



THE GOVERNMENT RESPONSE TO THE THIRTEENTH REPORT FROM THE
PUBLIC ADMINISTRATION SELECT COMMITTEE SESSION 2013-14 HC 760:

Caught red-handed: Why we can't count on Police Recorded Crime statistics

Presented to Parliament
by the Secretary of State for the Home Department
by Command of Her Majesty

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THE GOVERNMENT RESPONSE TO THE THIRTEENTH REPORT FROM THE PUBLIC ADMINISTRATION SELECT COMMITTEE SESSION 2013-14 HC 760: Caught red-handed: Why we can't count on Police Recorded Crime statistics

The Coalition Government has always believed that the crime statistics – both the Crime Survey for England and Wales and the Police Recorded Crime figures – must be as robust and independent as they can possibly be. That is why the decision was taken in January 2011 to transfer responsibility for publishing them from the Home Office to the Office for National Statistics (ONS).

It is particularly important that the police record crime accurately, so that victims of crime receive the service they deserve and so that the public can hold their force to account, including through their elected Police and Crime Commissioner (PCC). The operational independence of the police in this country means it is for chief constables to ensure that crime recording in their police force is accurate and honest, and the Home Secretary wrote to them earlier this year to underline the importance of that responsibility. In addition, the Home Office has removed central targets, and introduced a new Crime Outcomes Framework this April, which will provide greater transparency on crime investigations that have been closed off and reduce perverse incentives on police forces not to record crimes.

The Government's policing reforms, including the introduction of PCC and the strengthening of the inspection regime of Her Majesty's Inspectorate of Constabulary (HMIC), are ensuring more direct accountability for the quality of crime recording. The Committee is already aware that the Home Secretary commissioned the Inspectorate last June to undertake a detailed inspection of crime recording in every police force. It is also worth noting that it was the PCC for Kent, Ann Barnes, who requested an inspection of crime recording in her force last February. That inspection highlighted a number of specific weaknesses which have now been addressed. Looking forward, the College of Policing has an important role to play in ensuring the accuracy of crime recording, including through the new Code of Ethics and training for Force Crime Registrars. In that context, the Government welcomes the Public Administration Select Committee's report. The concerns highlighted by the Committee form an important backdrop to the ongoing inspection of crime recording in every police force, and the Inspectorate's interim report, published in May, has already indicated some significant failings in the 13 police forces inspected so far. The Inspectorate's final report, due later in the year, will give an independent and comprehensive picture of overall crime recording quality and rates of compliance with recording standards across all 43 forces in England and Wales.

As the Home Secretary has already said, it is possible, once the Inspectorate has completed its work on crime recording quality and made recommendations on how police forces need to improve, that the recorded crime statistics will show an increase. If that increase is driven by improved accuracy in the recording of crime or more victims reporting crime to the police, it should be welcomed.

Such an increase would not mean that crime itself is rising. England and Wales are safer than they have been for decades, with the latest Crime Survey figures showing crime at the lowest level since the survey began in 1981, and 60% lower than the peak in the mid 1990s. The Crime Survey is independent both of police forces and the Home Office, and has retained its National Statistics status. Other indicators also show that crime is falling – for example, National Health Service data shows the number of people admitted to hospital as a result of assault is falling. It is therefore vital that the public trusts the figures, and the Government is confident it is taking the necessary steps to improve the accuracy of police recorded crime statistics.

The ONS is leading the work to secure re-designation of police recorded crime as a National Statistic, working closely with the Home Office, HMIC and others. The 18-month project aims to address the technical requirements outlined in the UK Statistics Authority's (UKSA) assessment report¹ by Spring 2015, which would then enable the ONS to apply for reassessment by the Statistics Authority. The ongoing inspection of the integrity of police crime recording is an important component of that work, and HMIC will make specific recommendations for each of the 43 police forces in England and Wales to improve the accuracy and consistency of their recorded crime data.

