



Inspecting policing  
in the **public interest**

# Crime Recording in Kent

A report commissioned by the Police and Crime  
Commissioner for Kent

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## Executive summary

In February 2013, the Police and Crime Commissioner for Kent (the Commissioner) commissioned Her Majesty's Inspectorate of Constabulary (HMIC) to conduct an inspection *"to determine whether the people of Kent can have confidence in Kent Police's crime figures"*.<sup>1</sup> This followed an internal review by Kent Police focusing on crime detections and performance culture.

To answer this question, HMIC reviewed the force's practices at every stage of the crime-recording process, from the point at which a member of the public calls the police, to the final resolution (or 'disposal') of the crime (for instance, through a caution or penalty notice for disorder). We also examined the extent to which the culture in Kent has had an impact on crime-recording practices.

The stages of the crime-recording process are set out at Annex A.

### Recording crime

The Home Office sets the national standards for the recording of crimes through the National Crime Recording Standard (NCRS), which is underpinned by the Home Office Counting Rules (HOCR). These aim to establish consistent standards in all police forces, using an approach to crime recording that is based on the victim's account of events. There will often, however, be a degree of subjective interpretation in making decisions about how to record crimes.

Calls from victims of crime in Kent are dealt with in the force control room. We found that the call-takers provide a high-quality service to victims at this point, and make accurate records of the information they provide.

In order to provide a victim-focused service, Kent Police has a policy of attending (i.e. sending out an officer in response to) all calls where the call-taker believes, based on the information given by the caller, that a crime has been committed. Once an officer has attended, he or she contacts the force's central Investigation Management Unit (IMU) and makes a report. IMU staff use this information to decide if a crime should be recorded.

Based on the information recorded in a sample of 303 cases, HMIC found that the decision to record a crime is correct approximately 90% of the time.<sup>2</sup> While this suggests some improvement in systems and processes in comparison with previous audits in Kent, it still indicates that the force is under-recording approximately one in every ten crimes. It also means that some victims are not getting the service they deserve (for example, because certain victim support services are only triggered when a crime is recorded).

<sup>1</sup> Police and Crime Commissioners can commission HMIC to undertake inspections under section 54(2BA), Police Act 1996. Full terms of reference for this inspection are on p.7.

<sup>2</sup> 'Correct' here means in accordance with the NCRS and HOCR. The sample size is such that HMIC can estimate the overall proportion of incidents with crimes correctly recorded by the force at 90% (+/- 5%). The methodology used to calculate this is different from that used in previous HMIC inspections. The results can not therefore be compared with other forces. HMIC plans to use this methodology in its review of crime data integrity in all forces during 2013/14.

When a crime has been recorded, it can only be declassified (which is referred to as 'no-crimed') if the strict criteria set out in the HOCR apply. No-crimes account for approximately 3-4%<sup>3</sup> of overall recorded crime. No-criming is an important part of the HOCR as it caters for situations where the original decision to record a crime clearly turns out to be wrong (for example, where someone reports to the police that their car has been stolen from a multi-storey car park, only to find it later on a different floor). While it is appropriate for some cases to be no-crimed, when this is done incorrectly it can mean that suspects may not be brought to justice and the force's published crime figures will be inaccurate.

In 2012, HMIC found that Kent Police was applying a standard to its no-criming decisions which was different from that applied by all other forces in England and Wales.<sup>4</sup> Following clarification from HMIC, the force has now rightly changed its approach, and as a result of this and other changes the force has made, it is no-criming far fewer crimes than it did previously. For instance, data provided by the force as part of this inspection show that in January 2011, 178 no-crimes were related to violence; in January 2013, this number had fallen to 42.

This is encouraging, and to the force's credit. However, although Kent is now declassifying significantly fewer crimes, of the small proportion that it is still 'no-criming' we found that the decision to do so was incorrect in more than 25% of the cases we reviewed (15 of the 58 cases). The fact that this inaccuracy was evident in cases of rape, robbery and violence is of particular concern and is unacceptable.

The force needs urgently to ensure that its no-criming decisions meet the required standard. It should also put in place materially better arrangements for checking and evidencing that this is happening, so it can assure both itself and the people of Kent that offences are being properly investigated, and crime figures are accurate. The force recognises these concerns and is fully committed to making further improvements.

