails to record over 1,200 violent crimes that are reported to it each year. As violent crime can be particularly distressing for the victim, this is an area in which the need for better recording of reported crime is particularly important.

In the majority of cases, where violent crimes were not recorded, we found the principal causes to be as described earlier, namely:

- the incorrect classification of crime-related incidents; and
- a subsequent lack of oversight to ensure that the correct crime-recording decisions are later taken.

Victims of violent crime and, in particular, victims of more serious violence, often require substantial support. This support should come not only from the constabulary, but from other appropriate agencies such as the Victim Care and Advice Service (VCAS). In those circumstances, crime-recording takes on a heightened importance. Failing to properly record a violent crime can result in VCAS receiving no notification that a person has become a victim of violent crime. That in turn may deprive victims of the support they need and deserve.

Sexual offences

95.1% of reported sex offences were recorded

We found that the constabulary records 95.1 percent of sexual offence crimes (including rape) that are reported to it (with a confidence interval of +/- 2.19 percent). We estimate that this means the constabulary fails to record over 70 reported sexual offence crimes each year.

This recording rate is very good and better than many forces that we have inspected to date. This is indicative of the improved scrutiny given to reports of sexual offences since our 2014 report, and is particularly important as many of these crimes are very serious in nature and cause significant harm to their victims.

We found that the majority of sexual offences that are unrecorded are where additional offences are disclosed during the investigation of already recorded crimes. While this means that investigations and safeguarding requirements of the unrecorded crimes are taking place, the constabulary should work to improve the recording of offences disclosed during the course of an investigation and ensure the supervision of investigations includes consideration of the crime-recording requirements.

Rape

99 of 104 audited rape reports were accurately recorded

Rape is one of the most serious sexual offence crimes a victim can experience. Therefore, the accurate recording of such reports is especially important; it allows the constabulary to identify the nature and extent of sexual violence in its local area. In turn, this enables the constabulary to operate with the highest practicable levels of efficiency to identify and deal effectively with perpetrators. We found that although a crime may not always have been recorded, Durham Constabulary provided support and safeguarding in all of these cases, including referrals to partner organisations when appropriate, and carried out an investigation in all.

Of the 104 reports of rape that should have been recorded, we found 99 had been recorded. Four of the unrecorded crimes concerned the non-recording of crimes involving second perpetrators that, following a change to the recording rules, should have been recorded. The remaining missed crime was where a victim reported two non-recent rapes committed by two separate perpetrators but the constabulary had only recorded one crime.

The constabulary also generally made proper use of the [Home Office classification N100](#). Introduced in April 2015, the N100 is a record created to explain why reported incidents of rape or attempted rapes, whether from victims, witnesses or third parties, have not been immediately recorded as a confirmed crime. This can include instances where additional information confirms the rape did not occur, or where the rape occurred in another force area and was therefore transferred to the relevant force to record and investigate.

We found nine incident reports for which the constabulary should have applied an N100 classification; but it was only applied on five occasions. The four missing N100s all related to crimes that were transferred to other forces.

Separately, we also reviewed 22 sample records where an N100 classification had been applied. Among these, we found five reports that were correctly converted into crimes of rape and one correctly converted into a crime of sexual assault. The remaining 16 records were all correctly recorded as N100s.

As with other sexual offences, the recording of a report of rape is important. Victims generally require significant support from the outset and any delay in providing support can be detrimental to both the recovery of the victim and to any investigation. This, in turn, can negatively influence future judicial proceedings. It is therefore to the credit of the constabulary that its crime-recording arrangements for these offences are good.

However, we found that some frontline officers, including some investigators, had no knowledge of N100 classifications. It is important that the constabulary works to improve its frontline officers and staff's understanding of N100 classifications if it is to fully satisfy itself that the correct recording decisions are always taken in regard to reports of rape.

How efficiently do the systems and processes in the constabulary support accurate crime recording?



Crime reports held on other systems

15 of 24 vulnerable victim crimes were recorded

In order to be confident that vulnerable victims always receive the support they need, the constabulary must improve its recording of crimes reported directly to its public protection teams.

We examined 60 vulnerable victim records on the constabulary's vulnerable victim system. Of these, we found that 24 crimes should have been recorded, of which 15 had been. Two of the missing crimes were from adult protection records, five were from child protection records and the remaining two were from domestic abuse records.

The unrecorded adult and child protection crimes involved additional offences disclosed during investigations by professionals from other agencies, such as schools. The two domestic abuse crimes were not recorded despite having been disclosed by professionals from partner agencies during a multi-agency risk assessment conference (MARAC).

Importantly, however, we found that although these crimes may not have been recorded, the constabulary investigated these offences and provided support and safeguarding to the victims. The constabulary has now recorded all of these crimes.

Modern slavery

Offences relating to modern slavery are an important and recent addition to the crimes that forces must record and investigate. We therefore reviewed the recording of reports of modern slavery offences. We also examined the constabulary's understanding of the origin of such reports.

We found that the constabulary has excellent crime-recording arrangements in respect of modern slavery crimes. Our audit showed that all 12 modern slavery crimes identified had been correctly recorded.

The constabulary had also correctly recorded three additional rape crimes and four other crimes associated with these modern slavery offences.

We also found five occasions where modern slavery crimes were over-recorded.

In addition, we examined eighteen modern slavery referrals received from other agencies. All of these were correctly recorded.

The constabulary's lead for modern slavery works at constabulary, regional and national levels with other forces, partner organisations and national enforcement organisations. This is good practice.

We also found that officers and staff have an improving, basic knowledge of modern slavery offences, and a good knowledge of their respective responsibilities in relation to the recording of such offences and of where they can find further information.

