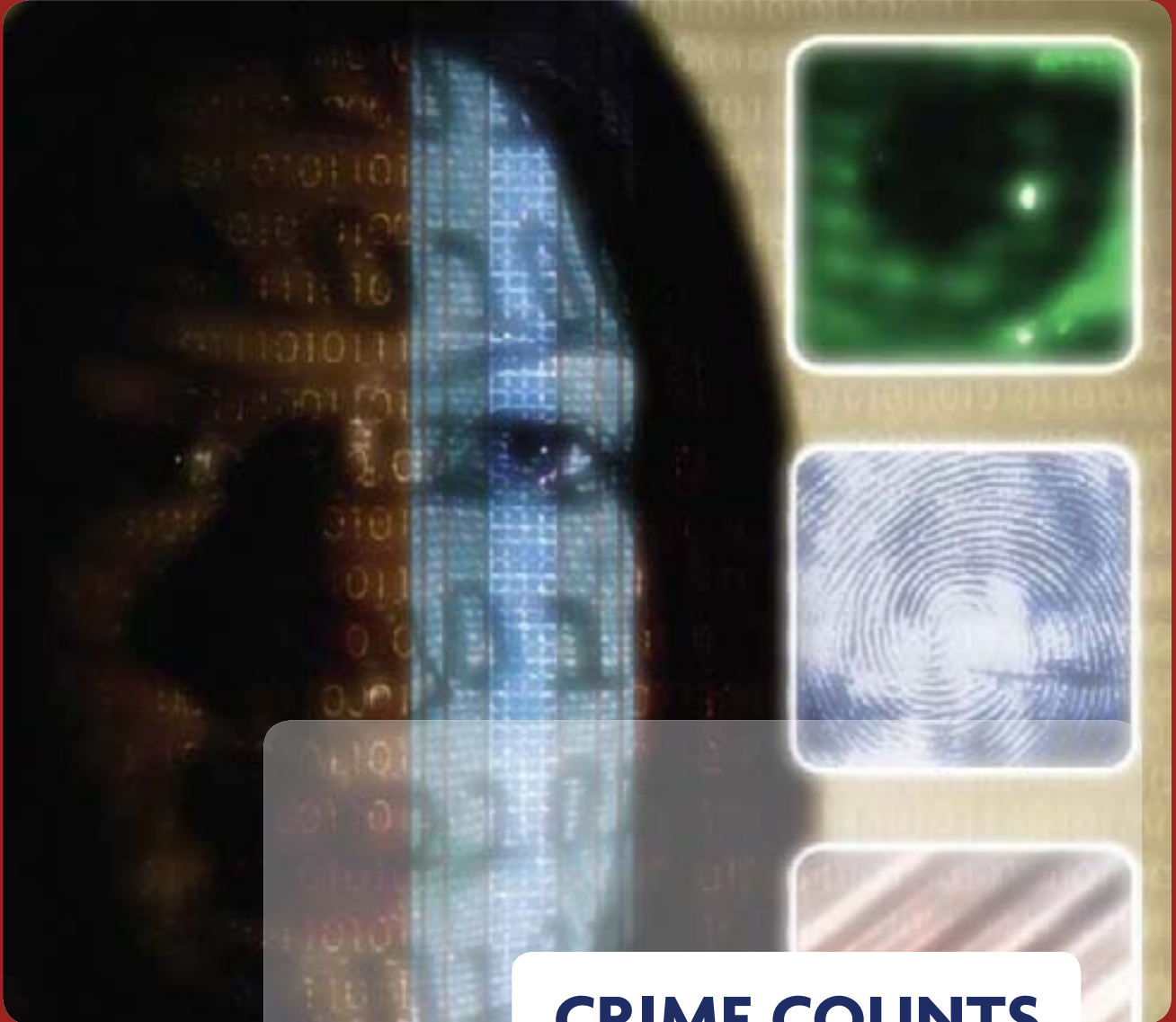




Inspecting policing
in the **public interest**



CRIME COUNTS

A Review of Data Quality
For Offences of the Most
Serious Violence



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1. INTRODUCTION

Context

The previous Home Secretary commissioned Her Majesty's Inspectorate of Constabulary (HMIC) in January 2009 to carry out a review across all 43 police forces of the way in which they recorded the most serious violence.

Police forces record crime based on the National Crime Recording Standard (NCRS) and the Home Office Counting Rules (HOCR). Essentially, the National Crime Recording Standard creates 'a balance of probability test, focusing on the victim's account' to decide whether a crime should be recorded at all; and the police use to classify the offence.

The Home Office Counting Rules (HOCR) for recorded crime and 'Violence Against the Person' were reviewed and clarified in April 2008.

Following the clarification, inconsistencies in the recording of those offences became apparent in the autumn of 2008.

Key points

Errors

In any system that relies on human decision making and recording of data, mistakes are inevitable. This is true of police recording of crime in general and violent crime in particular.

This review is a snapshot limited by a small selected sample, but the issues raised are significant enough to be made available to the public, practitioners and policy makers.

The review found that errors in misclassifying offences of violence were not significant. In 9 out of 10 cases, forces got it right, but, some 7% of offences had been recorded as being of a more serious nature than was warranted, while 7% had been recorded as a less serious offence. Misclassification does **not** necessarily affect the service received by the victim.

Not recording a crime

The service to victims may be affected when:

- a matter that should be recorded as a crime is recorded as an incident. We found that 9 out of 10 decisions in relation to these incident records were correct.
- a decision is made to class a previously recorded crime as a 'No Crime'.

In a small sample of the above records, errors were found which give cause for concern.

All these errors were subject to significant variation from force to force. The Association of Chief Police Officers (ACPO) and the National Policing Improvement Agency (NPIA) should look to assist forces in reducing that variation.

Forces with consistently high error rates across the areas tested will be subject to further review and inspection.

Changes

These decisions have to be put into context by recognising that there have been 150 changes to the Home Office Counting Rules (HOCR) as a result of new legislation, and 170 other minor clarifications and amendments since 2005.

There needs to be an informed debate on whether the errors disclosed by this review should be seen as unacceptable or inescapable.

If the errors are unacceptable, should there, in fact, be an expectation of higher standards in the recording of violent incidents that have left victims injured or traumatised? If they are inescapable, can a higher standard of recording be achieved without a huge increase in bureaucracy?

