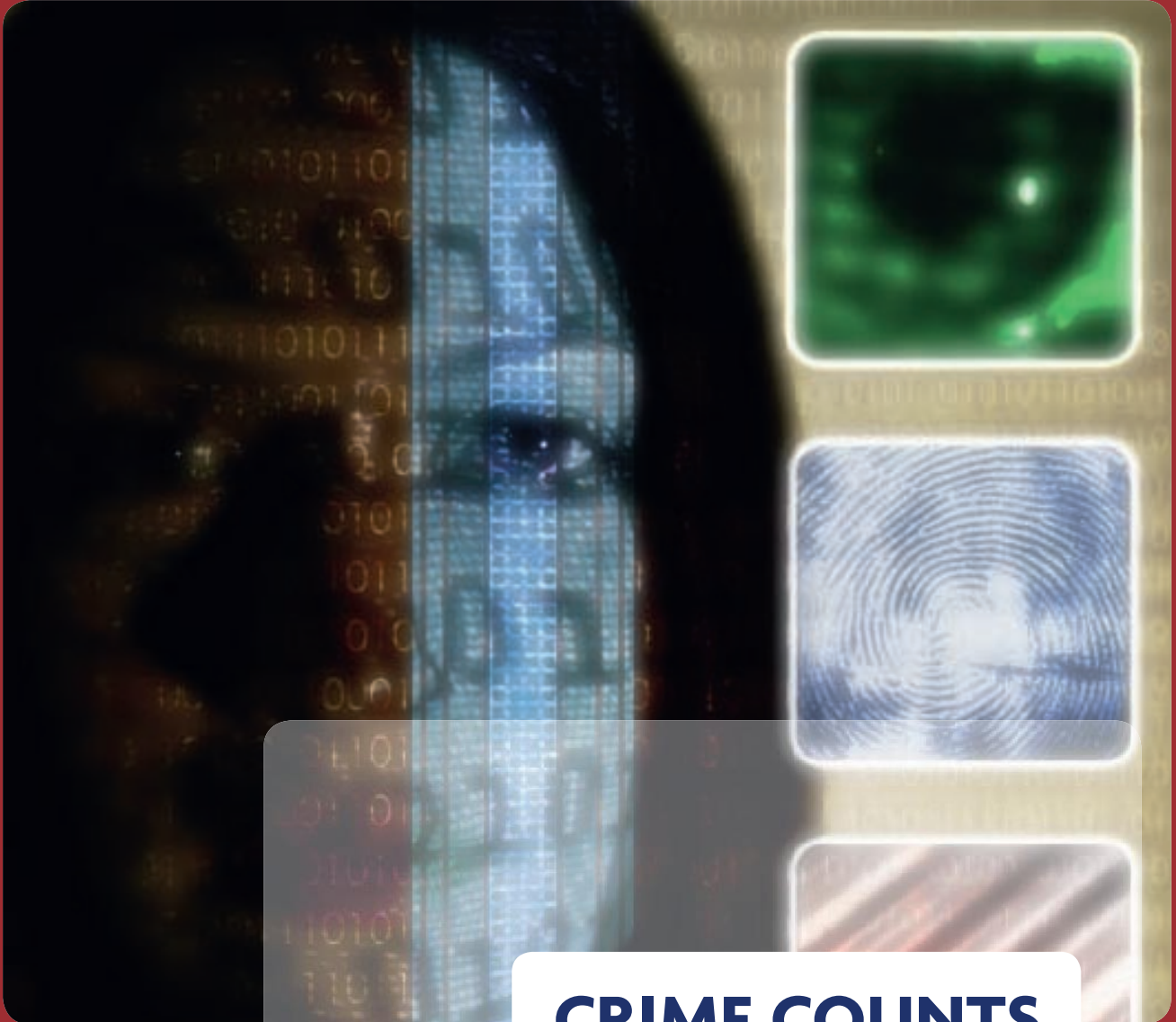




Inspecting policing
in the public interest



CRIME COUNTS

A Review of Data Quality for
Offences of the Most Serious
Violence – Technical Report



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INTRODUCTION TO THE MOST SERIOUS VIOLENCE REVIEW

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, NCRS 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 HOCR to classify the offence.

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.

1. ISSUES

1.1 The purpose of the data quality review is to ensure that the Most Serious Violence (MSV) crime data used to report performance is fit for purpose.

1.2 The reporting of crime data by police forces always attracts national media and public interest and so it is essential that this data is accurate and able to withstand scrutiny.

1.3 The Home Office Counting Rules (HOCR) for recorded crime and Violence Against the Person were significantly reviewed and amended in April 2008. This was necessary to specifically identify offences that were incorporated within Public Service Agreement (PSA) 23 and to provide forces with clarity in order to accurately record crime. Following the changes and the absence of rigorous scrutiny, inconsistencies in crime recording have become apparent.

1.4 In any system that is reliant on human decision making and data input, a degree of error is inevitable and perfection is unattainable. However, the public is entitled to expect that, in relation to the police recording of offences of violence that inflict injury, records should be of the highest order and errors at a minimum.

1.5 Details of ‘recorded offences of Violence Against the Person with injury’ are set out in Annex A to this report, with a breakdown of those offences considered to be MSV. It should be noted that since this report was commissioned, the indicator that measures violent crime has been widened to include Assault with Less Serious Injury (AWLSI) and thus from June 2009 covers all offences with injury.

2. EXECUTIVE SUMMARY

2.1 The main conclusions from the review are set out below.

2.2 The clarification in HO CR¹ for Grievous Bodily Harm (GBH) with intent has not affected the overall level of Violence Against the Person (within which MSV is a subset) recorded by the police. There was a 6% fall in the period July to September 2008 compared with the same quarter in 2007. For the 12 months ending March 2009, violent crime with injury was down 7% on the previous 12 months.

2.3 Data from 42 'Home Office forces' and the British Transport Police (City of London was excluded because the force's violent crime figures are relatively small) from the period July to September 2008 was reviewed by HMIC. Review sample sizes were designed to provide a snapshot of force activity, rather than a statistically representative sample tailored to force size and business breakdown.²

2.4 Violent crime represents a small percentage of overall crime but it has particularly distressing consequences for its victims. It also does much to fuel the fear of crime, particularly among the vulnerable, not least because of the media coverage it attracts. Victims of violent crime therefore expect and deserve a high standard of decision making and investigation.

2.5 This is the first occasion on which all forces in England and Wales have had their joint violent crime data subject to such in-depth HMIC scrutiny. Traditionally it has been an area little policed, and as a consequence differing interpretations of HO CR have existed and in many cases have been embedded within forces.

2.6 The following findings are perhaps a symptom of trying to juggle dated legislation in the Offences Against the Person Act 1861 (OAPA) with case law (definitions of wording within the legislation), HO CR, Crown Prosecution Service (CPS) charging standards and a Public Service Agreement (PSA).

2.7 The OAPA has become reliant upon case law for definitions of wording within the Act. The Act lists specific methods whereby harm may be caused and many of the original provisions within the Act have been amended so that the wording is more relevant to the present day. For police crime-recording purposes, interpretation of the Act has necessitated changes to policy, clarifications within HO CR and adoption of the CPS charging standards, in an attempt to meet current demands. Up-to-date Violence Against the Person legislation with more easily understood and well-defined categories of offence will support police crime recording. HMIC, however, acknowledges that the case for legislative change would need to provide broader benefits.

2.8 Sample sizes were in some cases too small to allow for reliable statistical analysis and comparison of individual police forces, but none had accurately classified and recorded all their MSV crimes sampled as part of the review.

2.9 Despite the expectation of high standards, the review team found overall error rates in four areas of recording of violence: in the MSV and Assault with Less Serious Injury (AWLSI) categories; in decisions not to record violent incidents as crimes; and in the reclassification of offences initially recorded as crimes as 'No Crimes'.

2.10 The Audit Commission (AC), when reviewing the compliance with NCRS in 2003–07, used a banding system and rated compliance as shown in the table below.

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

2.11 These ratings were, however, set in the context of examining all crimes, from the trivial to the most serious. The ratings have not been applied in this instance to individual forces due to the selective nature of the sample, the size of the sample and its focus on the MSV category. However, it is informative to look at the overall picture using the AC compliance ratings; the tables overleaf illustrate the number of forces recording errors for each test.

