

CRIME STATISTICS ADVISORY COMMITTEE

AGENDA

**Home Office Conference Suite, 5th Floor (SW), Peel Building, Home Office,
2 Marsham Street, London, SW1P 4DF**

Tuesday 3 December 2013, 14.30 – 16.30

Agenda Item No.	Timings		Order of Business
1.	2.30 – 2.40	CSAC(13)21	Welcome, announcements and matters arising from the meeting held on 19th September 2013. <i>Stephen Shute (Chair)</i>
2.	2.40 – 3.10	CSAC(13)22	Public Administration Select Committee (PASC) Crime Statistics Inquiry <i>Stephen Shute</i>
3.	3.10 – 3.40		Report from the “Review of Notifiable Offence Data Collection Task and Finish Group” <i>Prof Chris Lewis, University of Portsmouth</i>
4.	3:40 – 4.00	CSAC(13)23	The measurement of fraud and cyber-crime and their implications for crime statistics <i>John Flatley, ONS</i>
5.	4:00 – 4:15	CSAC(13)24	Stalking: Home Office Counting Rules Classification <i>Steve Bond, Home Office</i>
6.	4:15 – 4:20	CSAC(13)25	National Crime Registrar’s Report <i>Steve Bond, Home Office</i>
7.	4:20 – 4:30		Any other business <i>All members</i>

Dates for 2014 meetings:

- **21st May 2014**
- **24th September 2014**
- **11th December 2014**

Meeting Attendees

David Blunt	Home Office
Steve Bond	National Crime Registrar, Home Office
Professor Allan J Brimicombe	University of East London
Philippa Brimicombe (Secretariat)	National Statistician's Office
Roma Chappell	Office for National Statistics
Mike Elkins	Ministry of Justice
Jeff Farrar	Association of Chief Police Officers
John Flatley (item 3 only)	Office for National Statistics
Junaid Gharda	Learning and Skills Improvement Service
Mike Hough	Institute for Criminal Policy Research, School of Law, Birbeck
Michael Levi	Professor of Criminology, Cardiff University
Professor Chris G Lewis	University of Portsmouth
Kieron Mahony (Secretariat)	National Statistician's Office
Jil Matheson	National Statistician
Patricia Mayhew	Independent Criminological consultant
Olivia Pinkney	Her Majesty's Inspectorate of Constabulary
Professor Stephen Shute (Chair)	University of Sussex
Kim Swain	Welsh Government
Mike Warren	Home Office
Tom Winsor	Her Majesty's Inspectorate of Constabulary

**MINUTES OF THE
CRIME STATISTICS ADVISORY COMMITTEE
MEETING ON 3 DECEMBER 2013**

Conference Suite, Peel Building, Home Office, 2 Marsham Street, London, SW1P 4DF

CHAIR

Stephen Shute University of Sussex

MEMBERS PRESENT

David Blunt	Home Office
Steve Bond	Home Office
Allan Brimicombe	University of East London
Roma Chappell	Office for National Statistics
Mike Elkins	Ministry of Justice
Jeff Farrar	National Policing Lead for statistics
Junaid Gharda	Office of the Police & Crime Commissioner for Staffordshire
Mike Hough	Institute for Criminal Policy Research, School of Law, Birkbeck
Chris G Lewis	University of Portsmouth
Jil Matheson	National Statistician
Patricia Mayhew	Independent Criminological Consultant
Mike Warren	Home Office

ADDITIONAL ATTENDEES

John Flatley	Office for National Statistics
Olivia Pinkney	Her Majesty's Inspectorate of Constabulary (for Tom Winsor)
Kim Swain	Welsh Government (for Glyn Jones)

SECRETARIAT

Philippa Brimicombe	National Statistician's Office
Kieron Mahony	National Statistician's Office

APOLOGIES

Glyn Jones	Welsh Government
Mike Levi	Cardiff University
Tom Winsor	Her Majesty's Inspectorate of Constabulary

1. Welcome

1.1. The Chair welcomed everyone to the meeting and introduced Kim Swain, who was attending on the behalf of the Welsh Government. It was noted that apologies had been received from Glyn Jones, Mike Levi and Tom Winsor.

1.2. The Chair updated the Committee on the following membership announcements:

- Giselle Cory has recently resigned from the Committee. The Chair recorded his thanks to Giselle on behalf of the Committee and confirmed that a new member would be recruited

in the New Year;

- The tenure of two current committee members, Chris Lewis and Pat Mayhew, expired in November 2013. Both members have been offered the opportunity to serve for another two years and both accepted.

Action 1: CSAC Secretariat to recruit a new committee member early in 2014.

2. Minutes of the meeting held on 19 September 2013 and matters arising – CSAC(13)21

- 2.1. It was noted that the minutes had been approved via correspondence and were available on the Committee's webpage.
- 2.2. All actions from the meeting of 19 September 2013 have been actioned or are in progress.
- 2.3. There was a request from Home Office members that they are sighted on any correspondence from the Committee to the Home Secretary in order to brief ministers if necessary. This request was noted by the Secretariat.

3. Public Administration Select Committee (PASC) Crime Statistics Inquiry – CSAC(13)22

- 3.1. The Chair drew member's attention to a paper which provided detail of the current written evidence that had been submitted to the Public Administration Select Committee (PASC) in relation to the Crime Statistics Inquiry. It was agreed that the Secretariat will alert members to any new written evidence.
- 3.2. He went on to inform members that he, along with Mike Hough, would give oral evidence to PASC on 11 December 2013. It was noted that the National Statistician, ONS, HO, HMIC and the National Policing Lead for statistics will also give oral evidence over the next few months.
- 3.3. The Chair asked members for their thoughts prior to his oral evidence session with the following points made in discussion:
 - it is important to champion the work already done by the Committee in relation to improving the integrity and trust in crime statistics e.g. the on-going work in relation to divergence;
 - PASC's attention should be drawn to the importance of the audit role, currently carried out by HMIC.
- 3.4. There was agreement that there maybe a need to hold an additional CSAC meeting once any report from PASC is made public. This will be kept under review by the Secretariat.

Action 2: CSAC Secretariat to update members of any new written evidence sent to PASC.

Action 3: CSAC Secretariat to consider the need for an additional CSAC meeting once the PASC report on the crime statistics inquiry is published.