Finally, while the review is a technical audit that contains detailed analysis, ultimately it is not the numbers that matter but whether the victims of crime received an appropriate response when they reported crimes to the police.

2. EXECUTIVE SUMMARY

Overview

Many thousands of victims are left injured and traumatised each year by violent crime. The emotional and psychological effects can linger long after their injuries have healed. Violence is a 'signal' crime, which undermines the public's sense of safety.

The public therefore rightly expects that the police service will tackle violent crime and is entitled to reliable information on the extent of violence in England and Wales.

The review found that when incidents were classified as a crime, errors were within expected boundaries. This review found that in 9 out of 10 cases, forces make the right decision. There is evidence that serious violence has been under-recorded in some forces, while a handful have over-recorded it.

The sample sizes for offences reviewed for the period July to September 2008 were small and were not proportionate to crime levels in forces. Nevertheless, despite this statistical 'health warning', the evidence raises concerns about the quality of data on violent crime that inflicts injury.

The findings generate a number of important questions.

- First, are the error rates inevitable in an imperfect system, and if so what level is acceptable?

- In a system where the police deal with traumatised victims, and at times make subjective judgements, can errors be reduced without a huge increase in bureaucracy for investigators?
- Or should the public, and victims of violence in particular, expect a higher standard of care and accuracy in the recording of violent crime with injury, which currently accounts for about 4% of all recorded offences?
- Second, why do some forces appear to record violence more accurately than others?
- Third, what has caused errors?
 - Have Home Office rule changes and clarifications played a part?
 - Is poor-quality reporting of incident detail by investigators a factor?
 - Has the lack of independent monitoring of recording data quality for several years allowed mistakes, and mis-recording, to take place?

Research in recent years has shown that the public distrusts what it is told, at a national level, about crime figures. The media has focused in particular on violence statistics. The questions raised by this review must be answered as part of the process of rebuilding that trust.

In particular, inconsistency in levels of accuracy across forces should be addressed. People, wherever they live in England and Wales, must be able to trust the figures for their local area and understand that they can be compared with their own local area, or with similar areas.

HMIC's review

HMIC tested the accuracy and reliability of the recording of violent offences in four areas. These included the categories of 'Most Serious Violence' (MSV) and 'Assault with Less Serious Injury' (AWLSI) – the two elements of violence with injury.

The review, which focused on samples of offences across all 43 forces from July to September 2008, also examined decisions to record an event attended by the police, on the suspicion that violence had occurred, as an 'incident', rather than as a crime (for internal data purposes).

The fourth area reviewed involved decisions to reclassify an incident that had initially been recorded as a crime into the 'No Crime' category.

Headline findings

In all four areas, HMIC found error rates in the samples it considered; these varied between forces.

Most Serious Violence, which includes Grievous Bodily Harm and serious wounding offences

In 93.1% of cases offences were correctly classified leaving a small number of offences that were wrongly classified, leading forces to record Most Serious

Violence inaccurately. Overall, 6.9% should not have been in the Most Serious Violence category (ie they should have been in a less serious category of violence). A further 12% were correctly included in Most Serious Violence but were placed under the wrong individual crime heading.

Assault with Less Serious Injury, which covers a range of offences inflicting lesser injuries

In 92% of cases offences were correctly classified and very few cases of offences were put under the wrong sub-heading within Assault With Less Serious Injury and just 2% should have been in the lower 'Common Assault' category. Individual force rates for errors of all kinds ranged from 1% to 21%.

The bulk of the errors – 7.6% – related to offences incorrectly included in Assault With Less Serious Injury when they should have been in Most Serious Violence.

Incidents

The review also explored whether incidents of violence logged on local command and control systems were correctly classified. Overall, forces did well with over 9 out of 10 decisions being correct. Only 1.5% of incidents (29 out of a sample of 1,902) that should have been classified as Most Serious Violence were incorrectly left as 'incidents'. A further 111 incidents should have been Assault With Less Serious Injury crimes. However, the variation between forces within these figures is of concern. Rates ranged from 0% to 30%.

‘No Crimes’

Nationally, around 5% of offences initially recorded as Violence Against the Person are ‘No Crimes’. A review of 479 ‘No Crime’ decisions showed a significant variation in decision making between forces in their use of the ‘No Criming process’.

It must be stressed, however, that the samples reviewed were small. Overall, 35.7% of ‘No Crime’ decisions were wrong, suggesting that the correct ‘No Crime’ rate should be closer to 3.5% than 5%. It may be as simple as insufficient evidence being recorded to validate the decision, or it may be that the decision is in error: both are represented as a failure in the figures.

The scale of errors

Some caution must be applied in extrapolating from the samples. The possibility cannot be ruled out that variations between forces may, at times, be explained by statistical sampling errors.

Nevertheless, the evidence sheds light on the potential scale of errors in two ways.

Numbers

Every offence of violence that causes injury leaves a victim.

Of approximately 100,000 Assault With Less Serious Injury offences committed in the three month period of July to September 2008, we looked at a sample of 3,920 offences (4%).

Some 90.4% of the Assault With Less Serious Injury offences sampled were recorded correctly. In terms of the Audit Commission banding (for data quality reviews), this equates to the lower end of the ‘good’ banding. The remaining 7.6% of the Assault With Less Serious Injury offences sampled were incorrectly classified. This means that 296 crimes across all 43 forces should have been recorded in the more severe Most Serious Violence category. This suggests that there may need for some follow-up work in forces to ensure that officers are confident about the definitions of the offences in these categories.

The performance rates’ of individual forces on the inappropriate classification of offences within Assault With Less Serious Injury ranged from 1% to 21%. In other words, some forces made barely any errors in Assault With Less Serious Injury while for others nearly a fifth of the offences they placed in this category should have been in the more severe Most Serious Violence category.

Of the approximately 10,200 Most Serious Violence offences committed in the three month period of July to September 2008, we looked at a sample of 3,675 offences (36%). It would be true to say that there was some evidence of offences placed in Most Serious Violence when they should have been in Assault With Less Serious Injury. After extrapolation, the error rate for Most Serious Violence of 6.9% would relate to a relatively small number of offences compared with the error rate for Assault With Less Serious Injury.