2.12 Due to the size and nature of the sample it is not possible to apply this banding rating to the 'No Crime' Test D.

Test A – MSV

Compliance rate	95% or more	90% to 94.9%	80% to 89.9%	79.9% or less
Forces	30	6	4	3

Test B – AWLSI

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 MSV or AWLSI

Compliance rate	95% or more	90% to 94.9%	80% to 89.9%	79.9% or less
Forces	25	8	9	1

It is not possible to produce an overall error rate from these figures as sample sizes were different and the tests different in nature.

2.13 In Test A – Most Serious Violence (MSV), the review identified a wide variation between forces from 1% to 45% of incorrectly classified crimes. Of the 3,675 MSV crimes reviewed, over 90% were correctly classified, leaving 6.9% potentially incorrectly classified and on the basis of the evidence available should have been in the lower tier of Other Violence (AWLSI).

2.14 In Test B – Assault with Less Serious Injury (AWLSI), the variation between forces was between 1% and 21% of incorrectly classified crimes. Of the 3,920 AWLSI crimes reviewed, 90.4% were correctly classified and 7.6% were incorrectly classified and on the basis of

the evidence available should have been within the MSV category of crimes. A further 2% should have been recorded as Common Assault and as a consequence should have been removed from the Violence Against the Person with injury figures.

2.15 It should be emphasised that any increase in MSV may not necessarily mean that overall violent crime figures have risen, merely that there is a change within subcategories within the wider Violence Against the Person grouping. A great deal of work has been undertaken in forces to implement the clarification, leading to ongoing revisions of figures during 2008/09.

2.16 The review identified some clear inconsistencies across forces and in their understanding of ‘intent’ within the Section 18 GBH (5A) crime category. Frequently, there was little evidence of consideration being given to identifying intent indicators,³ irrespective of the level of injury.

2.17 Following additional guidance within HOCR, a majority of forces undertook a programme of internal force audits to validate their violent crime-recording accuracy. Some 81% of all violent crimes (ie MSV and AWLSI) ‘reviewed internally’ by forces were accurately reclassified. There were, however, substantially more MSV crimes reviewed and reclassified than the lower-level AWLSI. This has the potential of distorting forces’ overall MSV position as the combined sample is not representative of violence with injury as a whole.

2.18 The test of forces’ command and control systems identified an under-recording of violent crime (ie incidents that were not formally reported to the Home Office as crimes). Forces showed a high level of compliance, with only 7.3% being incorrect, of which 1.5% related to MSV crimes. The review identified a wide variation between forces from full compliance to a 30% under-recording of violent crime.

2.19 From the same test at 2.18 and in addition to the under-recording of violent crime, there is also evidence of some under-recording of other notifiable offences (see page 37), the extent of which cannot be confirmed without significant further audit work.

2.20 ‘No Crimes’⁴ nationally account for approximately 4% of all recorded crimes. Due to the nature and size of the sample it is not possible to identify individual force rates. However, overall there was an average non-compliance rate of 35.7% for the forces reviewed. These are deliberate decisions to reclassify allegations from a crime to a ‘No Crime’.

2.21 As with any assessment of this kind, the review team can make judgements only on the basis of the information that has been placed on record. This means that assessments of under- and over-recording may in some instances reflect poor record keeping (ie not enough detail on crime reports) by forces. The review team was certainly aware in the course of this work that some forces kept more comprehensive records to support their decisions than others.

2.22 This review contains wide-ranging recommendations to improve the quality of crime data and the processes by which it is validated. The review findings may also be indicative of greater areas of concern that require further work.

2.23 The report makes recommendations in relation to the following points:

- Those forces with consistently high error rates 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.

2. Executive Summary

- There is a need for better support and guidance in relation to NCRS compliance.
- 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.

3. BACKGROUND

3.1 In 2008, the Government set a new, high-profile PSA 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 (MSV). Given the attention that will be focused on these offences – which are low in volume but of very high public concern – it is essential that every force is recording them in a consistent way. The Home Office also needs to present the data in a clear and robust way that is understandable to police forces themselves and to the wider public, providing an accurate reflection of ‘real’ underlying trends in serious violence. Taking account of the low volumes involved, even minor variations or misunderstandings in recording practice between forces can lead to large percentage variations in the figures.

3.2 In an attempt to clarify what was previously mostly summary guidance, the annual update of HOCR for recorded crime in April 2008 included much more detailed guidance and examples in relation to the recording of MSV offences based on legal definitions and/or CPS charging standards.

3.3 The Home Office also took the opportunity to include a subcategory of crime within PSA 23 entitled ‘Grievous Bodily Harm without intent’, which had not been available previously. During the development of PSA 23 it became apparent that a clearer definition was required in relation to OAPA Section 20 offences to ensure that offences that do not constitute GBH are not included as part of the PSA. PSA 23 therefore includes classification 8F, ‘Inflicting GBH without intent’, which ensures that PSA 23 focuses on offences that cause, for example, permanent disability or loss of sensory function, lengthy treatment or incapacity, substantial loss of blood or otherwise serious physical or psychological harm, thereby bringing the definition in line with the one that is generally used in charging these offences. Section 20 offences that do not constitute GBH are contained within the broader, less serious classification 8G, ‘Actual Bodily Harm (ABH) and other injury’.

3.4 A detailed explanation was also provided, taken from the Crown Prosecution Service (CPS) charging standard, on what amounts to GBH, and which factors may be considered to identify intent.

3.5 Following guidance issued in April 2008, the majority of police forces reported that their recording of GBH with intent had increased, with some indicating that this may be because, after the HOOCR clarifications, they were now classifying some offences as GBH with intent that would previously have been classified in the much larger grouping of ‘Other Violence Against the Person With and Without Injury’.

3.6 Given these findings, and following consultation with the National Statistician and the Home Office Chief Statistician, the Home Secretary asked HMIC to undertake a national data quality assurance review of the way in which every force is recording offences of MSV. The review assessed whether forces are recording these offences in a consistent and robust way that accurately reflects Home Office guidance and the underlying trends in serious violence.

3.7 HMIC has been charged with examining and improving the efficiency of the police service in England and Wales. In 2009, the Inspectorate moved from operating as a largely inward-facing, professional inspectorate of high-risk, high-cost services to providing a public-facing assessment of the police sector on behalf of the public – functioning both as an inspector and a regulator, and focusing on protecting the public interest.

3.8 Although violent crime represents less than 4% of overall recorded crime, reducing violence and serious violence currently remains a priority for government.

3.9 NCRS is based on a balance of probability test that focuses on the victim’s account, whereas the CPS charging decision is based on the suspect facing a reasonable prospect of conviction at court, while the finding at court is based on ‘beyond reasonable doubt’.

4. OBJECTIVES

4.1 The primary objective was to review the quality of the MSV crime data nationally and compliance with HOCR and NCRS.

4.2 The secondary objectives were to provide an assessment of the confidence that can be placed in the reliability of the

recorded crime data that contributes to the PSA 23 data set and to review what additional measures might be used to monitor serious violent crime.

4.3 Details of the methodology used are set out in Annex B to this report.

5. TEST A – MOST SERIOUS VIOLENCE

5.1 The purpose of this data test is to review the accuracy of crimes classified in the MSV category, ie:

- 5A – wounding or carrying out an act endangering life;
- 8F – inflicting GBH without intent; and
- 8H – racially or religiously aggravated inflicting GBH without intent.

5.2 The crimes that HMIC considered should not be included within forces’ MSV crimes failed the compliance (the HOCCR crime classification) test. This indicates the potential level of inaccurate recording of MSV crime. Sufficient, good-quality information from the outset will provide an appropriate investigation and enable accurate crime classification.

Review sample size	3,675 ⁵
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Fails HOCCR as incorrectly classified ⁶ and does not meet MSV definition	252
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Potential percentage of crimes within MSV that should have been AWLSI, ie potential over-recording of MSV (Test A only)	+6.9%
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5.3 Adopting the AC compliance rating (see page 5, paragraph 2.10), the table below illustrates the number of forces recording errors for Test A.