The Committee has also raised some important issues over the treatment of whistleblowers. Whilst the Government cannot comment on specific cases, it is important that there are clear processes for police officers or staff who want to highlight concerns about their own or any other force, and the Inspectorate will be looking at that issue as part of its inspection on integrity and corruption later in the year. The Government recognises the need to do more to encourage and protect police officers who want to report corruption and misconduct. The Home Secretary has already committed to strengthen protections for whistleblowers in the police. Proposals will be brought to the House in due course.

The Committee's specific recommendations are addressed in turn below.

- 1. We recommend that UK Statistics Authority (UKSA) urgently investigate the quality of crime statistics in Scotland and Northern Ireland and their compliance with the Code of Practice, in the light of the findings of this inquiry, and UKSA's decision to remove the 'National Statistics' kitemark from crime statistics in England and Wales. (Paragraph 8)*

This is an issue for the UKSA to take forward with the devolved administrations.

- 2. The Home Office must undertake a comprehensive analysis in order to explain the extraordinary disparities in no-crime rates for sexual offences across all police forces. We expect this to be completed within two months and included with the response to this Report. We also recommend that the devolved administrations*

¹ www.statisticsauthority.gov.uk/assessment/assessment/assessment-reports/assessment-report-268---statistics-on-crime-in-england-and-wales.pdf

undertake analogous work. This should lead to work to improve the accuracy, transparency and reliability of police recorded sexual offences so that a table of no-crime rates does not suggest systemic inconsistency in recording practices. (Paragraph 42)

Work began well ahead of the Committee's report to examine the recording of sexual offences. HMIC is currently in the process of an all-force inspection on forces' approach to crime recording and "no-criming". Sexual offences is one of the six main crime types that HMIC is reviewing and a specific sample of rape cases is being collected to assess police recording of rape.

The HMIC Rape Monitoring Group provides PCCs and chief constables with core information to further improve their response to rape. The Group has published data for all forces on no-crime rates, recorded rates per 100,000 and detection rates to enable chief officers and PCCs to interrogate force performance on rape. The Minister for Crime Prevention and the Minister for Policing, Criminal Justice, and Victims have jointly written to all forces and all PCCs setting out their clear expectation that this data should be used to drive improvements in their performance. In publishing this data, HMIC and Ministers have been clear that a low or high rate of no-crime is not necessarily indicative of whether the public is receiving a good service.

The recommendation for devolved administrations is for those administrations to consider.

- 3. We recommend that the ONS review and then publish, alongside the Crime Survey for England and Wales, information about the nature of the sample, including the impact of the reduction in sample size on the reliability of the statistics, its cost over time, and an explanation of what statistics might be published at a sub-national level, for example for the larger police forces. (Paragraph 46)*

This is for ONS to answer. However, Home Office statisticians will provide support to ONS on work they undertake to explore the impact of changes to the sample.

- 4. We endorse UKSA's recommendation that the ONS should publish a clear statement of the respective roles and responsibilities of the Home Office and the ONS in the production of police recorded crime statistics. (Paragraph 59)*

We accept UKSA's recommendation and the Home Office has worked with ONS to set out more clearly the roles of the departments in the bulletin published in April 2014, which covers crime statistics for the year ending December 2013. In addition,

the ONS has further publicised details of the split of responsibilities on page four of their quality and methodology information report².

5. *We recommend UKSA works closely with the Home Office in its role as the first recipient of raw data from forces, and ensures the Home Office takes active primary operational responsibility and accepts accountability for ensuring the integrity of the data which it collates, validates and submits to the ONS for publication. (Paragraph 60)*

We do not agree with this recommendation, which would entail the Home Office undertaking a case by case validation of the 900,000 crime records supplied across all forces each quarter. The police rightly have operational independence from government. It is for chief constables to ensure the quality of crime recording in their force area, and for PCCs to hold them to account. The Home Secretary wrote to chief constables earlier in the year to emphasise this responsibility. The integrity of crime data supplied to the Home Office should therefore be monitored and managed by the force itself. The Home Secretary asked HMIC to undertake a review of the quality of crime recording by the police last year and the initial report has now been published with a final report due in the autumn. Home Office statisticians will continue to carry out a separate validation of the data, comparing and verifying trends, identifying and querying outliers supplemented by information highlighted in the HMIC inspections, and then discussing their findings with forces.