## Solving crime

After a crime has been investigated, it can be resolved in a number of ways. The HOCR and other national guidance stipulate the type of disposal which is appropriate, depending on the nature and circumstances of the offence, and if the perpetrator has any offending history. They also require the police to keep victims updated on the progress of the case.

HMIC found that Kent Police does not resolve all crimes in accordance with national requirements and guidance. For instance:

- some crimes that have a serious impact on victims (like burglary) are being dealt with using inappropriate disposals, such as cautions;
- on some occasions victims are not informed of how their cases have been resolved; and

<sup>3</sup> In 2011/12, the rate of no-criming in Kent was 4.3%, compared with an England and Wales rate of 3.4%. 2012/13 data were not available for this report.

<sup>4</sup> HMIC (2012) *The Crime Scene: Kent Police*. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)

- officers do not always carry out background checks on offenders before deciding on the appropriate disposal.

## **The culture in Kent, and its impact on crime-recording practices**

In the course of this inspection, HMIC found that a target-driven culture had, until recently, led to some officers in Kent pursuing crimes on the basis of how easy they were to solve, rather than on their seriousness, or their impact on victims or communities. For instance, we found evidence of:

- officers actively seeking out cannabis users in order to administer formal warnings; and
- a proactive policing team, set up to tackle burglary, being inappropriately redeployed to deal with cases of shoplifting.

HMIC considers that both these activities were motivated by the desire to meet monthly performance management targets in relation to the number of disposals attained.

While such an approach is not unlawful, and does not contravene the letter of the HOCR, it is against the spirit of the rules, which place the needs of victims – not of meeting particular performance targets – at the centre of the crime-recording process. HMIC therefore concludes that there has, in the past, been an institutional bias in Kent towards chasing numerical targets for solving crime. This has led to some officers focusing on those categories of crime which have the best chance of a quick and easy resolution. As a result, resources have sometimes been diverted from tackling other crimes, some of which have far greater impacts on the people and communities in Kent.

HMIC acknowledges that the force has recognised this as a major problem. The Chief Constable has personally led on the implementation of many changes aimed at rebalancing the performance framework, which now places more emphasis on the quality of service to the public, and less on compliance with numerical targets. The Chief Constable has expressed his determination to cast off the old, target-driven culture. However, while HMIC did not find evidence of the previous bad practices continuing at the time of inspection, these changes have only recently been introduced, and officers and staff interviewed as part of this inspection displayed some cynicism over how much difference they will make.

Kent Police recognises the importance of having the right culture to support the changes that it is making. Some important steps have already been taken. For example, the Chief Constable has carried out briefings personally with managers and supervisors and has publicised his mission, values and priorities. The force is committed to undertaking a comprehensive review of whether its culture is consistent with its new approach of promoting continuous improvement in policing.

## Conclusion: Can the public have confidence in Kent's crime figures?

HMIC found that there are still too many occasions when:

- Kent Police does not interpret the HOCR correctly, and so crimes are not correctly recorded; and
- crimes are not resolved appropriately.

As a result, some victims are not getting the service they deserve, and the force cannot provide full assurance of the accuracy of its published crime and resolution figures.

HMIC found no evidence of corrupt activity in the way in which the crimes that we looked at had been recorded or resolved. We acknowledge that the force has made a number of important improvements to its processes and policies in relation to crime recording, and that it recognises the imperative in this regard. However, HMIC concludes that **appreciably more needs to be done before the people of Kent can be confident that the crime and resolution figures published by the force are as accurate as they should be.**

HMIC is confident that, given the improvements made to date, and the personal commitment of the Chief Constable, the force will respond positively to the issues raised in this report and take the necessary steps to improve the accuracy of crime recording in Kent. The Commissioner has invited HMIC to revisit Kent later this year. We will do so as part of our national crime data integrity programme<sup>5</sup> and will assess how well the force has responded to the issues identified in this inspection.

<sup>5</sup> See HMIC (2013) *Inspection Programme 2013/14*. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk).