The public may be less troubled by forces' over-classification of offences of violence than by forces mis-recording it as less serious.

Within the category of events recorded as 'incidents', not crimes, forces in general did well with an overall error rate of only 7.3%. That, however, included 1.5% of cases where there was, in fact, evidence of an Most Serious Violence offence.

In the 'No Crime' sample, 35.7% of the 479 decisions were wrong. HMIC is not able to extrapolate incorrect 'No Crime' classification rates at force level because the review samples were small and were not proportionate to the level of offences in forces. Nevertheless, the findings raise concerns.

Force errors

The closest we have to guidance on what might be an acceptable error rate is the work of the Audit Commission, from 2003 to 2007, in monitoring the compliance of forces' crime recording to Home Office Counting Rules – in other words, how well they followed the rules, assuming that adherence to the rules equated to accuracy. This covered all crime types – including all violence, not just assaults with injury.

The Audit Commission concluded that 95% or higher compliance was 'excellent' and between 90% and 94.9% was 'good'. From 80% to 89.9% was 'fair' and 79.9% or lower was 'poor'.

When these performance 'bandings' are applied to the tests in this review, we find the following:

- For accuracy on Most Serious Violence, 30 forces were 'excellent', 6 forces were 'good', 4 forces were 'fair' and 3 were 'poor'.
- For Assault With Less Serious Injury, 12 forces were 'excellent', 16 forces were 'good', 14 forces were 'fair' while 1 was 'poor'.
- For decisions on 'crime or incident', 25 forces were 'excellent', 8 forces were 'good', 9 forces were 'fair' and 1 was 'poor'.

The 'No Crime' sample is too small to be considered in this manner.

This leaves us with a picture where one force was 'poor' in their recording of Assault With Less Serious Injury and 14 were only 'fair'. It may be as simple as insufficient evidence being recorded to validate the decision or it may be that the decision is in error: both are represented as a failure in the figures.

National implications

The police service has tried to ensure that vulnerable victims of violence receive the appropriate level of expertise and care, according to the classification of the crime. Inaccurate recording may, therefore, put some victims at a disadvantage.

In particular, those whose cases are wrongly logged as 'incidents' and not recorded as crimes, or are 'No Crimed', may not receive the service they deserve.

What do the figures tell us about the quality and reliability of violent crime statistics in general?

Significantly, the majority of forces are getting the majority of classifications correct most of the time. There appear to be issues of incorrect classifications relating to Assault With Less Serious Injury that perhaps should be considered in more detail with the forces concerned.

Most of the errors in the Assault With Less Serious Injury test related to offences that should have been in Most Serious Violence. The forces with higher levels of error should take steps to understand why this is happening and seek to put in place measures to ensure greater consistency.

If police forces and the Home Office consider that the level of under-recording of violence is acceptable, then they should justify this view to the public. They may face difficulties in doing so, given that some forces have low error rates.

From June 2009, forces are being measured on their performance in this area under Public Service Agreement (PSA) 23(i), which will effectively combine Most Serious Violence and Assault With Less Serious Injury.

The widened indicator has reduced the impact of incorrect classifications between Most Serious Violence and Assault With Less Serious Injury but may not address the underlying pattern of incorrect classifications in the quarter of forces scoring only 'fair' or 'poor' in the Assault With Less Serious Injury test.

In particular, the Association of Chief Police Officers (ACPO) and the Home Office may wish to undertake further work to establish whether the under-recording 'slippage' from Most Serious Violence to Assault With Less Serious Injury is not, in fact, also taking place between Assault With Less Serious Injury and Common Assault.

This review did not look at Common Assaults to ascertain whether that category contained offences that should have been included in Assault With Less Serious Injury (or even Most Serious Violence).

The evidence from this review suggests that this may well be the case, and, given that Common Assault occurs substantially more often than Assault With Less Serious Injury, any error rates would relate to significant numbers of offences and victims. This would also undermine confidence in PSA 23(i) and any subsequent measures.

Can we explain and reduce the higher error rates?

The HMIC team interviewed Force Crime Registrars (FCRs), who have day-to-day responsibility for recording crime. They suggested a number of underlying causes for errors.

1. Changes and clarifications to Home Office Counting Rules

This aspect has been highlighted by the media as a cause of confusion for forces, although the reality is more complex, given that changes have at times been requested by forces themselves.

Since 2005, there have been three major updates to the Home Office Counting Rules relating to fraud, violence against the person and non-sanction detections. There have also been 150 minor changes to reflect the introduction of new laws; and there have been 170 clarifications where that clarity has been requested by forces and examples have been added to the counting rules to support consistency. This means that the majority of amendments have been asked for by Force Crime Registrars. Between 2003 and 2007, the Audit Commission monitored the quality of crime recording. (This activity was funded by the Home Office and ceased when funding was removed.) Since then, there has been no independent monitoring of crime recording data quality.

There has been a significant number of changes and clarifications to the rules for crime recording since 2005. Force Crime Registrars indicated that some changes and clarifications were welcomed, and these were adopted smoothly. This has not always been the case, however.

- In April 2008, changes and clarifications for Grievous Bodily Harm (GBH) were introduced in the Most Serious Violence category, which then became the basis for PSA 23 (now widened and revised to become PSA 23(i)).
- In essence, the guidance offered greater detail on what constituted GBH and intent. It also introduced a new classification of GBH **without intent** and offered detailed examples in an attempt to distinguish this from the general category of woundings.

These were not changes in the law but were designed to reflect legal offences.

They were guidance on how to classify, for the Home Office, offences that were charged in court under the long-established Offences Against the Person Act.

In particular, the aim was to ensure that only offences that qualified as GBH – the Most Serious Violence – were included in the PSA 23 measure as it then stood, in the summer of 2008.

Reviewing decisions in the light of this clarification, forces reported an increase in GBH with intent. However, the evidence of this review suggests that the other change – splitting GBH without intent from other woundings – may have led some forces to include offences incorrectly as woundings in Assault With Less Serious Injury when they should have been in Most Serious Violence. This would, in part, explain the incorrect classifications made.

These changes were still ‘bedding in’ at the time of this review. It may become clear whether some forces are still confused or were simply slower to incorporate the changes. Crime recording systems vary and some may have been less flexible than others.