4. The measurement of fraud and cyber crime and their implications for crime statistics – CSAC(13)23

4.1. John Flatley introduced the paper to the committee explaining that it is proposed to release a position statement on the latest developments in relation to cyber crime along side the next quarterly release of data in January 2014. He invited comments and the following points were made in discussion:

- more work is need on measuring attempts to carry out cybercrime;
- currently only actual cyber crimes are recorded with it proposed that attempts to commit cybercrime could also be recorded as is the case with other crimes. It was noted that it is preferred, in the case of cyber crime, only to record actual crimes;
- the statement should be presented as a discussion paper;
- more evidence is needed to support the possible theory that the drop in crime is connected to the rise of cyber crime.

4.2. It was agreed that the discussion paper be released in January supported by the Chair of the Committee and that there would be a further discussion in September 2014 in relation to the proposal that the main victimisation module in the CSEW be extended to cover elements of cyber crime.

Action 4: ONS to liaise with the Chair in relation to the release of the discussion paper on cyber crime with the quarterly crime statistics release in January 2014.

5. Report from the “Review of the Notifiable Offence Data Collection” Task and Finish Group

5.1. Chris Lewis reported back on the work of the Review of the Notifiable Offence Data Collection task and finish group with members agreeing that further investigation is needed. The timing of this additional work will be given further consideration against other emerging priorities. The Chair thanked Chris and the other taskforce members for their work to date.

Action 5: CSAC Secretariat to engage with the relevant stakeholders in relation to the next steps for the review of notifiable offence data collection once other priorities have been established.

6. Stalking: Home Office Counting Rules Classification – CSAC(13)24

6.1. Steve Bond introduced the paper which sets out the plan for creating a new classification in the Home Office Counting Rules (HOCR) for stalking. He explained that there are issues on where the threshold on assault by a stalker would be a greater offence than the stalking. It is currently suggested that the threshold should be set at section 20 assaults.

6.2. Members were content with the proposals. and it was agreed that the National Crime Registrar (NCR) will write to the Home Secretary outlining the change.

Action 6: The National Crime Registrar (Steve Bond) to write to the Home Secretary in relation to the new HOCR on stalking.

7. National Crime Registrars' Report – CSAC(13)25

7.1. Steve Bond introduced the report updating members that there had been little progress in relation to the weeding exercise of the Notifiable Offence List (NOL). It was agreed that any imminent changes to the NOL will be dealt with via correspondence in order to progress as quickly as possible. Members were content with this proposal.

8. Any other business

8.1. The Chair invited any other business and the following points were raised:

- the recent ONS exercise to reduce pre release access was discussed with Jil agreeing to update the Committee in May if there were any unresolved issues.
- it was noted that feedback from the pilot audits carried out by HMIC had helped to further develop the methodology to be used for future audits and that Mike Hough was the CSAC representative on the external reference group for the HMIC audits

8.2. It was noted that the next meeting is to be held on 21 May 2014.

**CSAC Secretariat
December 2013**

ACTIONS FROM CRIME STATISTICS ADVISORY COMMITTEE MEETING 3RD DECEMBER 2013

Conference Suite, Peel Building, Home Office, 2 Marsham Street, London, SW1P 4DF

	ACTION	ACTIONEE	PRIORITY/COMPLETION DATE	PROGRESS
1	CSAC Secretariat to recruit a new committee member early in 2014.	CSAC Secretariat	High / 31 March 2014	Complete. The advert for the non-executive post went live on 19 February 2014. The closing date is 18 March 2014. A link to the advert was sent to members on 3 March 2014
2.	CSAC secretariat to update members of any new written evidence sent to PASC.	CSAC Secretariat	High / early January 2014	Complete An update on the written evidence received by PASC was sent out with the draft minutes on 17 January 2014
3	CSAC secretariat to consider the need for an additional CSAC meeting once PASC report on the crime statistics inquiry.	CSAC Secretariat	High / 31 January 2014	Complete An extraordinary meeting of the Committee took place on 13 March 2014. Minutes from that meeting will be agreed on 21 May 2014.
4	ONS to liaise with the Chair in relation to the release of the discussion paper on cybercrime with the quarterly crime statistics release in January 2014.	John Flatley, ONS	High / early January 2014	Complete A discussion paper on the coverage of crime statistics, with a focus on cybercrime, was published alongside the quarterly crime statistics release on 23 January 2014.
5	CSAC secretariat to engage with the relevant stakeholders in relation to the next steps for the review of notifiable offence data collection once other priorities have been	CSAC Secretariat	High / 31 January 2014	In light of the recent focus on PASC and the recent decision to de-designate Police Recorded Crime Statistics further work on the review of

	established.			notifiable offence data collection is on hold.
6	The National Crime Registrar (Steve Bond) to write to the Home Secretary in relation to the new HOCR on stalking.	Steve Bond, HO	Medium / 28 February 2014	Complete The National Crime Registrar has written to the Home Secretary and the new classification has been implemented in HOCR

CRIME STATISTICS ADVISORY COMMITTEE**Public Administration Select Committee Inquiry – Crime Statistics****Purpose**

1. The purpose of this paper is to provide members with an update on the background and current position in relation the Public Administration Select Committee (PASC) inquiry on crime statistics.

Action

2. Committee members are invited to note the information provided in annexes 1 and 2.

Background

3. On 19 June 2012 PASC announced its intention to scrutinise the issue of statistics and their use in Government by means of conducting ten short studies. On 16 October 2013 an eleventh study on crime statistics was announced.
4. The aim of the crime statistics study is to examine whether appropriate checks are in place to ensure crimes are recorded properly and therefore whether policy makers in government, as well as the public, can have confidence in crime statistics. A call for written evidence was made based on six specific questions as follows:
 - Are crimes being recorded by the police when they should be? Are crimes being categorised correctly?
 - What are the factors which can influence police mis-recording of crime?
 - Are the right checks in place to ensure that the systems for recording crime function effectively and accurately?
 - Has enough been done to ensure the integrity of crime data? What more should be done?
 - To what extent can policy-makers have confidence in the statistics which result from the recording of crime by police forces?
 - Should recorded crime statistics be classified as National Statistics?
5. Written evidence was requested by 12 November 2013 and links to the written evidence available on the PASC website can be found in annex 1. In addition, evidence submitted by the National Policing Lead for Statistics that is not currently on the PASC webpage is in annex 2.