Compliance rate	95% or more	90% to 94.9%	80% to 89.9%	79.9% to less
Forces	30	6	4	3

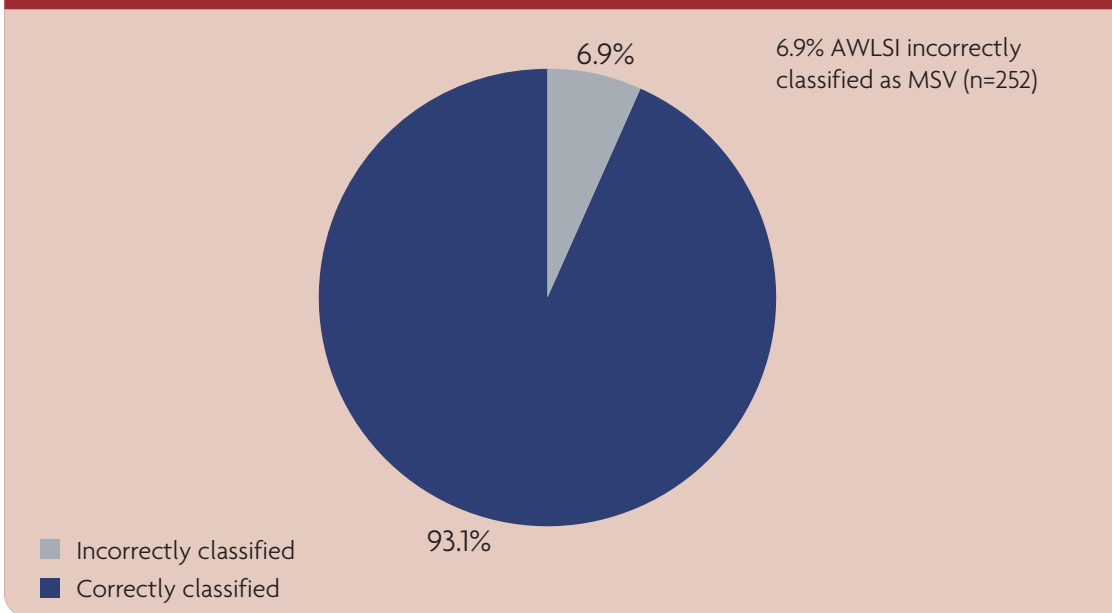
5.4 Since April 2008, the following factors have influenced the way in which offences within Violence Against the Person are categorised, in particular offences of MSV Against the Person. It should be noted that MSV recorded by the police in 2007/08 accounted for 2% of Violence Against the Person.

- With the introduction of PSA 23, GBH without intent was moved into the 'MSV Against the Person' offence category and began to be identified separately.
- The addition of examples to HOOR (around the circumstances that may indicate intent) and guidance on when it is appropriate to record a crime as attempted GBH with intent have had the effect of increasing GBH with intent figures in some forces. It should be stressed that this did not raise the overall figure for the Violence Against

the Person offence group, which shows a 6% fall between July to September 2008 and the same period in 2007.

5.5 Of the 3,675 MSV crimes reviewed, over 90% were correctly classified, leaving 6.9% (252) potentially incorrectly classified (see Box 5.1 on page 18) and on the basis of the evidence available should have been in the lower tier of Other Violence Against the Person with injury (AWLSI). Figure 1 below shows the percentage error identified nationally for Test A (offences incorrectly classified as MSV).

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



5.6 Some 92% (1,834) of the 2,003 GBH with intent offences reviewed were correctly classified.

5.7 Of the 3,675 MSV crimes reviewed, 12% (446), while remaining within the MSV grouping, were incorrectly classified in the wrong subcategory of MSV. Overall, 19% of crimes reviewed within MSV were incorrectly classified.

5.8 The review identified a wide variation between forces, from 1% to 45% of incorrectly classified crimes. Annex D provides a table of individual force assessments.

5.9 The guidance and examples contained within HOCR in April 2008 has led to an improved understanding within some forces. Some FCRs acknowledged that their understanding of ‘intent’ had improved since the period of the review. However, there still remained some clear inconsistencies. Some forces appeared to have little understanding of intent, their recording being based on injury only, with little evidence of consideration of identified intent indicators irrespective of the level of injury sustained.

5.10 Section 20 of the OAPA currently contains two distinct categories of offence. GBH without intent and ‘All Woundings’. In order to identify and separate out the two, the more serious Section 20 GBH without intent is counted under HOCR 8F (MSV) and the less serious wounding under 8G (AWLSI).

5.11 A higher proportion of forces have taken the decision to split woundings within the crime-recording system by returning the less serious malicious woundings into the AWLSI category and placing more serious woundings within GBH without intent into the MSV category. The decision to separate low-level woundings from the more serious offences has caused confusion and inconsistencies with recording within some forces, where HOCR guidance has been misinterpreted or not followed.

5.12 In most cases, the decision not to split had been taken due to financial constraints; this was predominately governed by the type of crime-recording system used by individual forces. One of the metropolitan forces, while having the capability to split the codes relatively easily, took a decision not to do so. One additional force stated that, due to the limited capabilities of its crime-recording system, it had to manually count crimes in order to compile monthly Home Office returns. However, the application of HOCR, the quality of information around severity of a wound and the inability to assess the level of injury effectively, particularly in forces where the data on the *modus operandi* (MO) or elsewhere in the system was poor, meant that in some cases this has still provided inaccurate data. Conversely, in some forces that had taken the decision not to split the woundings category, the processes in place did not adversely affect their recording decisions.

5.13 A significant number of classification errors were identified within 8F. Of the 1,649 crimes reviewed, 19% (304) evidenced clear ‘intent’ and should have been recorded as 5A, ie GBH with intent. A further 8% (138) should have been recorded as 8G (wounding or ABH) and as a consequence should have been captured in the AWLSI crime basket.

5.14 Only 65% (15) of the 23 racially or religiously aggravated inflicting GBH without intent offences were correctly recorded.

5.15 The HOCR requirement is to appropriately classify crimes based on information obtained through the process of investigation. Sufficient, good-quality information from the outset will provide an appropriate investigation and enable accurate crime classification. One force applied the Principal Crime Rule,⁷ where they recorded a higher crime classification (predominantly within 8F). The force took a conscious decision to record at a more serious level, irrespective of individual circumstances, where the exact injury level or treatment was unknown. This resulted in records where injuries were described as a ‘minor cut’ or ‘broken nose’ being defaulted to a higher level despite the likelihood, on the balance of probabilities, that it was a less serious violent crime. Based on the limited information made available, the review team felt that the force was over-recording its serious violent crime by

defaulting to a higher crime classification. In those cases where further substantive information is obtained during the course of the investigation, the force stated that crimes can be reclassified as appropriate.

5.16 A substantial number of forces have undertaken reviews of their violent crimes, achieving an 81% degree of accuracy within their reclassifications⁸ in the period reviewed. However, a common failing across many forces was the inability to provide an accurate auditable account within the crime system to support the reasons why the crime was reclassified. FCRs should aim to make all necessary reclassifications within one month; this was not the case in many examples reviewed, where substantial time lapses were evident.

5.17 A trend was identified across most forces whereby many crime reports failed to provide evidence in sufficient detail of the level of injuries and medical treatment. Mandatory fields within crime reports were frequently inadequate. This lack of detail also restricts the correct classification or reclassification of crime and the ability of FCRs and other auditors to conduct proper scrutiny. There were some exceptions to this, with some forces evidencing very good descriptions of injuries and treatment.

5.18 The use of drop-down menus in some forces on their crime-recording systems for recording the severity of injuries was not seen by the review team as an effective mechanism for establishing the correct classification of crime. Some forces utilised a standard prescriptive list of options, ie fatal, serious, slight, threats and none. Most FCRs did not tend to use this data as it was unreliable. Details and the level of injury and treatment relied on reading free text. Again, this differed from force to force. Some gave full details of the size and depth of the wound, treatment received and any ongoing treatment likely. Others gave little or no details other than, for example, ‘a cut’. Forces with the ability to scan victim or witness statements and photographs of injuries onto their crime-recording systems showed evidence of ‘good practice’.

5.19 A number of forces failed to record a good standard of information on investigations on their crime-recording system and had limited supervisory direction.

5.20 Considerable disparities were evidenced in the quality of the details recorded on MOs, which varied across forces from very poor to very detailed. There was some evidence that recorders are applying HOOCR in recording; however, their role should be as gate-keepers, and this was not the case in a lot of forces.

The quality of MOs and the accurate recording of intent, injuries and treatment caused failure, when a little more detail would have assisted with crime classifications. Some forces had good-quality MOs, with one force having no formal MO recorded.

5.21 HMIC’s view is that victims should be provided with an investigation that is proportionate to the seriousness of the attack. In order to achieve this, better use should be made of force systems to enable effective recording of the severity of injuries and treatment. This will also ensure that a clearly defined audit trail is generated.

5.22 Some forces have processes in place with continuous assessment by specialist staff to ensure accurate classification. This was further aided by a good standard of investigation and was seen as good practice.

5.23 A number of forces showed that CPS charging standards tended to support the initial, more serious, classification by the police in MSV. However, most forces evidenced a lesser charge by the CPS in AWLSI. Additionally, there was evidence of some indictable-only serious assaults bypassing the statutory charging process.