Two points, however, should be stressed on the ‘Home Office Counting Rules’ point:

- First, why were some forces more confused by the changes than others?
- Second, there were no changes to the rules on ‘crime or incident’ or ‘No Crime’ decisions. The high error rates for ‘No Crimes’ cannot be blamed on the rules.

Serious consideration needs to be given as to how many changes and clarifications to the Home Office Counting Rules the police service can absorb and still maintain consistency.

2. Lack of independent monitoring

Up to 2007, an independent audit of crime recording was carried out by the Audit Commission. The last review carried out in 2006/07 found that, in general, quality and reliability had improved.

However, it may be significant that the Audit Commission found relatively higher error rates for violent crime at that stage and noted that the recording of violent crime had deteriorated slightly in the final year of its monitoring.

If there is a tendency in some forces – through lack of competence or some other reason – to under-record crime, it has gone unchecked by outside monitors.

3. Poor quality reports by investigators

This was a more widespread and demonstrable problem, noted in a minority of forces. If clear, comprehensive summaries of the evidence help Force Crime Registrars make accurate decisions, then the opposite is true.

Reports that fail properly to detail the extent of injuries, treatment and long-term damage, and that miss details of the *modus operandi* and intent, or aggravating features such as racial hatred, lead to poor classification decisions.

In particular, there should be a transparent, detailed audit trail of all decisions to ‘No Crime’ an allegation – the deliberate decision by the police in assessing that a recorded allegation of crime is not in fact deemed to be a crime.

The way forward

HMIC now encourages the Home Office and ACPO to say whether they consider the error rates disclosed in this review – particularly relating to the misclassification of offences of violence and ‘No Crimes’ – to be acceptable.

If they conclude that some of the errors are too high, and the variations too wide, HMIC offers two realistic and focused recommendations for further work in the areas where improvement appears most needed, given that a full-scale audit of the recording of violent crime would be prohibitively expensive.

- Incorrect classification of violence suggested by slippage from Most Serious Violence to Assault With Less Serious Injury. Some 28 achieved ‘good’ or ‘excellent’ in their recording practices in this area. However, the recording practices and culture of some, or all, of the 15 forces that rated only ‘fair’ or ‘poor’ in this area should be compared with a representative sample of better-performing forces.
- ‘No Crime’ decisions from a representative sample of forces over a number of years should be analysed, to establish whether the higher error rates have always existed or have increased.

Again, the culture and practices of the better and poorer performing forces should be compared. 'No Crimes' will always be part of recording, as evidence always emerges in a small number of cases that changes the initial decision to record a crime. However, if the quality of investigation is appropriate, the 'No Crime' rate should remain low and effectively static.

In both cases, the work should be undertaken by independent bodies. HMIC and the Audit Commission are obvious choices.

Overall, HMIC believes that the police service should understand that reliable decision making in the recording of crime need not be burdensome or bureaucratic, but will require clear processes and policies that are adhered to and are transparent.

Good practice, on a daily basis, is to make sure that the basics in recording violence are done well. It will obviously help if front-line investigators understand the definitions and elements of offences of violence, but, ultimately, they are not the decision makers on recording.

It is vital, though, that investigators are encouraged to describe the crimes accurately. This is not a question of smaller forces having the time to produce good-quality reports. Some larger forces have similar performance to smaller neighbours. The message should be that accurate recording is about clarity of thought, not unnecessary bureaucracy.

Good practice at a strategic level centres on strong leadership and control of the crime recording process. A chief officer must take responsibility for this area and for supporting the role of Force Crime Registrars in quality assuring the system.

3. RECOMMENDATIONS

The report makes a number of recommendations:

- Those forces with consistently high error rate in the areas tested should be subject to further review and inspection.
- The Association of Chief Police Officers (ACPO) and the Home Office should define an acceptable error rate in recording crime that reflects public concerns in relation to offences of violence.
- There is a need for better support and guidance.
- The process for deciding and recording whether a violent crime has been committed needs to be clear.
- The law relating to assaults, which is nearly 150 years old, needs to be reviewed.
- There is a need for better quality assurance in relation to crime data.

4. EVIDENCE FROM THE TESTS

Test A – Most Serious Violence

Most Serious Violence includes, among other offences, wounding or carrying out an act endangering life; inflicting GBH with, and without, intent; and racially or religiously aggravated GBH without intent.

The sample size was 3,675 offences, of which 252 should have been in a lower category. This was an over-recording of Most Serious Violence of 6.9%. Examples were offences recorded as GBH with intent when the lesser Actual Bodily Harm (ABH) was more accurate.

A total of 446 offences were correctly placed in the Most Serious Violence category but with an incorrect crime classification. Examples included classifying an offence as GBH without intent when in fact there was clear evidence of intent to cause GBH.

Overall, 19% of entries in the Most Serious Violence category were incorrect in some way.

Figure 1: Breakdown of sampled crimes classified as Most Serious Violence (n=3,675)