6. *UKSA should hold the Home Office directly accountable for its role in the recorded crime statistics process, including its validation and quality assurance processes as well as its policy guidance to forces and Police and Crime Commissioners, and should in future examine the Home Office's processes and procedures directly rather than at one remove. (Paragraph 60)*

We believe it is UKSA's responsibility to assess statistics against the Code of Practice. Home Office statisticians worked with UKSA to provide input and support to their recent assessment of the crime statistics against the Code of Practice.

The Home Office is also responsible for preparing and administering the Home Office Counting Rules, ensuring these are clear and robust, and providing guidance to Force Crime Registrars. However, it is the responsibility of chief constables to ensure the quality of crime recording in their force, and for PCCs to hold chief constables to account.

7. *We recommend that UKSA should review the role and composition of the Crime Statistics Advisory Committee (CSAC) and the structures supporting the production of crime statistics, just as it has recently with a similar committee advising on inflation figures, to ensure that CSAC is independent and rigorous and that these statistics best meet user needs in future. (Paragraph 62)*

² <http://www.ons.gov.uk/ons/guide-method/method-quality/quality/quality-information/crime-and-justice/index.html>

This is a matter for CSAC and UKSA. The National Statistician's review recommended the establishment of CSAC, and the Home Secretary agreed to the recommendation. CSAC was seen by UKSA as a model for establishing the Advisory Panel on Consumer Prices, and the Home Secretary values the advice that the committee provides.

8. *UKSA must not in future grant to, or maintain, the kitemark of 'National Statistics' on any set of statistics where it has failed to verify whether the underlying data meets the standard required. They should, as a matter of urgency, review all other similar statistics where collection processes are beyond the control of the ONS. UKSA should review the Code of Practice for Official Statistics to determine whether it needs to be revised to allow for the new emphasis on administrative data. (Paragraph 65)*

This is a matter for UKSA, which is currently: considering the use of administrative data in producing statistics; reviewing how it assesses quality in future assessments; and considering risks for the quality of administrative data where statistics based on it are used for target monitoring.

9. *We recommend that the Home Office and College of Policing make a more explicit statement of how the Code of Ethics' enforcement framework will impose a duty of data integrity on police officers in respect of crime recording practices, and that penalties will apply in the event of deliberate non-compliance. They must also ensure that officers are familiar with the victim-focussed principles of the National Crime Recording Standard and the distinction between recording standards and charging standards. (Paragraph 71)*

There is already a professional duty on police officers and staff to comply with the principles of the National Crime Recording Standard. However, the College has now included a specific statement in the Code of Ethics (due to become a code of practice this summer) on compliance in respect of crime recording practices. The College has explicitly stated that officers must 'comply with the National Crime Recording Standard' as an example of meeting the standard on conduct in Section 9 of the Code.

A framework is currently being established by the Home Office for how breaches of the Code could result in misconduct. Although not all breaches of the Code will result in misconduct, the Code will provide a framework and widen the scope of the expected levels of behaviour that can be used by appropriate authorities when considering if there has been a breach.

Prior to the Committee's hearings, a joint decision between the Home Office and national policing leads was made to develop more formal training in regards to familiarity with the National Crime Recording Standard. The College has been commissioned to develop the national curriculum for the role profile for Force Crime

Registrars, with an internal national course for them also being developed. This is expected to be delivered by the end of the financial year.

The College will be working with forces to identify gaps in knowledge and any additional training requirements.

10. Senior police leaders and HMIC must ensure that emphasis is placed on data integrity and accuracy, not on the direction of recorded crime trends. Formal performance appraisal should be based upon these core policing values and not based on targets derived from police recorded crime data or other administrative data on their own. We are convinced that this requires leadership in many police forces to place new emphasis on values and ethics, especially in the Metropolitan Police Service. We expect HMIC to lay much stronger emphasis on this aspect of police behaviour in future Annual Assessments. (Paragraph 89)

The accuracy and integrity of police recorded crime data is extremely important both for maintaining public trust in the police, and to enable the police to ensure their resources are deployed efficiently and effectively for the protection of the public and the disruption and apprehension of offenders.