Timeliness

The HOCR require that reports of crime are recorded within 24 hours of the receipt of the report. We found that, of the reports of crime that had been recorded by Durham Constabulary, 152 out of 331 reports of violent crime and 128 out of 267 sexual offences had been recorded within 24 hours of the receipt of the report.

We found that in Durham Constabulary the staging database ensures that for those incidents identified as reports of crime a record is created within 24 hours on its crime-recording system. However, this does not become a recorded crime until it is classified, and this can take some days to complete. It is not until this classification and full recording of crime takes place that a referral is made to VCAS, delaying victims' access to the support this agency can provide. We made the constabulary aware of this delay, and it took immediate action to change its procedures by ensuring that all entries on the staging database created an immediate referral to VCAS. This is welcome.

Cancelled crimes

Where additional verifiable information (AVI) is obtained to show that a recorded crime did not occur, the crime record can be cancelled.

We reviewed cancelled recorded crimes of rape, violence and sexual offence crimes (excluding rape) and robbery crimes. Of these, we found that the FCR had correctly cancelled 28 out of 28 crimes of rape. Other crime cancellation decisions are the responsibility of designated staff, known as designated decision makers (DDMs). The DDMs had correctly cancelled 31 out of 33 sexual offences, 26 out of 33 violence offences and 13 out of 14 robbery offences. These findings demonstrate that the constabulary has an effective process for dealing with crime cancellations.

The small number of cancellation decisions that were incorrect related to the absence of sufficient AVI to demonstrate that the crime did not occur. We found that while frontline supervisors understood what amounts to AVI for the purpose of cancelling a recorded crime, some officers and investigators did not.

Where a crime has been cancelled or transferred to another constabulary for investigation, a victim should always know the status of his or her reported crime. In the case of a decision to cancel a recorded crime, the very least the victim should expect is an explanation of the reason for this decision. We found that not all victims who should have been informed of the transfer or cancellation had been. Again, the constabulary took immediate action to address this issue.

Code of Practice for Victims of Crime

The [Code of Practice for Victims of Crime](#) provides clear guidance to police forces regarding the service that should be provided to all victims of crime. We have concluded that the constabulary is aware of its responsibilities under this code.

All victims of crime whose reports are recorded by Durham Constabulary are offered the services of VCAS and can receive the relevant information by text, email or letter. These communications contain information about individual victims' cases and, in addition to directing them to the services of VCAS, also provide them with details of other relevant organisations that can provide them with support.

VCAS is also provided with the details of victims of crime to enable them to make direct contact with these victims to make their services available.

In addition, officers complete a form with every victim which contains the basic details of the crime, contact details of the investigating officer and an agreed victim contact contract. This is good practice.

Equality

HMICFRS found that the constabulary must improve in its collection of information regarding crimes affecting identifiable groups within communities.

Protected characteristics, such as gender, sexuality, disability, ethnicity, religion and age, do not necessarily increase the vulnerability of an individual to the risk of crime. However, it is important that the constabulary records information regarding the characteristics of victims of crime in order to identify any patterns which may exist between different community groups and their vulnerability to (or their relative likelihood to report) different types of crime.

We found that the constabulary records equality information in relation to the victim such as age and gender on every occasion, but only records other protected characteristics where these are determined to be relevant to the offence.

So long as the constabulary fails to record such information, it will be unable to understand clearly whether its crime-recording decisions are consistent across different community groups. This is, therefore, an area for improvement.

Officer and staff survey

We conducted a survey of officers and staff in Durham Constabulary of their experience in respect of crime recording. Some 254 respondents completed the survey. We were pleased to find that officers understand their responsibilities regarding ethical crime recording and that they are not under any pressure that prevents them from recording crimes when they should.

Furthermore, the vast majority of respondents stated that the chief officer team encourages officers and staff to challenge activities or behaviours that are unethical, unacceptable or unprofessional in respect of the recording of reported crime.

How well does the constabulary demonstrate the leadership and culture necessary to meet the national standards for crime recording?



Outstanding

The culture and leadership with regard to crime recording in the constabulary is outstanding.

We found that the constabulary has strong leadership and a clear commitment to get crime recording right. We also found good evidence that the current arrangements in the constabulary are supporting crime recording and examples of good interventions by the FCR and her team to ensure that correct crime-recording decisions are made.

Staff within the crime desk also provide feedback and identify trends in practice or constabulary processes which may affect crime-recording integrity. They also assist by providing support and advice to officers and staff. HMICFRS was impressed by the effectiveness of the feedback and governance provided by the FCR and her team, a view supported by many officers and staff.

We also found evidence of strong governance at senior level. There is an annual audit plan and regular audits are carried out in accordance with national guidance. The FCR and the deputy chief constable have regular meetings to discuss crime-recording audit findings and these audit results are reported through regular performance meetings. Crime recording features on the constabulary register of risks and is part of both strategic and local management meetings.

The constabulary responded immediately to the audit findings of this inspection and developed an action plan to progress and implement improvements. This is illustrative of the positive leadership and culture shown toward crime recording that we found among officers and staff throughout the constabulary.

The constabulary has implemented all of the recommendations made in our [our 2014 report](#), and in the national action plan developed by the national lead on crime statistics following our 2014 report.

Conclusion

Durham Constabulary has made good progress in its crime-recording processes since 2014. The very strong leadership and positive approach among officers and staff toward victims is welcome, as is the constabulary's immediate response in making changes to address the areas identified for further improvement in this inspection.

Victims reporting crimes to Durham Constabulary should have confidence that their report will be taken seriously.

What next?

HMICFRS expects the constabulary to make progress against the areas for improvement we identify in this report. We will monitor this progress.

The constabulary, as with all police forces, may be subject to a further unannounced crime data integrity inspection at any time.