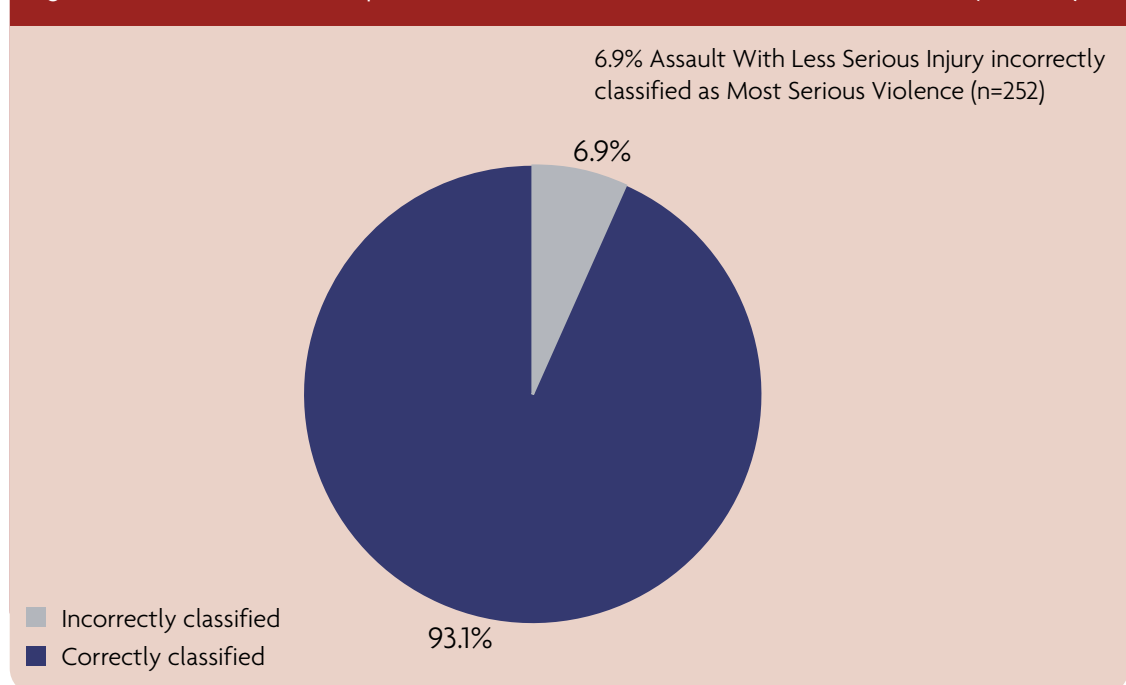


Figure 1 above shows the percentage error identified nationally for Most Serious Violence (offences incorrectly classified as Most Serious Violence) for the second quarter of 2008/09.

The decision to separate low-level woundings from more serious offences, part of the changes introduced in April last year, may – based on anecdotal evidence – have led to some inconsistencies and misinterpretation of Home Office Counting Rules guidance. Time will tell whether these problems have been resolved.

It was difficult in a number of cases to assess the thinking behind the classification, or any internal reclassification that forces might have carried out as a result of last year's changes in the rules.

Many crime reports failed to provide evidence of intent or sufficient detail about injuries and medical treatment. There were some exceptions, with very good descriptions of injuries and treatment.

Descriptions of the *modus operandi* of attackers – a potential indicator of intent – varied from very poor to very detailed.

In some cases, forces recorded crimes according to charge decisions made by the Crown Prosecution Service (CPS), in contravention of their obligations under Home Office guidance.

Most forces suggested that the CPS charges were for less serious offences than the police had recorded. However, a number of evidential factors come into play when the possibility of obtaining a conviction is considered. CPS decisions are based in part on the calibre of police evidence files. In a relatively small number of forces, CPS charging standards tended to support the initial, more serious classification of the crime by the police.

These are some of the incorrect Most Serious Violence classifications:

Detail: Elderly female pushed to floor, bangs head, chest pains then kicked repeatedly by 4 offenders while on floor (sustained attack – vulnerable victim).

Injuries: Gash to head, 3 stitches/concussion/lumps to head/gash to shoulder/extensive bruising to arms, elbows, ribs, legs/severe chest pains

Home Office classifications

Force: 8F Inflicting grievous bodily harm without intent

HMIC: 5A Wounding or carrying out an act endangering life (sustained group attack)

Detail: Victim attacked with machete. Linked to 2nd assault also incorrectly classified.

Injuries: 5 inch wound with 5 severed tendons to hand requiring plastic surgery

Home Office classifications

Force: 8F Inflicting grievous bodily harm without intent

HMIC: 5A Wounding or carrying out an act endangering life (use of a lethal weapon)

Detail: Vehicle deliberately reversed into victim, driven off, returned and reversed into victim again.

Injuries: Fracture to base of spine

Home Office classifications

Force: 8F Inflicting grievous bodily harm without intent

HMIC: 5A Wounding or carrying out an act endangering life (use of a weapon/sustained attack)

Detail: Arrow fired from moving vehicle at victim and embedded into thigh.

Injuries: Small puncture wound to top of thigh

Home Office classifications

Force: 8F Inflicting grievous bodily harm without intent

HMIC: Attempted 5A Wounding or carrying out an act endangering life (use of a lethal weapon)

Detail: During argument in pub, hit to head with bottle which smashed. Officer states minor injury, no hospital treatment required.

Injuries: Minor cuts

Home Office classifications

Force: 5A Inflicting grievous bodily harm with intent

HMIC: 8G Wounding without intent (instant arming – insufficient intent evidenced)

Test B – Assault with Less Serious Injury

This category includes Actually Bodily Harm and Other Injury, as well as racially or religiously aggravated Actual Bodily Harm and Other Injury. The review sample size was 3,920 offences.

A total of 296 (7.6%) offences should have been in the more serious Most Serious Violence category. A small number (79 or 2%) should have been classed as ‘Common Assault’. Overall, in 9 out of 10 cases, forces made the right decisions.

Overall, 9.6% of offence classifications in Assault With Less Serious Injury were incorrect in some way.

Evidence of decision making in the Assault With Less Serious Injury category was not as precise as for Most Serious Violence, especially in levels of injury. Greater detail in crime records could potentially have assisted in making the correct crime classification.

Where the level of injury was slight, there was often a lack of detail recorded on the crime report and in the associated incident record.

There was frequent conflict between final CPS charges and final crime classifications. Where offences were dealt with by way of charge, the CPS frequently defaulted to the lowest offence – Common Assault.