HMIC is currently conducting a 43-force inspection of police crime recording policies and practices, and an interim report was released on 1 May 2014, with a final report to be published in the autumn.

In addition to the current 43-force inspection into crime data integrity, in 2014/15 HMIC will begin a new annual programme of all-force inspections of core policing work, and that will include crime recording. The work on this programme is currently in the planning stages.

11. We recommend that the Committee on Standards in Public Life conducts a wide-ranging inquiry into the police's compliance with the new Code of Ethics; in particular the role of leadership in promoting and sustaining these values in the face of all the other pressures on the force. (Paragraph 91)

This recommendation is for the Committee on Standards in Public Life. However, HMIC will be undertaking, at the Home Secretary's request, a review of police integrity and corruption. This will include consideration of forces' plans to implement the Code, which will only become a statutory code this summer.

Separately, the College is revisiting the leadership training that is provided to senior officers.

12. We recommend that the Home Office clarify the current position about the external bodies a police officer may approach once internal procedures have been exhausted. We deplore the failure of the Home Office to send us a reply in time for this Report. As soon as we receive a reply, we will publish it on our website. (Paragraph 97)

On 4 April, the Minister for Crime Prevention wrote to the Committee explaining how officers can report concerns to the Independent Police Complaints Commission (IPCC). The letter reaffirmed the Home Secretary's intention to strengthen protections for officers that do come forward. The Home Office regrets the delay in responding.

13. We recommend that the Home Office clarifies the route open to police whistleblowers who have exhausted internal channels within their police forces. Police whistleblowers should be free to refer their allegations to the Independent Police Complaints Commission (IPCC), and should, while those concerns are pending formal investigation, enjoy immunity from disciplinary proceedings in relation to actions taken in order to raise those concerns. (Paragraph 98)

Police officers can report concerns about fellow officers directly to the IPCC. The IPCC provides a hotline specifically for police officers and staff to report misconduct in their own forces. The IPCC has the power to order an investigation of any misconduct matter. The Government recognises the need to do more to encourage and protect police officers who want to report corruption and misconduct. The Home Secretary has already committed to strengthen protections for whistleblowers in the police. Proposals will be brought to the House in due course.

14. a) We recommend that Her Majesty's Inspectorate of Constabulary should investigate the Metropolitan Police Service in respect of the treatment of PC Patrick and review the internal processes and procedures of the police for dealing with whistleblowers, in order to ensure that they are treated fairly and compassionately. (Paragraph 99)

HMIC does not have the power to investigate specific cases – this would be a matter for the Mayor's Office for Policing and Crime (MOPAC) or the IPCC. However, as mentioned above, HMIC will undertake a review of integrity and corruption this summer, which will include consideration of whistleblowing.

14. b) We further recommend that the Home Affairs Committee should inquire into these matters to ensure that whistleblowers in any police force are treated fairly and with respect and care. We have grave doubts that the Metropolitan Police Service has treated PC Patrick fairly or with respect and care. (Paragraph 99)

This recommendation is for the Home Affairs Committee.

15. We recommend that HMIC confirm that a rigorous audit of crime recording integrity will form a permanent part of these audits. Audits should ensure that the senior leadership within each force articulates the importance of data integrity to its officers. It is therefore essential that the Force Crime Registrar has not only had the requisite training but the necessary authority within the force to do their job. HMIC should identify a minimum suitable rank for FCRs, such as Deputy

Chief Constable or equivalent, and FCRs should report directly to the force Commander. (Paragraph 115)

As set out above, in 2014/15 HMIC will begin a new annual programme of all-force inspections of core policing work, and that will include crime recording.

The Government is not convinced that the proposed minimum rank for Force Crime Registrars is needed: not all Registrars are police officers, and it is beyond the statutory remit of HMIC to set a minimum rank for Registrars. It is vital that their status is enhanced and supported and that their decisions or reports are taken seriously by chief officers. The Home Office sets out clear guidelines (published in the Home Office Counting Rules) that state that Registrars should be independent of those responsible for performance and should report directly to the chief officer with responsibility for crime data. We consider that this should be the Deputy Chief Constable (or equivalent).