5.24 Training preceding the changes to HOOCR varied across forces, with detailed training being provided to specialist staff and others through the use of emails, flowcharts, e-learning and bulletins. One force conducted no training at all in preparation for the changes. Delivery of a comprehensive training package did not necessarily secure a better understanding of the changes (see page 41, paragraphs 17.1–17.3 for more on training).

Recommendations

- Forces should ensure that their crime-recording system *modi operandi* (MOs) contain sufficient information for a decision to be made on the correct crime classification.
- Those forces with consistently high error rates in the areas tested should be subject to further review and inspection.

Box 5.1: Examples from the review of incorrect crime 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: Attempting 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)

6. TEST B – ASSAULT WITH LESS SERIOUS INJURY

6.1 The purpose of this test is to review the accuracy of crimes classified under Assault with Less Serious Injury (AWLSI), ie:

- 8G – actual bodily harm and other injury; and
- 8J – racially or religiously aggravated ABH and other injury.

6.2 The crimes that HMIC considered should have been included within forces' MSV failed the compliance (HOOCR crime classification) test. In addition, crimes without injury, eg Common Assault, also failed the compliance test. Sufficient, good-quality information from the outset will provide an appropriate investigation and enable accurate crime classification.

Review sample size	3,920 ⁹
Fails HOOCR as incorrectly classified ¹⁰ but meets MSV definition	-296
Percentage of crimes within AWLSI that should have been MSV, ie potential over-recording of MSV (Test B only)	-7.6%

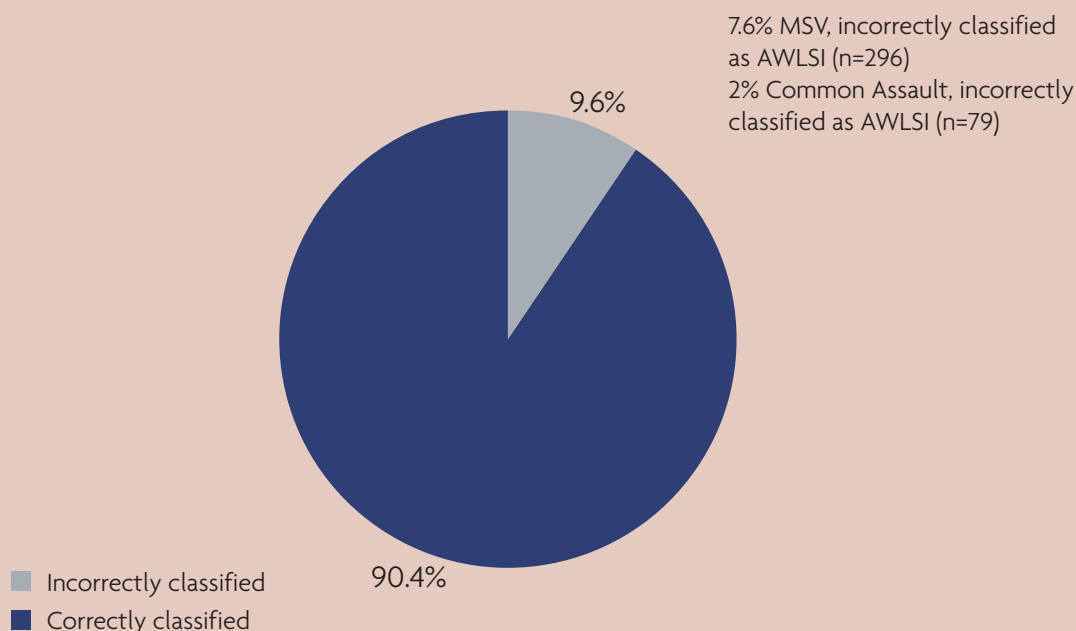
6.3 Adopting the AC compliance rating (see page 5, paragraph 2.10), the table below illustrates the number of forces recording errors for Test B.

Compliance rate	95% or more	90% to 94.9%	80% to 89.9%	79.9% to less
Forces	12	16	14	1

6.4 Of the 3,920 AWLSI crimes reviewed, over 9 out of 10 were correctly classified, leaving 7.6% (296) incorrectly classified on the basis of the information available (see Box 6.1 on page 22) and should have been within the MSV basket of crimes.

6.5 A further 2% (79) of the 3,920 AWLSI crimes reviewed should have been recorded as Common Assault. These form part of the 'other removed' figure and therefore should not have been within the violent crime figures at all. Overall, 9.6% of crimes reviewed within AWLSI were incorrectly classified. Figure 2 overleaf shows the percentage error identified nationally for Test B (offences incorrectly classified as AWLSI).

Figure 2: Breakdown of sampled crimes classified as Assault with Less Serious Injury (n=3,920)



6.6 Within the 3,920 AWLSI crimes, 0.6% (25) failed to provide sufficient information to make an informed decision and showed a failure to provide evidence regarding intent or sufficient detail of injuries and treatment. Mandatory fields that would have assisted in the classification decision-making process were frequently completed inadequately.

6.7 The review identified a wide variation between forces: from 1% to 21% of crimes were incorrectly classified. Annex D provides a table of individual force assessments.

6.8 Levels of decision making were not as concise as in the more serious MSV crimes in Test A, especially in relation to the level of injuries recorded, which would have assisted in making the appropriate crime classification.

6.9 An 86% degree of accuracy was achieved in force reclassifications of AWLSI, marginally higher than that of MSV. However, there were substantially fewer internal reclassifications reviewed for AWLSI than for MSV.

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

6.11 Across forces there was a variety of lengthy delays between the original and subsequent crime classifications, with little or no explanation for the delay, or any auditable trail to support the decision.

6.12 The review identified disparity between forces regarding the recording of AWLSI, with a small number of forces recording ‘soreness’ and ‘pain and discomfort’ as ABH, despite the recorded circumstances suggesting that the pain would have been momentary, thereby supporting the classification of Common Assault. One force had made a ‘policy’ decision that where an assault was ‘likely’ to have caused a red mark but no reddening was identified by either the reporting person or the attending officer, the crime would be classified as ABH. Greater clarity is needed in recording the type and nature of injuries.

6.13 The review team experienced a number of challenges regarding the recording of broken noses, fingers and toes, with many forces recording these as serious assaults (8F) based on the level of injury, ie broken bone. Again, further clarification is required to assist FCRs, and forces, to ensure consistency of crime recording and public confidence in crime figures.

6.14 The conflict between Section 20 Wounding (8G) and the more serious offence (under the same section) of GBH without intent (8F) (see page 14, paragraphs 5.10 to 5.12) needs resolution to avoid continued inconsistencies in crime classifications. The review team has commented on the content and guidance accessible via the HOOCR extranet site (see page 36). The adoption of an agreed flowchart providing prescriptive detail could provide greater accuracy and consistency in recording.

Recommendations

- Forces should ensure that their crime-recording system *modi operandi* (MOs) contain sufficient information for a decision to be made on the correct crime classification.
- Those forces with consistently high error rates in the areas tested should be subject to further review and inspection.

Box 6.1: Examples from the review of incorrect crime classifications

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

Injuries: Burns to face, neck and chest

Home Office classifications

Force: 8G Actual bodily harm and other injury

HMIC: Attempting 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)

7. TEST C – INCIDENTS THAT SHOULD HAVE BEEN RECORDED AS MOST SERIOUS VIOLENCE OR ASSAULT WITH LESS SERIOUS INJURY

7.1 The purpose of this test was to review the accuracy of incidents created on forces’ command and control systems to determine whether incidents of alleged violent crime have been correctly recorded in accordance with NCRS principles. Where incidents appear to be crime-related, they should either result in a crime report or an account of the reasons for not completing a crime report, sufficient to show that NCRS has not been breached.

7.2 Overall, in more than 9 out of 10 cases, forces made the right decision in relation to recording a matter as either a crime or an incident.

Review sample size	1,902
Fails NCRS and should have been recorded in the MSV crime basket	29
Failed NCRS and should have been recorded in the AWLSI crime basket	111
Potential under-recording of MSV (Test C only)	7.3%

7.3 Adopting the AC compliance rating (see page 5, paragraph 2.10), the table below illustrates the number of forces recording errors for Test C.

Compliance rate	95% or more	90% to 94.9%	80% to 89.9%	79.9% to less
Forces	25	8	9	1

7.4 Command and control systems across forces varied dramatically; however, in 21 forces, the quality of data in incidents was poor upon closure. This did not allow for effective review, giving rise to failures under this test. This was particularly alarming in cases of violence reported within domestic incidents and involving or in the presence of young children, and in harassment/public order situations with clearly identified victims, which were not adequately endorsed with the rationale not to crime. In several forces it was clear that the attending officer was not expected to update incidents within the crime-recording decision-making process (CRDMP).