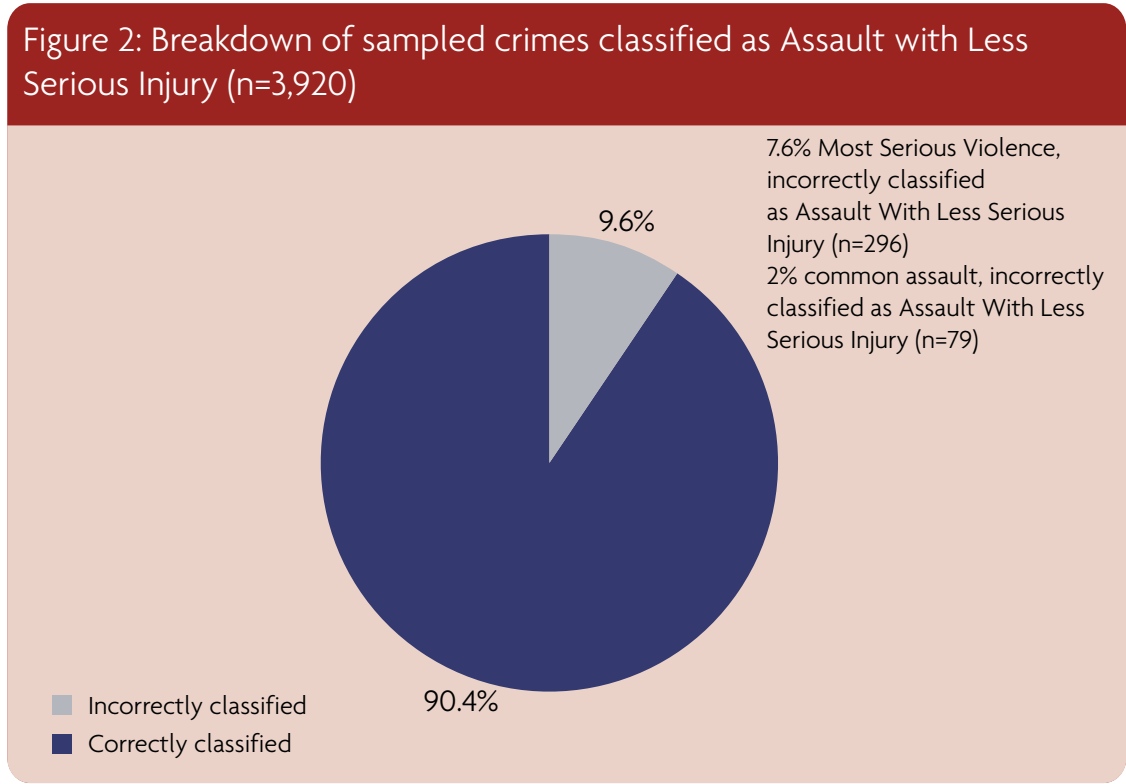


Figure 2 above shows the percentage error identified nationally for Assault With Less Serious Injury (offences incorrectly classified as Assault With Less Serious Injury) for the second quarter of 2008/09.

The following are some of the incorrect classifications within Assault With Less Serious Injury:

Detail: Prisoner at Young Offenders Institution threw boiling water from a kettle over a prison officer. Reviewed by CPS who charged Actual Bodily Harm, subsequently convicted at court.

Injuries: Burns to face, neck and chest

Home Office classifications

Force: 8G Actual Bodily Harm and other injury

HMIC: Attempted 5A Wounding or carrying out an act endangering life (deliberate attack with intent to inflict serious harm)

Detail: Fight broke out in pub. Victim punched several times to head and pushed to floor, then continually kicked to head and body. Injuries to hand caused when kicked protecting face.

Injuries: Swollen eye, cuts/swelling to head and cheek, bruising to knees and legs, bruising to hand

Home Office classifications

Force: 8G Actual Bodily Harm

HMIC: 5A Grievous Bodily Harm with intent (sustained attack)

Test C – Incidents

HMIC explored whether incidents of violence logged on forces' command and control systems, rather than recorded as crimes, were correctly classified in accordance with National Crime Recording Standard (NCRS) principles.

Where incidents appear to be crime-related, they should result in either a crime report being created or an account of the reasons for not completing a crime report being sufficient to show that NCRS has not been breached. The review sample size was 1,902 'incidents'.

In over 9 out of 10 cases, forces made the right decision. However, a total of 29

'incidents' (1.5%) failed to comply with NCRS and should have been in the Most Serious Violence classification.

A further 111 incidents (5.8%) should have been Assault With Less Serious Injury crimes. These included cases where the initial information indicated that Actual Bodily Harm was likely to have resulted given the circumstances of the incident, with confirmation from the victim.

The question might be asked, overall, whether at least 140 victims of violence involved in these incidents were poorly served by this standard of recording.

Figure 3: Breakdown of conversion from sampled incidents to crime (n=1,902)

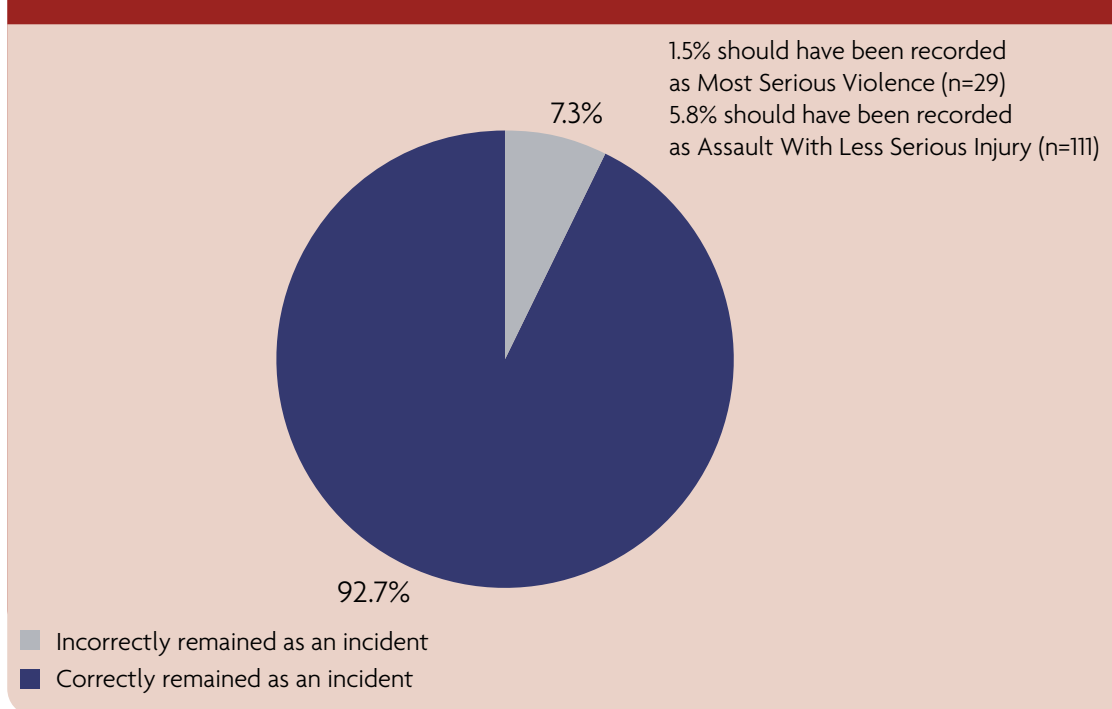


Figure 3 shows, from the audit sample, the overall proportion of reported violent offences that were recorded as incidents and that were deemed by the review to actually be violent crimes, and had not been correctly recorded as a crime in accordance with NCRS principles. Data is for the second quarter of 2008/09.

