

GWENT POLICE AUTHORITY
Strategic Planning and Performance Committee

Date: 05 November 2009

Item No: 4b

Heading: HMIC Report: Crime Counts

Report Author: Chief Executive

SUMMARY

The report outlines the key findings of the Data Quality report for offences of Most Serious Violence (MSV). The report provides brief details of the position in Gwent.

RECOMMENDATION(S)

Members note the contents of the report and the assurances from the Chief Constable regarding the over recording of some categories of crime.

1. BACKGROUND

- 1.1 In January 2009, the previous Home Secretary commissioned Her Majesty's Inspectorate of Constabulary (HMIC) to carry out a review across all 43 police forces of the way in which they recorded offences of violence.
- 1.2 There are three basic levels at which offences of violence are recorded. The highest level is called Most Serious Violence (MSV) and relates to those offences where there is serious injury, specific intent to cause serious harm or a concerted attack upon the victim. The intermediate level is known as Assault with Less Serious Injury (AWLSI) and this relates to those where the injuries sustained are less serious or there is no evidence of intent to cause serious harm. The lowest level is Common Assault where no injury was caused. There are various categories of assault within each level and the classification process is both complex and open to interpretation.
- 1.3 It is important that crimes of violence are correctly classified, firstly to enable comparative performance between forces to be monitored and secondly, and more importantly, to ensure that victims receive an appropriate service given that the police response is often linked to the seriousness of the offence.

- 1.4 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 if so in which classification.
- 1.5 The Home Office Counting Rules (HOCR) for recorded crime and 'Violence Against the Person' were reviewed and clarified in April 2008.

2. PROPOSAL FOR CONSIDERATION BY COMMITTEE AND CURRENT POSITION

- 2.1 The review was a snapshot based on small sample sizes (normally 80 crimes in each force area) which were not statistically significant and as such, the findings cannot be used to make definitive judgements. However, in the view of HMIC, the results are significant enough to be made available to the public, practitioners and policy makers. A copy of the review report is attached at Appendix 1 of this report.
- 2.2 In general terms, the review found that errors in misclassifying offences of violence were not significant. On a national basis, forces got it right in more than nine out of ten cases. However, some 7% of the offences which were examined had been recorded as being of a more serious nature than was warranted, while 7% had been recorded as a less serious offence.
- 2.3 Misclassification does **not** necessarily affect the service received by the victim. However, the report states that the service to victims may be affected when:-
 - a matter that should be recorded as a crime is recorded as an incident (nine out of ten decisions in this area were correct);
 - a decision is made to class a previously recorded crime as a 'No Crime' (errors were found in a small sample of these records although the results were not publicised because the sample sizes were too small).
- 2.4 HMIC points out that the findings of the report have to be set against the background of 150 separate changes to the Home Office Counting Rules (HOCR) as a result of new legislation and 170 other minor clarifications and amendments since 2005.
- 2.5 I have discussed the reports findings with the Chief Constable and it would appear that the inspection has raised a number of questions about the way in which Gwent Police is recording violence albeit that the implication in the report is that the Force is erring on the side of caution i.e. recording too much and over classifying it rather than under reporting or under classifying. This is clearly a better position than one where the Force is under-recording or under classifying but it does mean that if HMIC interpretation is correct, serious crime could be over-inflated in comparative performance analysis.