# Inspection terms of reference and methodology

## Terms of reference

This HMIC inspection was commissioned by the Commissioner in February 2013.<sup>6</sup>

The agreed terms of reference were as follows:

*An inspection to determine whether the people of Kent can have confidence in Kent Police's crime figures.*

*HMIC will review the processes and practices of crime-recording and subsequent disposals within Kent Police in order to answer the following questions:*

- *Is crime recorded appropriately by the force, in accordance with the National Crime Recording Standard and the Home Office Counting Rules?*
- *Are disposals managed effectively, and in accordance with policy and guidance?*

*The inspection will include an end-to-end review of crime-recording and disposal practices, starting from the point at which crimes are reported to the force, through to the disposal of crimes by way of one of the following methods of detection: charge/summons; caution; offences taken into consideration; restorative practice; penalty notice for disorder; and formal warning for cannabis possession.*

*HMIC will consider the extent to which the processes and culture (including the demands of the performance regime) in Kent have an impact on force activity in relation to the above. HMIC will carry out any testing that we see fit to ensure that the public can have confidence in the recording and disposal of crimes by the force.*

## Methodology

The inspection was conducted in two phases.

### Phase one

The first phase lasted one week, and comprised an audit of 303 crime and incident records which the force created as a result of calls to the police made between March and November 2012. A team of six experienced auditors traced the progress of these cases through the crime-recording process, from listening to recordings of the original calls made to the police, to examining the information recorded in the force's files

<sup>6</sup> Police and Crime Commissioners can commission HMIC to undertake inspections under section 54(2BA), Police Act 1996.

about how these cases were resolved. Compliance with the HOCR and other national guidance was assessed at each step.

The audit team also examined the resolution of approximately 30 cases through each of the following means: taken into considerations; cautions; penalty notices for disorder and formal warnings for cannabis possession. They also assessed a further 30 cases where restorative practices had been used. In each category, they made a judgment on Kent Police's level of compliance with the national rules and guidance that stipulate when each type of resolution is appropriate.

Finally, the audit team examined 58 cases in which the force had no-crimes (i.e. declassified) a crime record, to assess if the decision had been correct.

## **Phase two**

In the second phase, HMIC inspectors spent a week in force. They interviewed senior members of staff and visited the force control room, the Investigation Management Unit (IMU), and police stations across the force area. During these visits, they spoke to officers and staff at all ranks and levels, listened to a number of calls made by officers to the IMU, and accompanied officers as they visited victims who had reported crimes to the police.



## Background and context

### National standards for crime recording

The Home Office sets the national standards for recording of crimes through the National Crime Recording Standard (NCRS), which is underpinned by the Home Office Counting Rules (HOCR). These aim to establish consistent standards in all police forces, using an approach to crime recording that is based on the victim's account of events. There will often, however, be a degree of subjective interpretation in making decisions about how to record crimes.

It is extremely important that the police record crime accurately and in accordance with these standards:

- **accurate crime records help the police service to anticipate and prevent crime.** Police forces use the data contained in crime records to analyse the number, nature and location of crimes in their force areas. This allows them to identify trends, which can inform decisions about where resources should be deployed. For instance, if a particular street has seen an increase in burglaries, a force could send extra foot patrols to the area;
- **the police use crime records to direct resources towards helping the victims of crime** (for example, when a crime is recorded, the victim is normally put in contact with victim support services); and
- because crime data are published,<sup>7</sup> they also provide a source of information **for the public and their elected representatives (locally and nationally) to use when holding their force and police and crime commissioner to account** for their performance in tackling crime. HMIC also uses these data in its continual monitoring of force and national crime and resolution patterns.<sup>8</sup> This activity can clearly only be effective if the data are accurate.

### Concerns about crime recording in Kent

Over the last two years, concerns have been raised over the accuracy of some aspects of crime recording in Kent:

- HMIC's 2012 national inspection of police crime and incident reports concluded that Kent Police was applying a standard to no-crime decisions that was different from other forces, which appeared to have resulted in a higher no-crime rate than other forces;<sup>9</sup>

<sup>7</sup> For instance, at street level ([www.police.uk](http://www.police.uk)), police force area level ([www.hmic.gov.uk](http://www.hmic.gov.uk)), and national level ([www.ons.gov.uk](http://www.ons.gov.uk)).

<sup>8</sup> See HMIC (2012) *HMIC's Approach to Monitoring Forces in England and Wales*. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)

<sup>9</sup> See HMIC (2012) *The Crime Scene: Kent Police*. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)

- in 2010/11, Kent Police no-crimes 30% of recorded rape cases<sup>10</sup> – the highest rate of any force in the country (the rate for England and Wales as a whole was 12%). Although the rate of no-crimes for rape offences in Kent was lower in the 2011/12 figures (at 14.5%), this was still higher than the rate for England and Wales (10.8%); and
- in November 2012, five Kent detectives based in Maidstone were arrested as part of an anti-corruption investigation by the force. The officers no longer face any criminal proceedings and the matter is being considered internally.