To better support this status, the College of Policing is developing a national training and accreditation programme. This will be delivered by the end of the financial year.

We are of the view that, taken together, these arrangements will provide Force Crime Registrars with the correct balance of specialist knowledge and authority within the force. However, it is essential that the senior officer takes an active role for the arrangement to be successful. Chief constables and PCCs should satisfy themselves that this is the case, and we would expect HMIC to assess the effectiveness of this arrangement as part of their future work on crime data integrity.

16. We recommend that the current audit should examine the reasons for misrecording, such as the effect of performance culture (identifying instances where targets drive perverse incentives), poor understanding of counting rules, inadequate training and deliberate malpractice. (Paragraph 116)

HMIC's current crime data integrity audit examines the reasons for possible misrecording of crime. The interim report states:

“The reasons for these failures will sometimes be a combination of factors, and sometimes one or two. In some cases, it is simply poor knowledge of the rules and inadequate or absent training in their content and application. In others, poor supervision or management of police officers will be responsible. Pressure of workload, where police officers have been managed in such a way as to overload them with cases, is also a likely factor.”

17. The Chief Inspector of Constabulary assured us that HMIC is “completely independent” in its judgements and has “no allegiance, other than to the public interest and to the law.” This is not self-evident, given the numerous instances of HMIC inspectors moving from and into senior positions within police forces. It is therefore vital to the credibility of HMIC’s annual audit of crime recording that this

*independence of judgement be maintained and be seen to be maintained.
(Paragraph 117)*

HMIC is independent of both the police service and the Government. Both its independence and inspection rights are vested in Her Majesty's Inspectors, who are Crown appointees.

The decisions of HMIC on the content of reports are made by HM Inspectors of Constabulary. None is a seconded police officer or a civil servant. HM Inspectors of Constabulary receive advice and assistance from civil servants and seconded police officers, but that does not in any way impair the independence of judgments of HM Inspectors of Constabulary.

As well as their political independence, the Inspectors of Constabulary are also independent of the police service. No Inspector of Constabulary is or can be a serving police officer. Those who have been police officers have left the police service, and for the first time since the establishment of the Inspectorate, a majority of the Inspectors of Constabulary have professional backgrounds which are not of the police service. The independence of the Inspectors of Constabulary has been in place since the Inspectorate was established in 1856, and it remains an important and precious characteristic of the Inspectorate today. This is because objective professional assessments and judgments are essential, and nothing must be concealed on irrelevant grounds, whether political considerations or any perception of a misconceived or improper allegiance to the police service. The allegiance of the Inspectors of Constabulary is to the public interest, as defined by Parliament and the law; they have no other allegiance.

18. Some PCCs consider the perverse incentives created by targets to be so serious that they have dropped all targets. Others believe the risk is manageable. As part of its annual audit programme, HMIC should examine the effect of PCC target-setting on crime recording practices and culture, and should in due course look back at the first PCC period in office to assess the impact on data integrity of locally-set targets. (Paragraph 127)

19. The Home Office, which claims credit for abolishing national numerical targets, should make clear in its guidance to PCCs that they should not set performance targets based on police recorded crime data as this tends to distort recording practices and to create perverse incentives to misrecord crime. The evidence for this is incontrovertible. In the meantime, we deprecate such target setting in the strongest possible terms. Police recorded crime data should not be used as the basis for personal performance appraisal or for making decisions about remuneration or promotion. We regard such practice as a flawed leadership model, contrary to the policing Code of Ethics. (Paragraph 128)

This is a matter for PCCs. As has been made publically clear, the Home Secretary has actively discouraged commissioners from setting local performance targets.

However, the Government cannot insist that they be dismantled. To do so would arguably dilute the integrity of the PCC model itself.

As part of its current crime data integrity audit, HMIC will examine the reasons for possible misrecording of crime, including the effect of performance pressures.

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