- 2.6 HMIC carried out four tests which are set out in some detail in the report. Three of those, the accuracy of offences recorded as MSV (Test A), the accuracy of offences recorded as AWLSI (Test B) and the accuracy of incident recording (Test C) have been reported at force level. Gwent Police performed well in terms of incident recording (Test C) with only one of the forty incidents (i.e. 2.5%) which HMIC say should have been recorded as a crime and that was in the less serious category. This suggests that the Force has robust systems for ensuring that what is a crime is accurately recorded as a crime. This has previously been borne out in data quality audits conducted by the Wales Audit Office.
- 2.7 The reported results from other tests appear less favourable. In the MSV category (Test A), HMIC considered that fourteen of the eighty crimes examined were wrongly classified of which three should have been in the less serious category. In the AWLSI category (Test B) HMIC considered that seventeen of the eighty crimes examined had been wrongly classified, eleven of which were over-classified and should have been recorded as Common Assault.
- 2.8 On the basis of these findings, the implication is that the Force is sometimes applying the classifications inaccurately, rather than that crime is being under recorded. In fact, if reported over classification (14 out of 160) is balanced against reported under classification (6 out of 160), the Force seem to be over-classifying crime by a margin of more than two to one.
- 2.9 Having received the report, the Chief Constable has asked the Assistant Chief Constable to re-examine the crime recording process to see what lessons can be learned. However, he is confident that the regime which is in place is robust given the findings of the much more extensive audits conducted by the Wales Audit Office.
- 2.10 Whilst the HMIC report will be used as an opportunity to review the Forces crime recording practices, it is fair to say that the findings were disputed by the Force Crime Registrar at the time of the inspection. It was felt that many of the decision which the inspection team made were subjective and some crimes were adjudged to be wrongly classified based on updated guidelines rather than those which existed when the crime was recorded. He has since made enquiries with other forces and it is clear that there are different interpretations of the guidelines by HMIC, the Home Office and the Wales Audit Office. The force is following the guidance provided by Home Office which is used as the basis for the more detailed data quality inspections conducted by the Wales Audit Office
- 2.11 It is also fair to say that this is a complex technical area which relies of individual interpretation of complex guidelines. As an indication of the disparity which exists, there is a variance in the proportion of violence offences which forces record as Common Assaults ranging from 6% to 40%.

- 2.12 The Chief Constable has emphasised that the HMIC report will be used as the basis for improvement. However, he has also emphasised that the findings need to be put into the context that our systems have been shown by more detailed audit and inspection to be robust, that our underpinning culture is one of recording crime ethically, that if anything we are over-classifying rather than under-classifying crime and that the findings are subject of interpretation, some of which is disputed.
- 2.13 This is a complex and technical issue and it would be inappropriate to burden Members with the detail. However, it may aid understanding by reference to a specific example.

A man stabbed his brother causing low end and non life threatening injuries. This was recorded as Attempt Murder which falls within the MSV category. He was subsequently charged with assault with intent to cause serious bodily harm (Section 18 Assault) and the CPS clearly stated there was no evidence to suggest any intention to kill his brother. Based upon the CPS decision, the crime was re-classified as a Section 18 Assault which still falls within the MSV category. The HMIC Auditors failed this saying that it should remain as Attempt Murder which is illogical and not consistent with Home Office guidance. This is one of a number of similar examples and it provides an indication of why the force disputes some of the findings.

This is obviously a complex area and we can be assured by previous audits that the force have robust arrangements in place and from the contents of this report we can be assured the force is working on understanding why these errors in recording are happening.

3. STAFFING/PERSONNEL IMPLICATIONS

- 3.1 There are none regarding the contents of this report

4. FINANCIAL IMPLICATIONS

- 4.1 There are none relating to the contents of this report

5. CONSULTATION

- 5.1 The Chief Constable has been consulted on the contents of this report.

6. PROJECT ASSESSMENT FOR EQUALITY AND DIVERSITY MATTERS

- 6.1 This project/proposal has been considered against the general duty to promote equality, as stipulated under the Police Authority's Single Equality Scheme, and has been assessed not to discriminate against any particular group.

7. RISK ASSESSMENT

- 7.1 There is a risk that crime is not being recorded correctly and that this will impact on the service received by the victims of crime

8. STAYING AHEAD (2011 REVIEW)

- 8.1 No direct implications

9. CONCLUSION

- 9.1 While the report highlights some important issues it does need to be set in the context of the number of crimes recorded on England and Wales in each year. While there are some areas highlighted in the report regarding recording in Gwent, based on past audits the force is still well placed in relation to this area of business.

10. CONTACT OFFICER

- 10.1 Chief Executive

11. BACKGROUND PAPERS

- 11.1 HMIC report – crime Counts Technical report October 2009

12. APPENDICES

- 12.1 HMIC REPORT – Crime Counts October 2009