By the time of our inspection, the force had conducted two internal reviews of its approach to managing crime detections, and of the impact of its performance processes.

<sup>10</sup> See HMIC/HMCPSP (2012) *Forging the Links: Rape Investigation and Prosecution*. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk). Data on no-crime rates are management information provided to the Home Office by forces, and have not been subjected to the quality assurance carried out for National Statistics on crime. Figures may also vary from previously published statistics, as they may incorporate revisions submitted by forces to the Home Office. 2012/13 data were not available for this report.

# The crime-recording process in Kent

## Process

When a member of the public rings Kent Police to report a crime, a call-taker in the force control room questions them about the circumstances, and creates an incident record on the force's command and control computer system, indicating whether he or she thinks a crime may have been committed. If it is decided that a crime has been committed, officers visit the caller to obtain more information on what happened. After this meeting, officers provide a full report to specialist investigators in the force's central Investigation Management Unit (IMU), who make the final decision about whether the incident should be recorded as a crime. Supervisors in the IMU are responsible for later deciding if a case should be no-crimed (i.e. declassified).

The recording of a crime is the trigger for the provision of certain services for victims (for instance, putting them in contact with victim support services). The police then investigate the crime. If they solve it, there are a number of means of finally closing the case (for instance, by charging an offender, or issuing a caution). Only if the case is resolved, or IMU investigators judge that there is no way it can be solved, is the crime record closed.

## The role of the Investigation Management Unit

HMIC's 2012 national review of crime and incident reports found that forces with central crime-recording desks tended to attain higher standards of accuracy.<sup>11</sup> In January 2012, Kent Police set up the IMU to fulfil this central function, with a view to improving its crime recording processes. The IMU deals with all crime recording and crime resolution across the force (previously, while initial crime recording was carried out by a central unit, subsequent investigation and resolution were managed by staff based in each of the six geographical policing divisions).

A team of 83 investigators, overseen by ten supervisors, work in the IMU and provide round-the-clock cover, 365 days a year. They are supported by a customer service and compliance manager, and by three members of staff who provide training and development support. The IMU is managed by a detective chief inspector, supported by four detective inspectors and six detective sergeants.

IMU investigators are responsible for ensuring that all reports of crime made to the force are recorded in accordance with the HOCR and NCRS. They receive a programme of training, which is followed by a process of accreditation before they are permitted to make crime-recording decisions independently. The IMU supervisors carry out checks to ensure their staff are applying consistent standards to crime-recording decisions. Detective inspectors in the IMU check ten incident logs each day to make sure that the supervisors themselves are all applying the same standards. A team of six detective sergeants in the IMU are responsible for all no-criming decisions with the exception of those that relate to rape cases; for these, the decision is made by one of four IMU detective inspectors.

<sup>11</sup> HMIC (2012) *The Crime Scene*. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk).

Overall, HMIC found that the IMU was well-managed (for example, the programme of training, accreditation and coaching). Placing responsibility for crime recording in the hands of a relatively small group of properly trained staff, who are not subject to pressures to achieve reductions in crime rates, provides a sound basis for good crime-recording decisions. This is an improvement on the previous arrangement, where area crime and incident management units were separately line managed by the local policing divisions, which led to greater variation in standards. Overall staff levels in these units were also significantly higher than in the current IMU – although the new unit still represents a substantial investment.

Given these arrangements, and the significant investment they have required, we would expect the standard of crime recording and resolution to be high.<sup>12</sup>

<sup>12</sup> HMIC will look (among other things) in its 2013/14 national crime data integrity programme at the relative costs and benefits of a centralised bureau (e.g. Kent's IMU), in comparison with (for instance) buying the technology that would allow officers to log information themselves, and on the street.