The quality of data on ‘incidents’ which should have resulted in a crime being recorded was ‘poor’ in many forces. It was particularly troubling in cases of violence reported within domestic incidents and involving, or in the presence of, juveniles. In several forces, it was clear that the attending officer was not expected to update incidents within the crime-recording decision-making process.

A small number of incidents – 48, or 3% – had too little detail recorded to assess the rationale for the decision.

This test also illuminated a potential problem of other, non-violent offences that were missed. On the face of the information in reports, at times there were offences of public order and harassment with clearly identified victims that could have been logged as crimes but were written off principally as Anti Social Behaviour and Public Safety and Welfare. This merits further research.

Only 7 forces, 100% of the time, correctly transferred violent incidents into a crime record.

These are some of the incidents not correctly recorded as notifiable crimes:

Detail: Reported that husband ‘smashed up car’, throwing things at window and threatened to hit her with a stick. Covered baby in case window smashes.

Injuries: Not known

Force: Resulted as ‘Suspect advised not to return’

HMIC: Inadequate report to negate potentially serious domestic incident

Detail: 15 youths throwing stones in the street. When asked to desist by victim, they then throw stones at him, fortunately missing.

Injuries: Not known

Force: Resulted as ‘Closed as Anti Social Behaviour’

HMIC: At minimum, Public Order Section 4A or 4 or common assault (without battery)

Test D – ‘No Crime’

This looked at cases that had, at some point, been classed as crimes, but then moved into the ‘No Crime’ category. Nationally, around 5% of offences initially recorded as violence against the person are ‘No Crimed.’

An audit trail is vital in this area to judge whether the process of decision making complies with the National Crime Recording Standard, which requires all forces to record crime according to a defined and agreed set of principles.

These place a high emphasis on recording crime as described by the victim and any decision that runs counter to the victim’s evidence should be transparent.

The National Crime Recording Standard guidance in particular focuses on the need for ‘Additional Verifiable Information’ (AVI) to justify the ‘No Crime’ decision – in other words, cogent information that undermines or counters the victim’s account.

HMIC is not able to extrapolate ‘No Crime’ error rates at a force level or apply the Audit Commission bandings, because the review samples were small and were not proportionate to levels of offences in forces. Nevertheless the findings raise concerns.

The review sample size was 479. A total of 26 incidents (5.4%) should have been classed as Most Serious Violence

Figure 4: Breakdown of sampled ‘No Crime’ reports (n=479)

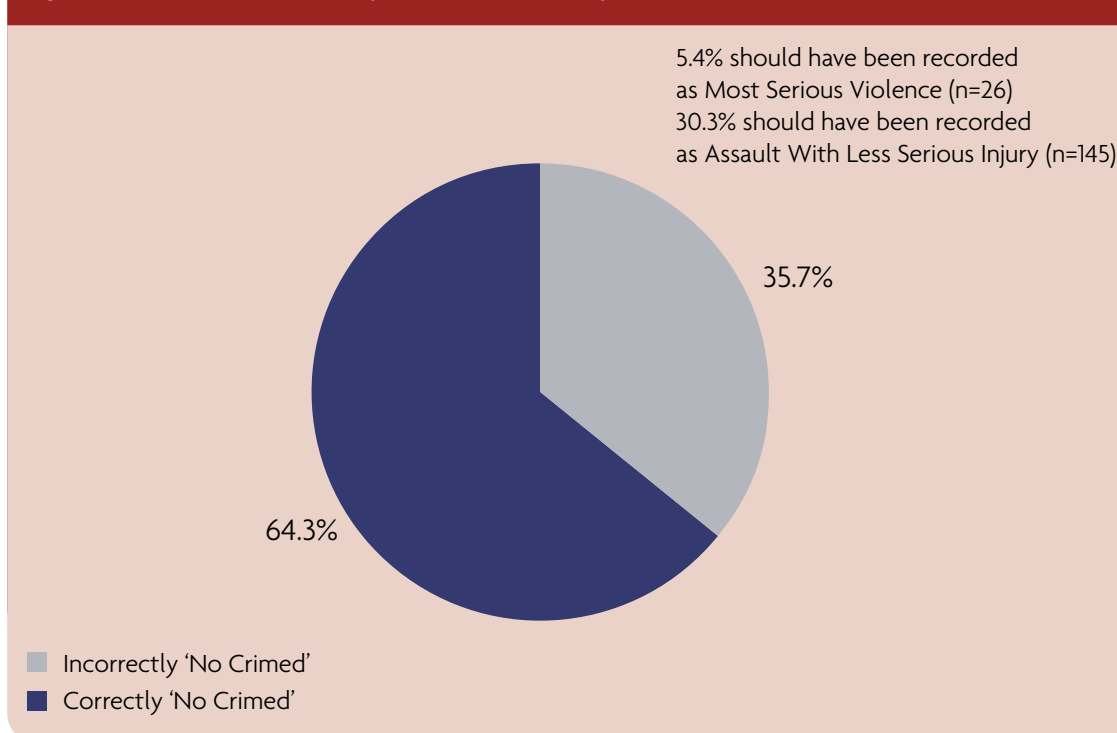


Figure 4 illustrates the effect of the ‘No Crime’ errors within Most Serious Violence and Assault With Less Serious Injury for the second quarter of 2008/09.

offences. A further 145 (30.3%) should have been recorded in the Assault With Less Serious Injury category.

Overall, 35.7% of 'No Crime' decisions were wrong.

In many cases, an apparent lack of understanding of what is required under 'Additional Verifiable Information' and lack of clarity about who should be responsible for 'No Crime' decisions within forces resulted in crime reports being disposed of on the basis of officer opinion or supposition.

Twenty forces had high failure rates due to what HMIC concluded were poor processes. By contrast, seven forces managed 100% compliance.