7.5 Of the 1,902 incidents reviewed, only 1.5% (29) should, on the basis of the information placed on record, have resulted in an MSV recorded crime (see Box 7.1 on page 26) in accordance with NCRS.

7.6 Of the 1,902 incidents reviewed, a further 5.8% (111) should have resulted in an AWLSI recorded crime in accordance with NCRS. These included cases where the initial information indicated that ABH was reported or was likely to have resulted given the circumstances of the incident and this was supported by victim confirmation.

7.7 The review identified a wide variation between forces, from full compliance to a 30% under-recording of violent crime. Annex E provides a table of individual force assessments.

7.8 Within the total sample of 1,902 incident reports, 3% (48) failed to provide sufficient information on incident logs to determine the rationale for the decision or why not resourced. For some of the records reviewed, this meant that an incident may not have been categorised correctly. Based on information available to the review team, it was difficult to understand the nature and full circumstances of the incident.

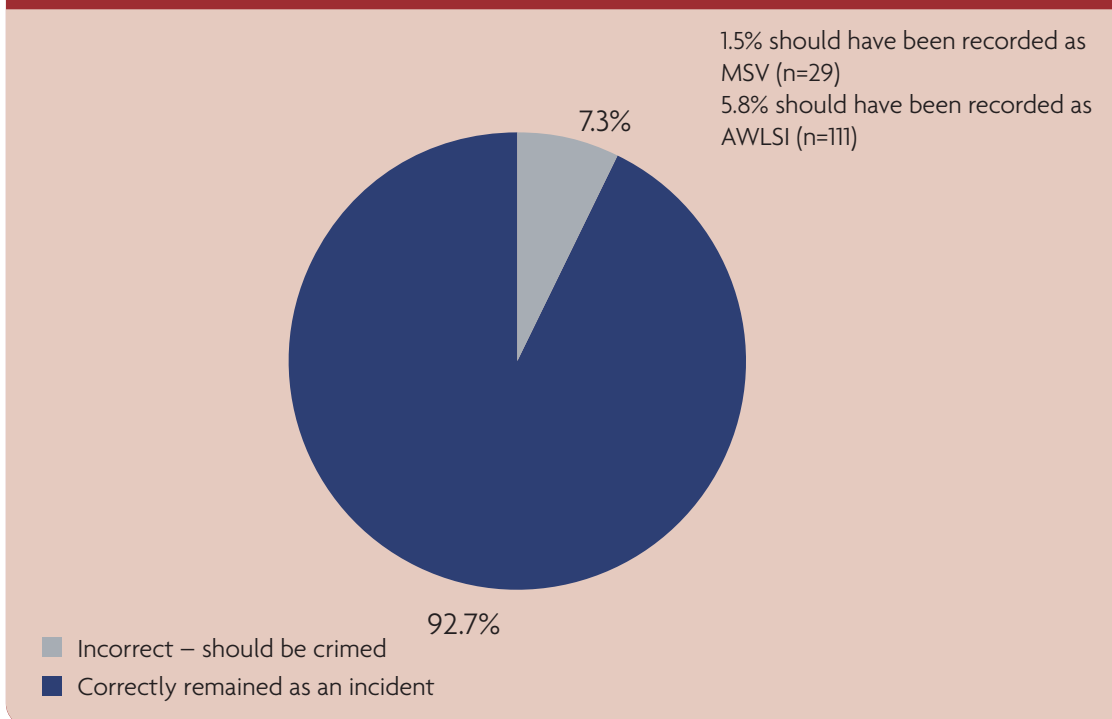
7.9 There was considerable lack of understanding around ‘harassment’ and ‘public order’, particularly in respect of vulnerable victims and within domestic incidents, with limited consideration of victim vulnerability. In some cases the police believed that there was no requirement to record the incident and did not follow the victim principles of NCRS.

7.10 Only two forces achieved 100% NCRS compliance.

7.11 Basic NCRS failures were identified principally with the CRDMP being inadequate; crimes being submitted with the wrong classification; and a failure to comply with the 72 hour rule.¹¹

7.12 Where forces had a link between command and control and crime-recording systems, this was seen as good practice and greatly aided the review.

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



7.13 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 that had not been correctly recorded as a crime in accordance with NCRS principles.

Recommendations

- The crime-recording decision-making process (CRDMP) should be appropriately endorsed before closure of incidents on the system in compliance with national standards.
- Those forces with consistently high error rates in the areas tested should be subject to further review and inspection.

Box 7.1: Examples from the review of 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 (ASB)’

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

8. TEST D – CRIMES CLASSIFIED AS ‘NO CRIME’

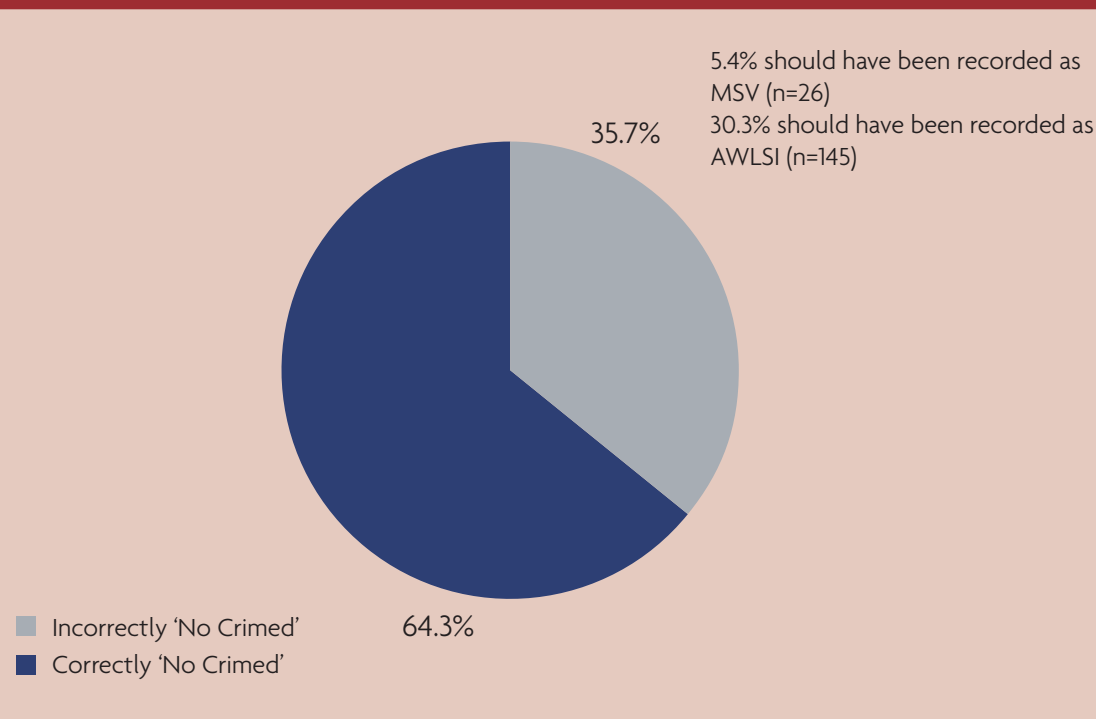
8.1 ‘No Crimes’ relate to crimes already recorded. In 2008/09 the ‘No Crime’ classification accounted for 5.3% of Violence Against the Person compared with 4.3% of all nationally recorded crime. Although the proportion of offences that are ‘No Crimed’ is relatively low, it is important that the process is carried out in accordance with HOCR. NCRS requires all forces to record crime according to a defined and agreed set of principles. It places a high emphasis on recording crime as described by the victim. This victim-focused approach requires that any changes to a crime status as first reported are supported by a clear audit trail. Any decision that runs counter to the victim’s evidence should be transparent.

8.2 The purpose of this test is to review the accuracy of ‘No Crime’ reports within any violent crime category. The compliance criterion focuses on the existence of Additional Verifiable Information (AVI).

Review sample size	479 ¹²
Failed and should have been retained as an MSV crime	26
Failed and should have been retained as an AWLSI crime	145
Combined ‘No Crime’ error rate (Test D only)	35.7%

8.3 Of the 479 crimes reviewed that had been disposed of as ‘No Crimes’, 5.4% (26) did not, on the basis of the information available, meet the necessary criteria of providing AVI and should have remained within the MSV basket of crimes (see Box 8.1 on page 30). Figure 4 overleaf illustrates the effect of the ‘No Crime’ errors within MSV for the second quarter of 2008/09.