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6. The first oral evidence session was conducted on 19 November 2013, written evidence from that session is available on the website, see link [PASC oral evidence, 19 November 2013](#) .
7. Further oral sessions are currently being planned with dates and attendees to be confirmed.

**CSAC Secretariat
November 2013**

Links to PASC Written Evidence

- UK Statistics Authority, including a note prepared by ONS - [link](#)
- Association of Police and Crime Commissioners - [link](#)
- Her Majesty's Inspectorate of Constabulary - [link](#)
- Katy Bourne, Police and Crime Commissioner for Sussex- [link](#)
- Steve Bennett, retired DC West Midlands Police - [link](#)
- Local Government Association (LGA) - [link](#)
- Michael White, chair of the Wiltshire Police Branch of the Police Federation of England and Wales. - [link](#)
- Matthew Grove, Police and Crime Commissioner for Humberside - [link](#)
- Professor Allan Brimicombe - [link](#)
- Chair of the Crime Statistics Advisory Committee - [link](#)
- Committee on Standards In Public Life - [link](#)
- Dr Roger Patrick, former Chief Inspector, West Midlands Police - [link](#)
- Professor Tim Hope, Chair in Criminology at the University of Salford, Manchester - [link](#)
- Peter Barron, Retired Det. Chief Superintendent Metropolitan Police & Head of TP Crime Recording - [link](#)
- James Patrick, Police Constable, Metropolitan Police - [link](#)
- David Gilbertson, Retired deputy assistant commissioner, Metropolitan Police and retired assistant Inspector of Constabulary, HMIC - [link](#)
- Chris Hobbs, Retired Metropolitan Police officer - [link](#)
- Stephen Greenhalgh, the Deputy Mayor for Policing and Crime - [link](#)
- Home Office - [link](#)

Written Evidence to the Public Administration Select Committee Inquiry into Crime Statistics Chief Constable Jeff Farrar – National Policing Lead for Crime Statistics

Background

The British Police are still the envy of the world. The Service has clear ethical and professional standards and values which are set out in the Association of Chief Police Officers (ACPO) Statement of Common Purpose and Values (1992) the Oath of Office and more recently the draft Code of Ethics produced by the College of Policing (2013). However the accurate recording of crime has consistently been an area of concern and debate both inside and outside the Service.

In July 2000, Her Majesty's Inspectorate of Constabulary (HMIC) published the results of a thematic inspection on police crime recording (On the Record 2000) which set out the importance of crime statistics in crime reduction efforts.

The report also identified substantial evidence that crime statistics were not being recorded in a consistent way. As a consequence and in an attempt to remove ambiguity and provide clarity for Forces, ACPO and the Home Office developed the National Crime Recording Standard (NCRS). The NCRS was introduced nationally on 1 April 2002 and was aimed at promoting greater consistency between police forces in the recording of crime and at taking a more victim oriented approach. It included comprehensive guidance on the systems and processes which supported accurate crime recording.

The NCRS was subsequently embedded in the Home Office Counting Rules (HOCR) for recorded crime. These rules provide a national standard for recording and counting notifiable offences. A number of national forums were then formed, such as the National Crime Recording Steering Group (NCRSG) which updates the HOCR annually to reflect changes in legislation, to improve clarity and to promote consistency between Police Forces. It consists of members from the Home Office Statistics Unit, Force Crime Registrars and Statistics Officers, representatives of ACPO and Her Majesty's Inspectorate of Constabulary (HMIC) as well as other bodies such as the Crown Prosecution Service and Police Federation.

In 2012, the independent Crime Statistics Advisory Committee (CSAC) was established following a recommendation from the National Statistician's Review of Crime Statistics. The Committee functions as a strategic, high level advisory body offering independent advice to the Home Secretary, the Office for National Statistics (ONS) and HMIC on matters related to the measurement of crime and the collection and presentation of crime data for England and Wales.

HMIC's inspection of crime statistics in 2012 '*The crime scene: A review of police crime and incident reports*' importantly formed the view that the public rely on crime and incident data to judge how well their local police force is performing.

Summary of Evidence

- People do not join the police service intent on failing to record and investigate crimes properly.
- Accurate crime figures are essential to direct police resources effectively and inform the public of crime trends in their area.

- There are clear standards in place for ethical and professional recording of crime.
- There is some inconsistency in how the existing rules are interpreted and applied by individual forces.
- There is some inconsistency in the status and grades of Force Crime Registrars.
- Numerical League tables and unsophisticated performance management might provide a disincentive for accurate recording of crime.
- There is limited room for the use of professional discretion in the public interest in current rules and standards.
- External audit and inspection appear to be a key contributor in ensuring the integrity of crime data.

Answers to the Questions Posed by the Committee

1. Are crimes being recorded by the police when they should be? Are crimes being categorised correctly?

Historical Context

1.1 The NCRS and HOCR provide clear national rules, standards and guidance for crime recording and categorisation. There is evidence from repeated HMIC Inspections and engagement with individual Forces that there is inconsistency across the Country in how these rules are applied. This was confirmed by HMIC's most recent inspection of Kent Police (2013).

1.2 It should, however, be acknowledged that the vast majority of crimes are recorded in line with national standards. Forces employ Crime Registrars and Designated Decision Makers to ensure that the HOCRs are upheld accurately and consistently.

1.3 In their final external audit published in September 2007, the Audit Commission noted that 'The police have continued to make significant improvements in crime recording performance and now have better quality crime data than ever before.' The Commission assessed 38 of the 43 forces as 'Good' or 'Excellent' for crime data quality, five as 'Fair' and none as 'Poor'.

1.4 In 2011, HMIC carried out a review of police crime and incident reports across England and Wales and found that three quarters of forces were judged to have made correct crime recording decisions 90% or more of the time, with an average of 92% of incidents correctly finalised, indicating a good national standard (HMIC, 'The Crime Scene', 2012).

1.5 In 2013, the ONS described the system for recording crime in England and Wales as 'Widely recognised by international standards to be one of the best in the world' and noted that few other jurisdictions had attempted to develop such a standardised approach, and of those that had (such as Australia and Northern Ireland), their approach had been based around the England and Wales model (Analysis of Variation in Crime Trends, ONS, Jan 2013).