## Recording crime

***Call-takers in the force control room provide a good service to callers at the point they first contact the police. The force records most incidents accurately (i.e. as required by national standards) at this point.***

***However, while the force has made improvements to its process for recording crime, there are still too many occasions when the rules are being incorrectly interpreted and allegations of crime are not correctly recorded. The sample of 58 no-crime decisions by the force examined as part of this inspection also found a 25% error rate. This has a detrimental effect on the accuracy of the force's crime figures.***

HMIC's audit team listened to recordings of 303 calls made by members of the public to the police, and examined the incident records the force created as a result. When an incident record is created, it is assigned a code based on the nature of the incident. We selected incidents with the opening codes which were most likely to relate to a crime (such as fights, harassment and threats).

The 303 incidents were chosen at random from the 140,000 incidents with the selected opening codes that were recorded between March and November 2012.

### Reporting a crime and creating an incident record

We found that the call-takers in the force control room provided a very high standard of service to the public. Almost without exception, they were helpful, polite and asked appropriate questions. They demonstrated empathy to and reassured callers, some of whom were understandably anxious or upset.

### Attending officers

Unlike most forces, Kent Police has a policy of attending (i.e. sending an officer out in response to) all reported incidents that appear to the call-taker to constitute a crime. The force takes this approach for two reasons. Firstly, it provides a better service to victims of crime. Secondly, by sending an officer in person the force aims to increase the accuracy of the information obtained. This has contributed to the force having high levels of overall satisfaction among victims of crime.<sup>13</sup>

Kent's graded response policy dictates how quickly the police attend:

- the most pressing cases receive either an immediate response (within 15 minutes in urban areas and 20 minutes in rural locations), or a high priority response (attendance within 60 minutes); while
- in less urgent cases, the call-taker agrees a scheduled response with the caller, normally through booking an appointment.

<sup>13</sup> At 89%, overall victim satisfaction in Kent was higher than in England and Wales as a whole for the 12 months to the end of December 2012. This is a statistically significant difference. Source: Survey data provided by forces to the Home Office.

The HOCR state that a crime should be recorded as soon as the reporting officer is satisfied that it is more likely than not that a crime has been committed. The rules put an upper limit of 72 hours on the time within which a crime should be recorded. In Kent, crimes are only recorded by the force after an officer has attended and spoken with the victim, and made a report to the IMU. On some occasions (for example, when the victim is out of the county for a period of time after initially reporting the crime), this policy results in crimes not being recorded within the 72-hour limit stipulated by the HOCR. We found 15 crimes where this had happened.

When an officer has attended a report of a crime, they contact the IMU by telephone. Force policy is that officers should, where practical, do this from the scene of the crime, in order to maximise the time they spend on visible patrol. However, a number of officers we spoke to routinely telephoned the IMU later in their shifts (often from the police station). Based on the account given by the attending officer, the IMU investigator makes the decision as to whether a crime should be recorded.

## **Are crimes being recorded accurately?**

Every case where a crime should have been recorded, but is not, represents a victim who has not received the service that they deserve; potentially an offender free to commit another crime; and a future inaccuracy in the force (and, ultimately, national) crime figures.

Of the 303 incidents that we examined as part of this inspection, we concluded that 198 should have resulted in the recording of a crime. The force had recorded a crime in 179 of these cases, which equates to a 90% accuracy rate;<sup>14</sup> and of these 179, 96% were classified in the correct crime category. This is a different test from that used by HMIC in previous inspections,<sup>15</sup> so these results can't be compared with other forces. The methodology that we have used for this inspection will be applied to our review of crime data integrity in all forces which will commence in 2013/14.

Based on this sample, the force is under-recording approximately one in every ten crimes. HMIC found no evidence of this being as a result of deliberate breaches of the rules. However, given the significant investment the force has made in a centralised approach to crime recording, we expected to find a higher standard than this.

Of the 19 cases in the sample where a crime should have been recorded, but was not, six involved damage that the officer considered to be accidental, but that our review found clearly deliberate. Another common factor involved crimes where there were multiple victims. In these cases, the HOCR require a crime to be recorded in respect of each victim: but we found three cases where this had not happened.

HMIC therefore investigated at what point in the crime-recording process the error had been introduced. We found that the initial information recorded by the call-taker suggested that a crime should be recorded, and that, in line with the force's policy, all

<sup>14</sup> The sample size is such that HMIC can estimate the overall proportion of incidents with crimes correctly recorded by the force as 90% (+/-5%).

<sup>15</sup> HMIC (2012) *The Crime Scene*. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)

19 cases had been attended by police. None of the incident logs included sufficient information in the subsequent updates to explain why a crime was not recorded.