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



8.4 Similarly, a further 30.3% (145) of the 479 crimes reviewed that had been disposed of as ‘No Crimes’ did not meet the necessary criteria and should have remained as recorded crime within the AWLSI basket of crimes. These are deliberate decisions by forces to reclassify as ‘No Crimes’.

8.5 Due to the size and nature of the sample, it is not possible to extrapolate these figures to provide an overall figure for incorrect usage of the ‘No Crime’ classification, for any force, or to provide a banding.

8.6 In many of the above failures, an apparent lack of understanding of AVI resulted in many crime reports being disposed of on the basis of officer

opinion, self-defence or supposition. In addition to this, the inability of forces to record the criteria under which they wished to ‘No Crime’, either by way of free text or a drop-down menu, was evident throughout the review. This was further compounded by the lack of clarity regarding which of HOCR General Rule C’s criteria the decision was based upon. (There were four General Rules¹³ under which forces could ‘No Crime’ and it was not clear which rule was used.)

8.7 A number of forces had high failure rates due to poor decision-making processes, and in a number of these forces the FCR had no control over the process. This inevitably produced inconsistencies in decisions to make a ‘No Crime’ disposal.

8.8 In a number of forces there was an inappropriate use of the ACPO/Home Office/Department for Children, Schools and Families schools policy, arising from confusion over the definition of ‘site’ and ‘schools with responsibility for recording incidents’. This had the potential to lead to inaccurate recording of some violent crimes and to have an adverse impact on ‘No Crimes’, as forces attempted to address perceived incorrect recording decisions. Guidance within HOCR Annex E is clear on the subject of how these matters should be dealt with. Once a crime is recorded, it can only be ‘No Crimed’ in one of the circumstances detailed in General Rule C.

8.9 With a victim focus to crime recording, the review team was surprised at the lack of evidence across forces verifying that the victim had been informed of the decision to ‘No Crime’, and indeed the rationale behind that decision, as outlined in the Victims’ Code of Practice.

Recommendation

- Those forces with consistently high error rates in the areas tested, should be subject to further review and inspection.

Box 8.1: Examples from the review of crimes incorrectly ‘No Crimed’

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 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 not 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

9. FORCE SYSTEMS (COMMAND AND CONTROL AND CRIME- RECORDING SYSTEMS)

9.1 As expected, the review utilised a range of different IT systems, incorporating different levels of information regarding incidents and crimes. Due to the severity of the offence, Test A contained more comprehensive information than Test B, which allowed the review team to make a fair and informed decision. In a number of forces it was acknowledged that their systems were difficult to navigate and held marginal information.

9.2 Systems where statements, photographs of injuries, etc were scanned, and therefore were readily available for review, made for easy CRDMP evidence. However, on occasion it was hard to identify which were the main documents, especially as some forces scanned both the original and the typed document. In some cases it was possible to link the command and control system to the crime-recording system (and vice versa), which greatly assisted the review.

Recommendations

- Forces should ensure that their crime-recording system *modi operandi* (MOs) contain sufficient information for a decision to be made on the correct crime classification.

10. HOME OFFICE COUNTING RULES – RECORD AS CHARGED RULE

10.1 In formulating a commentary on the CPS charging standards and final crime classifications, the review team: (a) assessed how the ‘record as charged rule’¹⁴ relates to the current HOCR; (b) assessed how charging standards were implemented against the crimes recorded within the MSV and AWLSI samples provided for the review; and (c) assessed the reclassification of crimes against the current rules. The review team did not have access to prosecution files.

10.2 Based on information available on force crime-recording systems, some forces were found to be inappropriately applying the ‘record as charged rule’ to justify classification or reclassification in contradiction to the General Rules on whether and when to record.

10.3 One of the key tasks/responsibilities of an FCR is the remit to maintain standards between forces that are consistent with NCRS. Central to this goal is the adoption of HOCR, which are consistent in their approach both at a general and individual level, with practitioners ensuring that anomalies or contradictions are eradicated.

10.4 The HOCR General Rules document the requirement to record and reclassify crime based on a knowledge of the law and counting rules, with the ‘record as charged rule’ dictating that ‘the crime type chosen should be the one with which a suspect would be charged, given the information available at the time of recording’.¹⁵ The contradiction arising from the adoption of this particular rule is that counting rules for individual crime types take precedence over General Rules, with HOCR providing detailed guidance on the category of crime to be recorded. In particular, the rules that encompass the categories of crime listed in this review provide prescriptive guidance on the type of crime to be recorded (eg legislation, evidence of intent and injury levels), effectively overriding the ‘record as charged rule’. One can conclude that any move by forces to give primacy to the ‘record as charged rule’ both undermines the individual rules for each category and also challenges the general rule on the recording/reclassification of crime. As regards the latter, the Home Office has previously been quite clear on this subject in stating that officers should be reminded that HOCR take primacy for the correct recording of offences and any subsequent decision by the CPS to prosecute for less serious or different offences has no impact upon the initial recording of the crime.

11. HOME OFFICE COUNTING RULES

Changes

11.1 Serious consideration needs to be given as to how many changes and classifications to the HOOCR the police service can absorb and still maintain consistency.

Reclassifications

11.2 In the majority of forces where centralised reclassification took place, there was little evidence of reclassification based on CPS charging decisions. However, this leads to different decisions around the ‘material facts’ requirements under the detections section of HOOCR, and there were examples of inappropriate use of this provision. In those forces where the function was performed on a Basic Command Unit level, the reclassification was more likely to occur on the grounds of CPS charge decision.

11.3 In general terms, the reclassification of crime followed the provision of further substantive information, but there were instances of reclassification occurring with no rationale. This approach not only contradicts HOOCR but undermines the seriousness of the initial offence recorded.

12. HOME OFFICE COUNTING RULES – EXTRANET

12.1 The HOCR extranet site is a useful source of information that all FCRs can refer to, whether this be to obtain advice or good practice from other FCRs. The review has highlighted an issue around corporacy and management of the data held on the extranet. In some instances the extranet has not provided the clarity required to manage crime-recording issues. For example, three flowcharts have been added to the extranet to help FCRs with the changes to the HOCR about Violence Against the Person. While each flowchart has relevant information, this has led to slightly differing interpretations across forces and has resulted in crimes being classified differently.

13. INCIDENT DATA – NATIONAL CRIME RECORDING STANDARD DATA QUALITY

13.1 NCRS is intrinsically victim-focused; it should link into the public confidence and is reflected in the Policing Pledge. Following the introduction of NCRS in April 2002, the Home Office invested a large amount of time and resources in quality assuring NCRS data, through a series of extensive audits of crime recording undertaken by the AC. After three years of work in all forces, the AC concluded that forces had ‘continued to make significant improvements in crime-recording performance and now have better-quality crime data than ever before’. (AC report of September 2007 on police data quality in 2006/07). However, having reached a certain level of performance, there was an expectation that this would continue without further checks. This review has clearly indicated that continuous external scrutiny is required to maintain confidence in data quality as the drive for performance in key areas continues.

13.2 The review of incident data, while focusing on violent crime, also evidenced some under-recording of other notifiable offences, the extent of which cannot be confirmed without further audit work. The key to better-quality crime-recording information lies with actions taken by forces to foster a culture that values the quality of the data that underpins this information. Such a culture, which is central to an effective performance management system, must be adopted at every level within forces.

13.3 Public order and harassment offences with identified victims were clearly reported but either they were not submitted as crimes or they were negated. These were all overtly crimes, according to the legal definition, but they had been minimised by the staff attending and written off as anti social behaviour.

Recommendation

- The crime-recording decision-making process (CRDMP) should be appropriately endorsed before closure of incidents on the system in compliance with national standards.

14. LEGISLATION

14.1 The OAPA would benefit from being brought up to date, to drive a more coherent approach to crime recording and decision making across the criminal justice system and to allow a significant simplification of HOCR. In 1993, a Law Commission report proposed a new set of offences. This was followed by further Home Office consultation in 1998. The proposals for reform did not go beyond the consultation stage.

14.2 The OAPA was a major piece of Victorian legislation that consolidated the previous complex mixture of common law and statute into a single act designed to deal with all the offences that affected the physical health or well-being of people. However, the Act did not simplify the law, and it became reliant on case law for definitions to wording within the legislation. The legislators at the time would possibly have felt that it was impossible to bring all the provisions of an assault together and to structure a rational sequence of offences to range from the most minor to those causing death. The Act listed specific methods whereby harm might be caused, and in some cases these reflected political issues at the time.