1.6 However, despite these successes, there are occasions when crime recording does not meet national standards. Further detail is provided later in this submission, but reasons for officers failing to record crime properly could be other demands on their time and performance pressures, a simple derogation of duty on behalf of the officer concerned, a belief on the part of the officer concerned that they are acting in the interest

of the public, a lack of knowledge or understanding of the HOCRs, or poor and inadequate IT systems.

Acting in the interest of the public by applying professional judgement

1.7 In her speech to the Superintendents Association on 10 September 2013, The Home Secretary, Teresa May, concluded with the statement:

“If you asked me: what is the most significant thing that this government has done for you? (The Police) I would answer: We have given you back the power to use your own judgement”

However in the area of Crime Recording many Force Crime Registrars feel they face regular conflict with officers as there is little leeway for application of professional judgement in deciding whether to record an incident as a crime or not. The majority of audits and inspections over the past ten years have been based on the hypothesis that administrative accuracy supports the highest quality of service for victims. However, it is not necessarily the case that such accuracy equates to the most victim-focussed response. This often brings Crime Registrars and their staff into direct confrontation with police officers who perceive them to be prioritising compliance with the rules over the needs of victims and the wider public.

1.8 Crime recording procedures can sometimes be at odds with the national decision making model (NDM) adopted by ACPO in 2012. The NDM is intended to provide a value based tool, providing a simple and evidence based approach to making policing decisions. In short, it allows officers to use professional judgement and common sense based on public need. This professional judgement arguably cannot currently be applied to crime recording and this repeatedly causes tension across the Service. That said certain types of offences that involve serious harm should always be recorded as a crime and the application of officer discretion would be inappropriate. Some examples of this might include serious assault, burglary or robbery

1.9 Whilst there is greater political support for the use of professional judgment there still remain two clear arguments against applying professional judgement to crime recording. Firstly, that it may provide a green light for some officers to avoid carrying out a proper investigation and consequently deny the member of the public the right quality of service. Secondly, that the Police Service has arguably become so entrenched in target driven culture focused on crime figures that it would enable a climate in which crimes would not get recorded if doing so could have a negative impact on performance targets.

1.10 Whilst quarterly sets of crime figures are produced and crime number categories for all 43 Forces are used as a mechanism to assess Force performance, this remains a real risk. The dilemma is whether there is an appetite to support the greater use of professional judgement in crime recording to ensure the service meets victim or public need.

1.11 Interestingly, the introduction of Police and Crime Commissioners has begun to further this debate with some PCCs challenging the target culture and promoting a greater drive towards quality of service and public confidence. Whilst it may not be universally supported in all quarters, there is an argument that to get the best out of our police service, we have to trust our staff to do their job based on the oath of office they swore when appointed. However, increasing trust also needs to be accompanied by checks and balances through supervision, audit and inspection, and appropriate sanctions where shortcomings are identified.

2. What are the factors which can influence mis-recording of crime?

2.1 Consultation across the Police Service reveals a wide divergence of factors that might lead to mis-recording of crime as opposed to one single issue. Caution should be applied here as many of the themes are often anecdotal as opposed to wholly evidence based, but the below list references some consistent themes that have been articulated from across the country.

- General incompetence or a lack of knowledge and understanding of HOCR and NCRS by the front line staff who are the first point of contact with victims and the initial decision makers about crime recording.
- Victims who do not want crimes recorded or investigated, or where they are belligerent or obstructive. This might be a common occurrence in the night time economy.
- Resourcing pressures (officers being overworked), neglect of duty by failing to comply with procedures (sometimes based on a belief that crime recording is an administrative, bureaucratic process that diverts them from more important operational matters).
- A lack of consistency between IT systems that are used to record crime across the country, with many forces working from different systems that can make analysis at a national level more complex.
- Where incentives exist to meet the demands of target cultures which can lead to officers feeling under pressure to avoid creating crimes, or to classify crimes away from types that are under scrutiny. This problem can be exacerbated where poor leadership is evident.

3. Are the right checks in place to ensure that the systems for recording crime function effectively and accurately?

3.1 Consultation from across the Service indicates there is variance of approach around the checking and auditing of crime recording. Each Force operates independently, with different checking systems in place. However, the most common themes are:

- Audit and gatekeeper functions are given different levels of support and resource across the country. Force Crime Registrars (FCRs), who were introduced along with the NCRS in 2002, conduct regular audits to test compliance and quality. They are the final arbiter for the audit process, the interpretation of the counting rules and detections. They are able to ensure there is consistency in both the process and decision making within forces. However, they vary greatly in their status and grade across the country and their engagement levels with Chief Officers is also inconsistent.
- The general reduction in funding across the service appears to have reduced internal audit function in some forces. Some forces have moved to a more risk based approach to audit, with less emphasis on volume, but more on areas of potential concern and risk.
- Many forces agreed that personal Chief Officer engagement in data quality audits is of benefit and where this is evident the importance of good quality crime recording is enhanced. Regular, clear and consistent Chief Officer engagement with FCRs is

believed to be important in providing FCRs with independence from target cultures and so enabling them to ensure crime is accurately recorded.

- The availability of a National Crime Registrar for advice and guidance is welcomed, as are Regional FCR meetings which allow discussion and promotion of consistency.
- The HMIC Data Integrity inspections planned for 2013/14 will bring all of these issues into closer focus.

4. Has enough been done to ensure the integrity of crime data? What more should be done?

4.1 There has been a long history of activity aimed at improving the integrity of crime data. The following chronology illustrates some of these events:

1998 – 2005 - NCRS and HOCR implemented and embedded.

2003 – 07 - Audit Commission conduct annual review of crime data.

2009 - HMIC publish 'Crime Counts' (an inspection of violent crime recording) stating most violent crime is being recorded correctly by police but some victims may have been denied the service they deserve because their allegations were not recorded as crimes.

2011 - National Statistician's Review of Crime Statistics for England and Wales published, with eight recommendations to improve confidence and understanding of crime statistics.

2011 - Crime Statistics Advisory Committee inaugurated on recommendation of the National Statistician.

2012 - Responsibility for reporting and publication of Crime Statistics moved to the ONS by the Home Secretary to create greater independence.