The Home Office Counting Rules make clear that the Force Crime Registrar should be the final arbiter of crime-recording decisions. This guidance was not followed in some forces.

HMIC was surprised at the lack of records across forces to verify that the victim had been informed of the decision to 'No Crime' and the rationale behind that decision; and the lack of recorded information behind the decision-making process to 'No Crime'.

These are some of the incorrect 'No Crime' decisions:

Detail: Domestic abuse assault. Suspect slaps partner to face, grabs her round the neck, and throws her to the floor, banging head on ground.

Injuries: Swelling to left side of head

Home Office classifications

Force: 'No Crime'

'No Crime' endorsement: 'The suspect will say she (victim) threw herself to the ground. On balance of probability the account of the suspect is more accurate, satisfied credible evidence to 'No Crime'

HMIC: 8G Actual Bodily Harm and other injury

Agreed with original force classification of 8G, but endorsement based on opinion/supposition following interview with suspect, and not Additional Verifiable Information

Detail: Victim received blow to left side of head just behind ear, fell to floor, curled up in a ball, kicked all round body.

Injuries: Six stitches inserted in head wound

Home Office classifications

Force: 'No Crime'

'No Crime' endorsement: The Officer in charge of the case stated he finds the circumstances 'unusual' in that the victim was either deliberately pursued or the attack was random, and the injury may have been sustained through the effects of alcohol, ie he fell over. The report was finalised: "At this time, on the balance of probability he was not assaulted as originally reported, and as such, until further evidence comes to light to substantiate the claim, I authorise 'No Crime'"

HMIC: 8F Inflicting Grievous Bodily Harm without intent

Endorsement based on opinion/supposition, and no Additional Verifiable Information

Detail: Youth outside school premises en route home attacked by four others. Escalation of previous bullying.

Injuries: Bruising and grazing to head and body

Home Office classifications

Force: 'No Crime' quoting schools policy

HMIC: Crime occurred outside school site and therefore this was inappropriately 'No Crimed'. No consideration of escalation of previous bullying issue

5. THE HMIC REVIEW METHODOLOGY

In 2008 the government set a new high profile Public Service Agreement to reduce serious violent crime – to be measured through a basket of police recorded crime offences aimed at capturing all offences categorised as Most Serious Violence. In an attempt to clarify what was previously mostly summary guidance, the annual update of the Home Office Counting Rules for Recorded Crime in April 2008 included much more detailed guidance and examples in relation to the recording of Most Serious Violence offences based on legal definitions and/or CPS charging standards.

Following the issue of the guidance, the majority of police forces reported that their recording of Grievous Bodily Harm with intent had increased. Some indicated that this may be because after the Home Office Counting Rules clarifications, they were now classifying some offences, for example, Grievous Bodily Harm with intent, as Most Serious Violence. This would previously have been classified in the much larger grouping of ‘Other Violence Against the Person With and Without Injury’.

Crimes of violence against the person of all kinds – ranging from non-injury threats or spitting to gun and knife murders – account for just under 20% of all offences recorded by the police.

In 2008/09 violent crime with injury (serious and less serious) accounted for just under 4% of all recorded crime.

At the time of the review, violent crime with injury was split into two categories: Most Serious Violence and Assault With Less Serious Injury. The Home Office has now combined these ‘baskets’ of crimes into a new performance measurement on violent crime with injury.

Data from 43 forces in England and Wales from the period July to September 2008/09 was reviewed by HMIC. These 43 forces comprised 42 Home Office forces, excluding City of London Police (because its figures are so small), and including British Transport Police.

Forces are guided on how to identify and classify crimes by the National Crime Recording Standard (NCRS) and the Home Office Counting Rules (HOCR), which were revised as recently as 2008 in respect of serious violence. (The rules are revised annually to reflect changes in legislation and to clarify recording practice.)

In April 2008, the Home Office also took the decision to separate low-level woundings from the more serious offences, providing additional guidance within Home Office Counting Rules.

National Crime Recording Standard creates “a balance of probability test, focusing on the victim’s account”, to decide whether a

crime should be recorded at all. Based on what the victim says, is it more likely than not that a crime took place?

The Home Office Counting Rules, in simple terms, dictate which category of 'Notifiable Offence' – that is the category recorded and notified to the Home Office – a crime should be placed in.

In addition, there is now Public Service Agreement 23, a 'delivery' performance measurement for forces on all violence with injury – Most Serious Violence and Assault With Less Serious Injury – are classed together as 'Serious Violent Crime'.

The relevance of HMIC's findings lie in the fact that, even if the Public Service Agreement combines the Most Serious Violence and Assault With Less Serious Injury categories as they stood at the time of the review, the quality of the data underpinning the new 'delivery target' will still depend on compliance with the Home Office Counting Rules and National Crime Recording Standard guidance.

For this review, HMIC applied four tests to assess whether the quality and accuracy of offences placed in particular categories complied with the guidance requirements and definitions laid out in National Crime Recording Standard and Home Office Counting Rules. These relate to:

- Test A – Most Serious Violence;
- Test B – Assault With Less Serious Injury;
- Test C – Alleged violence recorded as incidents and whether to record as a violent crime; and
- Test D – The use of 'No Crime'.

6. THE RATINGS

The Audit Commission, when reviewing the compliance with National Crime Recording Standard in 2003/07, used a banding system and rated compliance as:

Excellent	95% or more
Good	90% to 94.9%
Fair	80% to 89.9%
Poor	79.9% or less

These ratings were, however, set in the context of examining **all** crimes, from the trivial to the most serious, and as such have not been applied in this instance due to the selective nature of the sample and its focus on the Most Serious Violence category. Adopting the Audit Commission's compliance rating, the tables on page 25 illustrate the number of forces making recording errors for each test.

7. HMIC FINDINGS

Test A – Most Serious Violence				
Compliance rate	95% or more	90% to 94.9%	80% to 89.9%	79.9% or less
Forces	30	6	4	3

Test B – Assault With Less Serious Injury				
Compliance rate	95% or more	90% to 94.9%	80% to 89.9%	79.9% or less
Forces	12	16	14	1

Test C – Incidents that should have been recorded as Most Serious Violence or Assault With Less Serious Injury				
Compliance rate	95% or more	90% to 94.9%	80% to 89.9%	79.9% or less
Forces	25	8	9	1



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