14.3 Many of the original provisions within the Act have been replaced so that the wording is more applicable to the current day. For police crime-recording purposes, interpretation of the Act has

since been supported by clarifications within HOCR and adoption of the CPS charging standards. This does not alter the basic legislative framework. The breadth of some of the offences within the Act covers a wide range of conduct, such as wounding. This can cause difficulties: for example, the concept of wounding extends from 'breaking the skin' to 'very serious injury'. This can mean that offences are 'downgraded' by the CPS to lesser offences, when this runs counter to their charging standards, this is principally used by the CPS to secure a more appropriate trial venue. Sentencing powers attached to each offence charged are also very wide and play a major part in influencing the trial venues. This adds to the confusion: for example, Section 20 GBH without intent (8F) attracts the same maximum penalty of five years' imprisonment as Section 47 ABH (8G). The police service consequently finds it hard to make judgements about the boundary between offences. This process has contributed to confusion and inconsistencies within the recording of violent crime with injury. There would be less scope for this with more closely defined offences.

14.4 The CPS finds the OAPA a reasonable framework to work to, but acknowledges that there is room for further clarity in some areas. The CPS believe, however, that the most persuasive agreement for change should come from the judiciary.

14.5 Legislative changes to support police crime-recording decisions would initially appear inappropriate. However, HMIC believes that evidence from the review will strengthen any business case for further consideration of this issue. This would provide an opportunity for improving clarity in the recording and monitoring of violent crime, which could also support other parties within the criminal justice system.

Recommendation

- The Ministry of Justice and the Home Office should consider a review of the 1861 Offences Against the Person Act legislation.

15. THE REVISED PUBLIC SERVICE AGREEMENT 23 INDICATOR

15.1 As a result of the volatility of MSV crime statistics, and recognising the need to manage the broader basket of violent crime, the Home Office, in consultation with key stakeholders, reviewed and rationalised the content of PSA 23.

15.2 From June 2009, the PSA 23(1) indicator has now been revised by widening the previous single indicator, which focused on MSV, to cover all police-recorded violence with injury (of which MSV is a subset). This will include offences in Section 47 (ABH) and Section 20 (malicious wounding and racially or religiously aggravated ABH or malicious wounding).

15.3 One of the major advantages of adopting the revised indicator as the headline measure is that forces have stable records for this broad category extending over many years. It is anticipated that the National Indicator Set will also change to adopt this new indicator and, where adopted, local area agreements can be amended accordingly.

15.4 If PSAs are developed in the future, particularly for narrower classes of offences, there will be a need for more consultation to take place with those FCRs with specialist knowledge of the issues.

15.5 Paragraphs 6.12 and 6.13 make reference to the disparity between forces' recording of ABH, with a small number of forces recording 'soreness' and 'pain and discomfort' as ABH, despite the recorded circumstances suggesting that the pain would have been momentary, thereby supporting the classification of Common Assault.

15.6 HOCR refers to Common Assault as 'assault without injury' as a guide to the level of assault; however, as in other categories, the review identified inconsistent recording practices within this 'minor' offence type. To reduce this, and in order to avoid similar issues as those identified with MSV, the Home Office needs to provide clear and unequivocal guidance that cannot be open to differing interpretation. This should be supported by further clarification regarding non-visible injuries, ie pain and discomfort or tenderness.

15.7 The process of clarification has historically been elongated through the Home Office National Crime Recording Steering Group and various sub-groups. In order to meet the timescales for the revised indicator, the review recommends a more dynamic approach be adopted to avoid any possible late delivery of clarification that supports the recording of non-visible injuries.

16. TRAINING

16.1 Evidence showed that the majority of forces had provided training regarding the changes to HOOCR in April 2008. However, the level of training and delivery style ranged from emails and newsletters, flowcharts and e-learning packages, to detailed presentations at mandatory training sessions. Delivery of a comprehensive training package did not necessarily secure a better level of compliance.

16.2 In the majority of forces, training was limited to crime practitioners and was delivered by the FCR; however, great reliance appears to have been placed on flowcharts and the cascading of information. Three forces stated that no 'formal training' had been provided, although crime-recording staff, Designated Decision Makers and Crime Management Units had been informed of the changes to MSV. One force stated that no awareness training had been provided at all.

16.3 It is appropriate for FCRs to be included in the provision of training packages; however, without sufficient clarity from the Home Office at the time of HOOCR changes, training will continue to be subject to FCR interpretation. During the review, a number of FCRs made the comment that they had not received any guidance from the Home Office before the changes, and in retrospect they felt that this would have been very useful. Currently, changes to HOOCR are highlighted at the NCRS Working Group meetings and then cascaded to all FCRs via their regional representatives, minutes of meetings, emails, etc, again resulting in individual interpretation. Anecdotal evidence from FCRs would suggest that this process of dissemination is not sufficient when significant changes are taking place to HOOCR.

Recommendation

- The Home Office's National Crime Registrar's team needs to provide a clear and concise outline of national protocols to support the role and primacy of HOOCR. This should include the use of practical examples to develop understanding and assist the consistent application of HOOCR across all forces.

ANNEX A: OFFENCE TABLE – VIOLENCE AGAINST THE PERSON WITH INJURY

Code	Offence
	Most Serious Violence Against the Person (MSV)
1	Murder
2	Attempted murder
4.1	Manslaughter
4.2	Infanticide
4.3	Intentional destruction of a viable unborn child
4.4	Causing death by dangerous driving
4.6	Causing death by careless driving under the influence of drink or drugs
4.8	Causing death by careless or inconsiderate driving
4.9	Causing death by driving: unlicensed drivers, etc
4.10	Corporate manslaughter
5A	Wounding or carrying out an act endangering life
5B	Use of a substance or object to endanger life
5C	Possession of items to endanger life
8F	Inflicting GBH without intent
8H	Racially or religiously aggravated inflicting GBH without intent
37.1	Causing death by aggravated vehicle taking
	Other Violence Against the Person with injury (AWLSI)
8G	ABH and other injury
8J	Racially or religiously aggravated ABH and other injury

Source: Home Office database, 16 February 2009

ANNEX B:

REVIEW METHODOLOGY

In terms of crime data quality there are three core reference points:

- the National Crime Recording Standard (NCRS);
- the Home Office Counting Rules for Recorded Crime (HOCR); and
- Public Service Agreement (PSA) Delivery Agreement 23 ‘Serious Violent Crime’.

The review methodology was broken down into four test areas in order to provide verification of the level of compliance with both HOCR and NCRS:

- Test A reviews the accuracy of crimes classified in the MSV category, ie wounding with intent, inflicting GBH without intent and racially or religiously aggravated GBH without intent. The crimes that HMIC considers should not be included within the force’s MSV would fail the compliance test.
- Test B reviews the accuracy of crimes classified under AWLSI, ie ABH and other injury and racially or religiously aggravated ABH and other injury. The crimes that HMIC considers should have been included within the force’s MSV would fail the compliance test.
- Both Test A and Test B are based on sample sizes of 80 crime reports taken from the force’s second quarter data (July to September 2008), working back from midnight on 30 September 2008, and in chronological order. A larger data set is to be used from the metropolitan forces.

- Test C reviews the accuracy of incidents created on forces’ command and control systems to determine whether incidents of alleged violent crime have been correctly recorded in accordance with NCRS principles. A data sample of 40 incidents was identified by HMIC from a total of 350 incidents provided by each force. A larger data set is to be used from the metropolitan forces.
- Test D reviews the accuracy of 10 ‘No Crime’ reports from a sample of 20 originally classified within any violent crime category. The compliance criterion focuses on the existence of AVI establishing compliance with HOCR Section C. As with the previous tests, a larger data set is to be used for the metropolitan forces.

As part of the review process, HMIC established an internal oversight group of lead reviewers to moderate challenges that occurred during the course of the review.

ANNEX C: DETAILS OF RECOMMENDATIONS

Recommendation 1: Further Review

- a) Those forces with consistently high error rates in the areas tested should be subject to further review and inspection.

Recommendation 2:

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.

Recommendation 3: Force systems (command and control and crime-recording systems)

- a) Forces should ensure that their crime-recording system *modi operandi* (MOs) contain sufficient information for a decision to be made on the correct crime classification. (See paragraphs 5.20, 9.1 and 9.2).