2012 - HMIC publishes 'The Crime Scene', examining how the police record, investigate and resolve crimes and incidents of anti-social behaviour.

2012 - 'Action Fraud' empowered to directly record from the Public and financial institutions.

2013 - HMIC data integrity inspections due to commence

4.2 There is again some variance in processes across the country, making it difficult to be conclusive about the integrity of crime data. However, responses from Forces across the country suggest the following actions could help improve data integrity:

- Police and Crime Commissioners promoting ethical crime recording, as the role they play in scrutiny, challenge and setting the direction of their Forces is an important one.
- The return of an external audit regime, such as those conducted by the Audit Commission between 2003/4 and 2006/7. There is widespread (if not universal) support for this from FCRs
- Absolute clarity and consistency in HOCR and the National Standards for Incident Recording (NSIR) with one standard as opposed to two which might be beneficial and less open to interpretation.

- Establishing training and accreditation of FCRs, currently being developed by the College of Policing.

5. To what extent can policy-makers have confidence in the statistics which result from the recording of crime by police forces?

5.1 Most forces and their FCRs have a high level of confidence in their statistics, particularly for lower volume and high risk crimes and the majority believe that at the National Level there could be confidence in the statistics. The HMIC Data Integrity Inspection will hopefully assist in explaining this.

5.2 Issues that were raised that might create doubt were:

- The growing emergence of Cybercrime and the collective response to this.
- The potential for disproportionate distortion of statistics at a national level if inaccuracies in data are evident in larger forces as they hold the highest proportion of data.
- The prioritisation of data quality audit and management at the expense of service delivery with diminishing budgets.

5.3 Prior to the introduction of HOCR and NCRS, the ONS found that the volume of police recorded crime (in comparable categories) was between 50-62% of the total estimated from the British Crime Survey (BCS). This suggested a large volume of crimes were not being recorded. The gap between the volume of police recorded crime and BCS crime narrowed substantially around the time of NCRS introduction. From 2002/03 the ONS found the volume of police recorded crime (in comparable categories) rose to around 90% of the BCS total and remained there until 2007/08.

5.4 However, from 2007/08 onwards there was a sharper fall in police recorded crime than BCS crimes. The effect of this was to increase the difference between the volume of police recorded crime and BCS crime. This trend continued until 2011/12, when the volume of police recorded crime (in comparable categories) was just under 70% of that reported to the Crime Survey (Source- Analysis of Variation in Crime Trends, ONS, Jan 2013).

5.5 In 2012/13, crime reported to the Crime Survey of England and Wales (CSEW) fell at a sharper rate (7%) than crime reported to the police (5%), suggesting that the figures are converging. (NB-The CSEW replaced the BCS in 2012).

5.6 The ONS report 'Analysis of Variation in Crime Trends' (2013) suggested drivers for the divergence between CSEW/BCS crime and police recorded crime might include;

- Lack of awareness and understanding of NCRS as time passed following its launch.
- Performance pressures associated with targets.
- The cessation of independent audits.
- The move to Neighbourhood Policing which may have seen low level crimes being dealt with outside formal mechanisms.
- Forces arguably stricter in their application of NCRS in the early years of implementation

6. Should recorded crime statistics be classified as National Statistics?

6.1 Although there was recognition that this may be difficult to achieve due to inconsistencies across forces, the vast majority of responding forces agreed that Crime Statistics should be classified as national statistics to provide greater confidence that the figures were true and accurate and to enhance their credibility and integrity.

Draft position paper on the coverage of crime statistics for England and Wales

Purpose

1. To receive comments from the Committee on a draft paper on the coverage of crime statistics.

Action

2. The Committee are asked to provide comments on the draft paper and publication plans.

Background

3. It has been recognised that public trust in crime statistics can be influenced as much by the way the statistics are used in the public policy debate about crime as the way they are produced. Political disputes about which of the two main sources provides a more accurate or reliable picture of trends in crime can lead to confusion and undermine trust.
4. Neither of the two main statistical sources (i.e. police recorded crime and the Crime Survey for England and Wales) purport to provide a total count of crime. While they supplement each other, in including groups or offences not covered in the other series, they do not provide a complete picture of crime. Other sources are increasingly used by ONS in the official statistics on crime to fill gaps in either series.
5. Questions have been raised about the extent to which the reducing levels of criminality picked up by the main two series have been displaced into new forms of crime not well measured by either series. This debate is particularly focused around cyber-crime. Such claims are difficult to prove or disprove given the lack of comprehensive quantitative data on cyber-crime.
6. The Committee have supported steps taken by ONS to improve the coverage and presentation of these new types of crime, including changes to the measurement of fraud by the police and work to explore the feasibility of including additional questions in the main CSEW crime count.
7. In advance of new data streams coming on stream, the Committee recommended that a position paper be prepared setting out clearly:
 - the coverage of existing crime statistics;
 - judgements about the extent to which crimes covered by the statistics may have been displaced into new types of crime; and
 - what work is planned to improve the measurement of new crimes and especially cyber-crime.

8. A draft position paper can be found at Annex 1. Members are invited to comment on this draft and on publication plans.

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Draft position paper on coverage of crime statistics