Twelve of the 19 people who had reported the crimes which had not been accurately recorded agreed to HMIC contacting them to discuss their experiences. In 11 of these cases, the caller gave an identical account to that recorded on the incident log. This corroborates the finding that crimes should therefore have been recorded in these cases. (The twelfth victim decided that the loss was probably accidental rather than a theft, although this information had not been recorded on the incident log.) All of the victims we spoke to said that the officers who had attended had recorded the information they provided accurately, and had not in any way sought to influence their account of events.

The force should explore if the reasons for this are that attending officers give inaccurate accounts of events when they report the circumstances to the IMU, or because IMU investigators fail to ask sufficiently probing questions of attending officers. Having investigated this, the force should then take the action required to address the issue.

In addition to our audit, we spoke to staff in the control room and the IMU, and to police officers from across the force who attended reports of crime. All the officers were clear that their sole responsibility in relation to recording crime was to attend the scene, obtain an accurate account from the victim and relay this to the IMU. They all understood that recording decisions were the responsibility of the IMU, and none of the staff we spoke to felt under any pressure to do anything that might affect the decision as to whether a crime should be recorded.

In summary, we found a significant number of cases (approximately 10%) where, based on the information in the incident record, crimes should have been recorded, but were not. Given the investment the force has made in a centralised approach to crime recording, we expected to find higher standards. Ensuring that IMU staff always question attending officers comprehensively when they make their reports would help ensure that the force achieves a higher standard of crime recording in the future.

## **Are cases no-crimes accurately?**

Once a crime has been recorded, it can only be declassified (which is referred to as no-crimes) if strict criteria set out in the HOCR apply. No-crimes is an important part of the HOCR as it caters for situations where the original decision to record a crime clearly turns out to be wrong (for example where someone reports to the police that their car has been stolen from a multi-storey car park, only to find it later on a different floor). No-crimes account for only approximately 3-4%<sup>16</sup> of overall recorded crime, so the impact of inaccuracies in this area on the force's crime figures is fairly small; but each case that is incorrectly no-crimes represents a victim who may not have received the service they deserve, and potentially a criminal who can go on to offend again.

<sup>16</sup> In 2011/12, the rate of no-crimes in Kent was 4.3%, compared with an England and Wales rate of 3.4%. 2012/13 data were not available for this report.

In 2012, HMIC found<sup>17</sup> that Kent Police was applying a standard to no-criming decisions that was different from that applied by all other forces in England and Wales. In November 2012, following clarification from HMIC, the force rightly changed its approach. In addition, no-criming decisions are only made by a small number of trained supervisors working in the IMU.

As part of this inspection, we examined a small sample (58) of no-crime decisions that had been made since Kent Police has implemented these changes. We looked at no-crimes in five categories: burglary, robbery, vehicle crime, violence and rape. In each category, apart from vehicle crime, we scrutinised every no-crime decision that the force had made since 1 January 2013. We chose this date to allow some time for the changes the force had made to bed in.

We found the changes that the force has made have resulted in significantly fewer cases being no-crimed, which is encouraging and to the force's credit. This is borne out by the force's own figures, which are shown in Table 1 below.

	January 2011	January 2012	January 2013
<b>Burglary</b>	22	16	7
<b>Robbery</b>	8	8	2
<b>Violence crime</b>	178	88	42
<b>Rape</b>	18	12	7

**Table 1: Number of no-crimes recorded in Kent in four offence categories**

Source: Data provided by the force during the inspection.

Although Kent Police is declassifying significantly fewer crimes, of the small proportion that it is still no-criming, we found that the decision to do so was incorrect in over 25% of the cases we reviewed (15 of the 58 cases). Our results are summarised in Table 2 below. Because we only sampled a small number of cases, our results cannot be considered statistically significant and may not be representative of the position across the force as a whole. However, the fact that this inaccuracy was most evident in cases of rape, robbery and violence is of particular concern and is unacceptable.