Recommendation 4: Home Office Counting Rules

There are a number of detailed recommendations in relation to HOCR:

- **'Record as charged rule'** (see paragraphs 10.1 to 10.4).
- **Reclassification** (see paragraphs 5.16, 6.8, 6.9, 11.1 and 11.2).
- **Extranet** (see paragraphs 6.14 and 12.1).

Of particular importance are those in relation to:

- **Injury clarity** (see paragraph 6.12).
- **'No Crime'** (see paragraphs 8.7 and 8.8).

Recommendation 5: Legislation

- a) The Ministry of Justice and the Home Office should consider a review of the 1861 Offences Against the Person Act legislation. *(See paragraphs 14.1 to 14.5.)*

Recommendation 6: Data quality

- a) The crime-recording decision-making process (CRDMP) should be appropriately endorsed before closure of incidents on the system in compliance with national standards. *(See paragraphs 7.3, 7.7, 7.10 and 13.2.)*

Recommendation 7: Training

- a) The Home Office's National Crime Registrar's team needs to provide a clear and concise outline of national protocols to support the role and primacy of HOOCR. This should include the use of practical examples to develop understanding and assist in the consistent application of HOOCR across all forces. *(See paragraphs 16.1 to 16.3.)*

Recommendation 8: Changes to Home Office Counting Rules

- a) Serious consideration needs to be given as to how many changes and clarifications to the HOOCR the police service can absorb and still maintain consistency.

ANNEX D: TABLE OF RESULTS FOR TEST A AND TEST B

	Test A – MSV			Test B – AWLSI			
	Sample size	Failed but still meets MSV	Failed and should have been recorded in AWLSI	Sample size	Failed and should have been recorded in MSV	Failed but still meets AWLSI	Failed and does not meet AWLSI (Common Assault)
Avon & Somerset	80	4	5	80	8	0	0
Bedfordshire	52	1	7	80	10	0	0
British Transport Police	28	3	2	80	2	0	1
Cambridgeshire	80	0	5	80	1	0	0
Cheshire	75	21	2	80	11	0	2
City of London ¹⁶	15	4	3	59	11	0	0
Cleveland	78	21	1	80	6	0	5
Cumbria	52	3	1	80	6	0	1
Derbyshire	80	5	2	80	2	0	0
Devon & Cornwall	80	6	2	80	4	0	0
Dorset	79	3	0	80	3	0	0
Durham	80	3	2	80	10	0	2
Dyfed Powys	80	5	17	80	2	0	0
Essex	80	3	14	80	15	0	0
Gloucestershire	45	7	0	80	4	0	0
Greater Manchester Police	160	9	3	160	12	0	1
Gwent	80	10	3	80	6	0	11

	Test A – MSV			Test B – AWLSI			
	Sample size	Failed but still meets MSV	Failed and should have been recorded in AWLSI	Sample size	Failed and should have been recorded in MSV	Failed but still meets AWLSI	Failed and does not meet AWLSI (Common Assault)
Hampshire	80	8	6	80	5	0	0
Hertfordshire	67	9	0	80	6	0	0
Humberside	80	8	3	80	8	0	0
Kent	80	11	6	80	10	0	1
Lancashire	80	13	7	80	7	0	2
Leicestershire	80	8	4	80	4	0	4
Lincolnshire	63	15	1	80	4	0	0
Merseyside	80	14	4	80	10	0	2
Metropolitan Police Service	320	61	71	320	16	0	10
Norfolk	80	17	3	80	5	1	2
North Wales	80	13	0	80	3	0	0
North Yorkshire	80	4	32	80	3	0	4
Northamptonshire	80	6	0	80	2	0	0
Northumbria	80	9	0	80	6	0	0
Nottinghamshire	80	6	3	80	10	0	4
South Wales	80	8	1	80	6	0	3
South Yorkshire	80	7	2	80	8	0	3
Staffordshire	80	14	0	80	3	0	5
Suffolk	80	11	1	80	15	0	0
Surrey	35	5	0	80	5	2	1
Sussex	80	16	3	80	8	0	0
Thames Valley	80	16	1	80	8	0	0
Warwickshire	79	17	2	80	4	0	0
West Mercia	80	5	0	80	1	0	0
West Midlands	160	10	23	160	5	0	9
West Yorkshire	160	26	6	160	25	0	3
Wiltshire	62	5	7	80	7	0	3

ANNEX E:

TABLE OF RESULTS FOR TEST C

	Test C – Incidents		
	Sample size	Failed and should have been recorded as MSV	Failed and should have been recorded as AWLSI
Avon & Somerset	40	0	2
Bedfordshire	40	0	6
British Transport Police	40	0	3
Cambridgeshire	40	0	0
Cheshire	40	0	0
City of London ¹⁷	40	0	6
Cleveland	40	4	1
Cumbria	40	0	1
Derbyshire	40	0	1
Devon & Cornwall	40	1	2
Dorset	40	0	8
Durham	40	0	1
Dyfed Powys	40	0	0
Essex	40	0	7
Gloucestershire	40	0	1
Greater Manchester Police	80	2	3
Gwent	40	0	1
Hampshire	40	2	5
Hertfordshire	40	1	1
Humberside	40	0	3
Kent	40	0	6
Lancashire	24	0	1

	Test C – Incidents		
	Sample size	Failed and should have been recorded as MSV	Failed and should have been recorded as AWLSI
Leicestershire	40	2	1
Lincolnshire	40	0	4
Merseyside	40	0	2
Metropolitan Police Service	160	9	13
Norfolk	40	1	5
North Wales	40	0	1
North Yorkshire	26	0	1
Northamptonshire	40	0	0
Northumbria	26	0	0
Nottinghamshire	40	0	1
South Wales	40	1	0
South Yorkshire	40	2	2
Staffordshire	40	0	2
Suffolk	25	0	5
Surrey	40	0	0
Sussex	41	0	1
Thames Valley	40	0	2
Warwickshire	40	1	11
West Mercia	40	0	0
West Midlands	80	0	1
West Yorkshire	80	2	5
Wiltshire	40	1	1

Test D

There is no summary for Test D as due to the size and nature of the sample it is not possible to extrapolate 'No Crime' error rates at a force level.

ENDNOTES

- 1 See www.countingrules.homeoffice.gov.uk
- 2 While assurance about the quality of forces' crime-recording data can be obtained by testing, the results of such data testing can provide only a snapshot of the quality of a small amount of data at a specific point in time. Testing all data to obtain this assurance is impractical and prohibitively costly. The four larger metropolitan forces (Metropolitan Police Service, Greater Manchester Police, West Midlands and West Yorkshire) had larger samples reviewed.
- 3 Possible intent indicators include: use of a firearm/knife/other made offensive weapon or object used as a weapon but not necessarily during instant arming; glass/bottle smashed and used to assault; repeated kicks to the head; indication of pre-planning; words spoken by the assailant; and ferocity and/or length of time of any assault, ie sustained attack.
- 4 Once recorded, a crime can only be classified as a 'No Crime' if one of the criteria within HOOCR General Rules Section C applies. For the purposes of the review, forces were assessed on the existence of 'additional verifiable information' (AVI), which determines that no notifiable crime has been committed.
- 5 The MSV sample of 3,675 offences represents 36% of the total of 10,207 MSV offences for the quarter.
- 6 Example: force classification Section 18 GBH with intent (5A); review team classification Section 47 ABH (8G).
- 7 The Principal Crime Rule is that if the sequence of crimes in an incident, or a complex crime, contains more than one type of crime, then the most serious crime should be counted.
- 8 If further substantive information comes to light after a crime is recorded, it may be reclassified by the FCR if it is considered appropriate to do so.
- 9 The AWLSI sample of 3,920 offences represents 4% of the total of 100,083 AWLSI offences for the quarter.
- 10 Example: force classification 8G Section 47 ABH; review team classification 5A Section 18 wounding with intent.
- 11 The 72 hour rule means that a crime should be recorded as soon as the reporting officer is satisfied that it is more likely than not that a crime has been committed. This supports a victim-focused approach to crime recording.
- 12 Sample sizes were designed to provide a snapshot of force activity, rather than a statistically representative sample tailored to force size and business breakdown.
- 13 The review was undertaken following the General Rules criteria as at April 2008. The General Rules were amended in April 2009 to include an additional fraud criteria.
- 14 The crime type chosen should be the one with which a suspect would be charged, given the information available at the time of recording
- 15 HOOCR, General Rule B.
- 16 City of London data excluded from Tests A and B because the force's violent crime figures are relatively small (see page 4, paragraph 2.3).
- 17 City of London data excluded from Tests C and D because the force's violent crime figures are relatively small (see page 4, paragraph 2.3).



This report is available in alternative languages and formats on request.

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