Introduction

1. The two headline measures of crime reported by ONS in the quarterly official statistics on crime (i.e. police recorded crime and the Crime Survey for England and Wales) have both pointed to a sharp reduction in crimes measured by the two series over the 10 to 20 years.
2. The latest estimate from the Crime Survey for England and Wales (CSEW) shows that the volume of crime measured by the survey (8.5 million) is down 55% from the peak estimated by the 1995 survey (equivalent to 10.5 million fewer offences). The police recorded crime series cannot be reliably compared beyond 2002/03 (the last major change in recording practice) but that series shows the latest count of recorded crime is 38% lower than the volume recorded in 2002/03.
3. These reductions have been driven by falls in the volume crimes of domestic burglary, vehicle-related theft (including theft of and property from vehicles) and vandalism/criminal damage. These trends in England and Wales have been mirrored in the rest of the UK and in other western democracies economies, such as in the United States and Europe.
4. With the rise of new technology, and specifically the internet, new *methods of committing crime* have emerged. For example, the offence of fraud (i.e. false representation for personal gain) is a long established crime. However, the internet provides a new vehicle, for example to enable fraudsters to attempt scams online. Similarly, the internet provides paedophiles with a new route to engage in sexual grooming of children or in the sharing of indecent images. At the same time, cyber-space allows the proliferation of such crimes on a large scale.
5. As well as providing a new method for committing established crimes, the internet provides opportunities to undertake new *types of crime*. Just as the offence of phone tapping could not have existed before the creation of the telephone, computer hacking could not have taken place before the rise of the internet.
6. A useful typology has been developed that distinguishes between *cyber-enabled crime* and *cyber-dependent crime* (McGuire and Dowling, 2013¹). Under this typology, cyber-enabled crime refers to using the internet as a new *modus operandi* to commit traditional crimes, such as fraud, harassment and sexual offences. Cyber-dependent crime is defined as using the internet to commit new types of crime not possible prior to its existence. Such crimes include illicit intrusions into computer networks (e.g. hacking) and disruption or downgrading of computer functionality and network space (e.g. using viruses and distributed denial of service attacks). One could argue that all cyber-enabled crime is by definition cyber-dependent but the typology is helpful in unpacking the term cyber-crime and in thinking about the profile of victims and offenders involved in each sub-category.
7. Questions have been raised about the extent to which criminality has been displaced from the traditional crimes (generally well-measured by the crime statistics) into these new types of criminality (generally less well-measured by the statistics). If there has

¹. Mike McGuire and Samantha Dowling (2013) Cyber crime: A review of the evidence, Home Office Research Report 75

been a significant switch from traditional to new methods of crime, then the statistics could be presenting a misleading picture. The true scale of cyber crime is unknown and in the absence of reliable quantitative data it is difficult to prove or disprove the claim that crime has simply been displaced into these new forms of crime.

Existing coverage of the crime statistics

8. The CSEW and recorded crime provide generally good coverage of crime committed against the public, particularly for offences involving physical harm, loss or damage to property. Together they provide a more comprehensive picture than could be obtained from either series alone. However, neither the CSEW nor police recorded crime aim to provide complete counts of crime, nor there are exclusions from both series.
9. Police recorded crime figures are supplied by the 43 territorial police forces of England and Wales, plus the British Transport Police, via the Home Office to ONS. The coverage of police recorded crime statistics is defined by the Notifiable Offence List, which includes a broad range of offences, from murder to minor criminal damage, theft and public order offences. However, there are some, mainly less serious offences, that are excluded from the recorded crime collection. These 'non-notifiable' crimes include many incidents that might generally be considered to be 'anti-social behaviour' but that may also be crimes in law (including bye-laws) such as littering, begging and drunkenness. Other non-notifiable offences include driving under the influence of alcohol, parking offences and TV licence evasion.
10. Police recorded crime covers people (for example residents of institutions and tourists) and sectors (for example commercial crime) excluded from the CSEW sample. Recorded crime has a wider coverage of offences, for example covering homicide, sexual offences, and crimes without a specific, identifiable victim (referred to as 'Other crimes against society') not included in the main CSEW crime count. Police recorded crime also provides good measures of well-reported and well-recorded crimes but does not cover any crimes that are not reported to or discovered by the police. The CSEW covers a narrower range of offences included in the police recorded crime collection, but reported volumes are higher as the survey is able to capture all offences experienced by those interviewed, not just those that have been reported to the police and recorded.
11. The Crime Survey does not currently cover cyber-crime though attempts have been made in the past to explore elements of it through ad hoc modules of questions included in the survey from time to time. Some of these have been more successful than others but have highlighted some of the difficulties in measuring cyber-crime.
12. Currently the police recorded crime series will include elements of cyber-crime that have been reported to them. However, except where these are subject to a specific legal offence (such as computer misuse) they are not identifiable in the recorded crime collection. For example, cyber-bullying would be recorded under the relevant offence such as harassment and not separately identifiable from other offences of harassment. Similarly, sexual offences committed on-line will be hidden within the relevant offence category and not distinguishable from crimes committed off-line. From April 2014, police forces are being asked to flag offences that have a cyber element to gain a better understanding of the extent of cyber-crime within the recorded crime collection. Of course, the recorded crime series will never include crimes that are not reported to or discovered by the police through proactive policing.

How much cyber-crime is there?

13. Just as it is in relation to all crime, it is impossible to provide a definitive answer to the question of what is the volume of cyber-crime? A recent review of the evidence base (McGuire and Dowling, 2013), highlighted that industry estimates of the scale of *cyber-dependent* crime are massive. For example:
 - Symantec reported blocking 5.5 billion ‘attacks’ and of detecting 403 million unique variations of computer viruses or other malware globally in 2011.
 - Symantec also reported that as a proportion of all emails, spam traffic, represented 69% of all emails in 2012.
 - Sophos showed the proportion of PCs experiencing a malware attack, whether successful or failed, over a three-month period – was almost 4%.
14. However, official records of cyber-dependent crime show relatively few victims of cyber-dependent crime reporting to the authorities. For example, just 7,427 crimes and incidents of computer misuse and extortion were reported to Action Fraud (and thus, included within the official statistics on crime) during 2012. The most common incident reported was illicit distribution of viruses, spyware or other malware (3,949 reports), which accounted for over one-half of computer misuse incidents, followed by reports of individuals hacking into social media and email (1,603 reports).
15. Likewise, there have been relatively few prosecutions under the Computer Misuse Act (CMA) 1990 with initial proceedings taken against 101 people, with 88 people sentenced with a primary offence under the Act between 2007 and 2012 (quoted in McGuire and Dowling).
16. This discrepancy between the supposed threat suggested by industry figures and official crime and justice records seems slightly incongruous. In part, it might be explained by the fact that security filters have been largely effective in blocking attempts to perpetuate crime and that few members of the public actually experience such victimisation. It may also reflect that people simply delete phishing emails and view them as a nuisance rather than as an attempt to victimise them. The 2011/12 CSEW included questions on mass marketing fraud and found that while 56% of adults had received an unsolicited communication in the previous 12 months, only a very small percentage had responded to them and actually fallen victim. However, in the context of a face-to-face interview, there may be some under-reporting as respondents may feel embarrassed to admit having responded to such communication.
17. More generally, under-reporting of cyber-dependent crime is thought to be an issue, particularly a case for businesses and public sector organisation that may fear commercial or reputational damage from such disclosures.
18. The evidence on cyber-enabled crime is similarly patchy. As with conventional crimes, acquisitive offences are likely to dominate overall volumes. So there is evidence to suggest that cyber-enabled fraud is much more prevalent than cyber-harassment and sexual offences committed on-line. For example, Action Fraud received 47,980 reports of cyber-enabled fraud (included in the official statistics on crime) during 2012 while the Child Exploitation and Online Protection Centre received 3,652 reports during 2009/10.
19. Of course, in both spheres it is likely that there is significant under-reporting of crimes. While attempts to commit crime are counted on a par with successful incidents in conventional crime statistics it is debatable whether it makes sense to do so in the field

of cyber-enabled fraud, even if it were possible to accurately do so (see paras 21 to 24 below).

20. Industry sources show the scale of financial losses resulting from financial fraud online and retail fraud run to hundreds of millions per year. While it is not possible to translate this into crime incidents it is clear that this would represent a huge increase in the crime statistics if they were to be included. Whether or not the volumes would be large enough to more than make up for, or equal, the reduction in traditional crimes (10.5 million CSEW offences a year) is unclear. In the latest crime statistics frauds reported by Action Fraud and other industry sources account for around 500,000 offences in the last 12 months. Thus unless there is a large level of under-reporting, it seems unlikely that cyber-enabled crime is running at such high volumes to have meant the fall in crime reported by the two main measures of crime is misleading.

Challenges in measuring cyber-crime

21. The measurement of cyber-crime presents a number of specific challenges. Both the CSEW and PRC have a victim-focus and a key principle of counting crime is that one crime is recorded for each victim. In the CSEW victims are households or members of those households. In the PRC series, additional victims are businesses and other organisations.
22. Cyber-crime can present challenges in terms of identifying and counting victims. For example, in areas such as bank and credit card (cyber-enabled) fraud, there may be ambiguity about the victim. Is it the bank or financial institution who suffers the loss, the customer who may or may not suffer direct financial loss but certainly will suffer some inconvenience from dealing with the aftermath? Should both be counted as victims? It is difficult to think of an analogous position with conventional crime types.
23. A further measurement challenge presented by cyber-crime is that the internet provides the means for criminals to attempt to commit this type of crime on a grand scale. The victim-focused National Crime Recording Standard requires that an offence should be recorded for each individual victim. Thus a single act of uploading a computer virus or sending a malicious e-mail may impact on thousands of people and could (in theory) result in thousands of crimes being recorded. This presents a conceptual challenge compared with more traditional acquisitive crimes such as domestic burglary or car theft. Even if it were possible to count accurately the number of direct and indirect victims, does it make sense to combine such counts with more traditional counts of crime?
24. Cyber-crime is also more complex than more conventional crime in terms of jurisdiction. The ONS crime statistics aim to provide a measure of crime committed in England and Wales. Thus, a robbery experienced by a victim on holiday abroad will not appear in either the police recorded crime or CSEW series. By its nature, cyber-crime crosses geographical boundaries and cyber-space itself is difficult to pin down to geographical territories. While it is often possible to identify where the victim or victims reside, it is often not possible to identify where the offence originated. Centralised reporting systems (like Action Fraud) also mean that it is often not possible to provide any sub-national breakdowns of the data. This raises another conceptual challenge.

What is being done to improve measurement of cyber-crime

25. One important area of cyber-crime is fraud. There has been a significant change in the recording by the police, for statistical purposes, of fraud offences. Over the last year police forces have progressively moved to a system of recording all frauds centrally via

the Action Fraud national reporting centre and from April 1st 2013 all forces have completed this transition.

26. The ONS quarterly releases are showing large increases in the amount of fraud recorded by the police, for example up 27% year on year in the latest publication. There are a number of factors that may have contributed to this increase including:
 - the centralisation of recording fraud and a possible improvement in recording practices resulting from having a specialist team dealing with fraud;
 - an increased proportion of victims reporting fraud following publicity around the launch of Action Fraud; and,
 - a possible increase in the volume of fraud.
27. It is not possible to separate out or quantify the scale of each possible effect. A clearer picture will emerge over the next one to two years once the new recording arrangements have matured.
28. Following advice received from the Crime Statistics Advisory Committee, the ONS will be conducting some work exploring the feasibility of extending the main victimisation module in the CSEW to cover elements of cyber-crime. This work includes developing and cognitively testing questions for inclusion in the survey and fieldwork piloting. It will also include examine what impact adding such questions may have on existing questionnaire length and on existing time series. This work will be extensive and expected to run through most of 2014 with proposals ready for implementation by April 2015.

CRIME STATISTICS ADVISORY COMMITTEE

Principle Crime Recording Rule for Stalking – Threshold for Crimes of Violence

Purpose

1. The purpose of this paper is to seek the Committee's advice on the plan to create a new classification within the Home Office Counting Rules (HOCR) for Stalking.
2. There is one specific question relating to the threshold, whereby a crime of stalking is recorded in preference to a crime amounting to an assault. This has been recommended by the National Crime Recording Strategic Steering Group (NCRSSG), and is now being considered by Ministers.

Action

3. Committee members are invited to:
 - consider and advise on the question relating to the threshold, whereby a crime of stalking is recorded in preference to a crime amounting to an assault.

Background

4. At previous meetings of the Committee, the National Crime Registrar's report has set out the plan to create a new classification within the Home Office Counting Rules (HOCR) for Stalking. The Home Office is now pressing ahead with the establishment of that classification.
5. Parliament passed new legislation in 2012 creating more specific offences amounting to stalking in recognition of the very serious nature of this course of action and the very serious impact it can have on the lives of victims. There has been strong pressure to ensure that genuine offences of this type are clearly identified in recorded crime data. Under the current arrangements stalking is subsumed in the more broad classification of harassment.
6. However merely creating the new classification is not enough as in many cases of stalking other criminal activity also occurs as part of the overall course of conduct. For example a victim may have their car damaged or may have graffiti placed on their property. Under the general provision of the HOCR, where a victim is the subject of a range of crimes by the same offender reported at the same time, only the most serious offence is recorded. The determination as to the most serious offence is made by reference to the maximum available prison sentence that could be given for each crime in question. Applying this rule could see a crime of damage being recorded in preference to a stalking matter. The national policing lead for stalking chairs a stakeholder group which has strongly recommended (as outlined in earlier reports to the committee) that a specific rule should apply to stalking to

ensure that, where stalking has taken place that the stalking is recorded and not the other crime, subject to there being a threshold of seriousness.

7. This rule has been consulted on at length through the NCRSSG, the HO CR Technical Working Group and the National Stalking Working Group. All have concluded that in all cases where crimes of damage, voyeurism, exposure or theft are also present then the stalking should be recorded as the principle crime. It has also been concluded by all, that crimes amounting to assault up to and including causing actual bodily harm, contrary to section 47 of the Offences against the Person Act 1861 should also be secondary to stalking.

Threshold for Violence Offences Amounting to GBH

8. There was, however, some initial disagreement as to the position relating to crimes of violence amounting to wounding causing grievous bodily harm (contrary to section 20 of the same Act). It is useful to note, that there are **two** offences for wounding causing GBH. The section 20 being referred to and a more serious one under section 18 of that act. For clarity, it is not intended that section 18 assaults should be secondary to stalking for recording purposes. Annex 1 sets out the various offences and their related maximum sentences.
9. Some felt that whilst ABH was reasonable as being within the threshold once a GBH had occurred, this might be viewed as significantly serious to warrant identification as such. Conversely, practitioners and in particular the Technical Working Group noted that having the threshold as ABH would present some significant challenge and burden to police forces. This is because in HO CR both section 47 ABH and section 20 GBH are contained within the same classification of Assault with Injury (8N). It is recognised that there is sometimes a very fine line between section 47 and section 20 offences in terms of the level of injury involved (for recording purposes at least) and that in fact the injuries required for the section 20 offence to be made out are not necessarily as serious as the term GBH might infer. It was also noted that the maximum sentence for both of these offences and the new stalking offences is the same, as both section 47 and section 20 offences are counted and classified together, in HO CR this is not currently an issue for crime statistics. Requiring forces to make a more difficult decision between the two, in order to determine if the assault of stalking should be recorded, would require a much higher level of information and potentially add significantly more burden to quality assurance processes.
10. Having considered this, all those involved have agreed that it is appropriate to set the threshold to include the section 20 assaults. Investigators and others engaged with victims of stalking continue to highlight the significant impact this crime has on their lives (all too frequently resulting in major life change being necessary such as changing jobs or moving home) and that even where a stalking event might result in or include a section 20 assault, it is still in their view necessary to have clear and transparent data on stalking available. As result the NCRSSG has fully endorsed this position.

Steve Bond
National Crime Registrar
8 November 2013

Offences and Maximum Sentences

A. Offences against the Person Act 1861 Section 18

Wounding with intent to do grievous (bodily harm).

Maximum Sentence – Life Imprisonment

B. Offences against the Person Act 1861 Section 20

Malicious wounding: wounding or inflicting grievous bodily harm.

Maximum Sentence – 5 years (7 if racially aggravated)

C. Offences against the Person Act 1986 Section 47

Assault occasioning actual bodily harm.

Maximum sentence - 5 years (7 if racially aggravated)

D. Protection of Freedoms Act 2012 Section 111

Stalking Involving Fear of Violence/Stalking involving serious alarm/distress

Maximum sentence - 5 years (7 if racially aggravated)

CRIME STATISTICS ADVISORY COMMITTEE

Report of National Crime Registrar

Purpose

1. This paper is the regular report to the Committee from the National Crime Registrar. In accordance with the Committee's terms of reference, these reports are intended to either outline any proposed changes to the Home Office Counting Rules (HOCR) in detail or, where there is no need to do so, to advise accordingly.

Action

2. Committee members are invited to note the contents of this paper

Background

3. As set out in the Committee's terms of reference, the National Crime Registrar (NCR) has delegated authority to determine as an ex officio member whether proposed changes to the HOCR or the National Crime Recording Standard (NCRS) require referral to it for consideration prior to implementation.

Crime Recording Strategic Steering Group

4. The National Crime Recording Strategic Steering group (NCRSSG) met in its new form for the second time on the 9th October 2013. In addition to items that form part of the substantive agenda for this meeting of the committee the SSG also concluded the following decision for change to the HOCR with effect from 1st April 2014 and which have been assessed as being not of statistical significance. The SSG has representation from all the key stakeholders and membership includes the Home Office, the National Policing lead and the ONS all of whom also sit on this committee.
5. To revise and simplify the rules governing the recording of crimes amounting to vehicle interference and attempted thefts of or from vehicles. Currently, and to meet the needs of now abolished performance measures, there is a burdensome and complex decision making process set out to guide the police on when to record an offence of vehicle interference and when to record attempted thefts of or from vehicles. This includes an assessment being made of the intent of an offender even where that offender is not identified or caught. Whilst such complexity was required to meet the needs of those measures this now merely presents challenges and some burden. The SSG also noted that however these crimes are now classified they are all presented in the statistics by ONS as part of

the broad vehicle crime classification a change previously considered and supported by the committee. The revision will result, in the main, in crimes that may have been attempted thefts now being counted as vehicle interference where the intent cannot easily be established. This has no effect on the overall number of crimes to be recorded.

6. In addition the SSG also considered a proposal to extend and review the definition of a Crime Related Incident (CRI) and to further examine the benefits and opportunities that having a much more robust data collection relating to CRIs might offer. CRIs are defined as those reports which may amount to a crime but for which no formal crime is recorded because that report fails to meet the various thresholds and requirements set out in the HOCR and NCRS. The SSG has agreed that the Technical Working group should examine this more closely and that consideration should be given to having a limited data collection (as a starting point) limited to sexual offences. There will be further reports as this work progresses and if appropriate a paper will be presented at a future meeting of the committee.

Update on the Weeding of Never or Rarely Recorded Crimes

7. At the committee's last meeting a paper was presented to consider a revision to the threshold by which crimes are added to the notifiable list (and are thus included in crime statistics) and the committee's advice was that the proposals should be taken forward. At the time of writing this report agreement from Ministers as to the next steps have not been confirmed. Any firm proposals, including a list of crimes scheduled for deletion, will be made available to the committee as soon as possible. This is likely to be via correspondence.

Steve Bond
National Crime Registrar
8 November 2013