	Is the decision to No Crime correct?		% correct
	Yes Total	Out of	
<b>Burglary</b>	13	16	81%
<b>Robbery</b>	2	6	33%
<b>Vehicle</b>	5	5	100%
<b>Violence</b>	15	20	75%
<b>Rape</b>	8	11	73%
<b>Total</b>	43	58	74%

**Table 2: Results of HMIC no-crime audit 2013**

<sup>17</sup> HMIC (2012) *The Crime Scene: Kent Police*. Available from [www.hmic.gov.uk](http://www.hmic.gov.uk)



While the force does assess its no-criming decisions as part of its audit programme, it urgently needs to do more to ensure that all its no-criming decisions meet the required standard. It should also put in place better arrangements for checking and evidencing that this is happening (with a concentration on areas of highest risk, such as rape, robbery and violence), so it can assure both itself and the people of Kent that offences are being properly investigated, and crime figures are accurate. The force recognises these concerns and is fully committed to making further improvements.

## Solving crimes

***In too many cases, crimes are not being resolved in accordance with national requirements and guidance. We found a small number of cases where inappropriate resolution methods had been used to detect some serious crimes. The perpetrators' offending histories are not sufficiently considered in deciding how to deal with crimes and victims are not always informed about how their cases have been resolved. Completion of the paperwork that is required to support some forms of resolution needs to be improved, and officers need to ensure that background checks on subjects are always carried out to ensure the most appropriate form of resolution is used.***

There are a number of ways in which crimes can be resolved following investigation. The terms of reference for this inspection stipulated that, in examining Kent's practices around crime resolution, HMIC should focus on:

- charging or summoning the offender to attend court;<sup>18</sup>
- police cautions;
- offences that are taken into consideration by the court (TIC);
- penalty notices for disorder (PND); and
- formal warnings for cannabis possession.

Disposals in any of these categories are referred to as sanction detections (i.e. offences that have been detected by way of some form of sanction). All forces in England and Wales provide data on their sanction detection rates (both overall, and for individual offence types) to the Home Office every quarter.

The HOCR and NCRS set out the criteria for when the different types of sanction detection should be used. While Kent Police requires high levels of supervision<sup>19</sup> for some categories, in some cases, particularly in relation to penalty notices for disorder and cannabis warnings, there is a high degree of individual officer discretion in deciding how a crime should be resolved, especially when these are administered on the street.

HMIC was also asked to look at Kent's use of restorative practice. Like many forces, Kent Police uses the principles of restorative justice to resolve some crimes. Dealing with crimes in this way normally involves either some form of reparation by the offender towards the victim, or an action that is likely to help rehabilitate the offender. In Kent, this means of resolving crimes is referred to as restorative practice (RP).

Forces are given considerable flexibility in the ways in which they apply these processes. There is national guidance on the use of RP, but no specific criteria in the HOCR or NCRS about when it should be used. In addition, cases resolved by RP do not form part of the overall sanction detection rate which the force reports to the

<sup>18</sup> Most offences dealt with by way of charge or summons are subject to scrutiny by the Crown Prosecution Service. This means that there is a relatively low risk that crimes will be inappropriately detected by one of these means. For this reason, we did not examine any cases dealt with in this way.

<sup>19</sup> i.e. having a supervisor check the right decision has been made.

Home Office. However, the rate is used internally by the force to help assess how effectively it is solving crime.

A significant number of crimes investigated by the police result neither in a detection nor RP. Kent Police has good processes in place to ensure that these investigations are effectively supervised. This includes appropriate checks and balances to ensure that all lines of enquiry are pursued before an IMU investigator closes the case without it being detected.

## Sanction detections

We examined a small sample (approximately 30) of detection files in each of the four categories of sanction detection (cautions, taken into considerations, penalty notices for disorder, and cannabis warnings). For each type of detection, we assessed the extent to which the file complied with all of the HOCR requirements, and with any other national guidance. A summary of our findings is in the table, while each category is then discussed in further detail below.

Category of detection	Number of cases examined	Number of cases compliant with all aspects of national requirements and guidance	Percentage of cases compliant with all aspects of national requirements and guidance
Caution	29	11	38%
Taken into consideration	30	25	83%
Penalty notice for disorder	31	13	42%
Formal warning for cannabis possession	30	0	0%

It should be noted that because we only sampled a small number of cases, our results cannot be considered statistically significant and should not be used to extrapolate performance for the force as a whole.

### Cautions

National guidance states that cautions should only be used for single, low-level offences.

We examined 29 caution files, and found that only 11 complied with all of the HOCR requirements and the associated Home Office guidance. Of most concern were two cases in which cautions had been used to detect burglaries of people's homes. Cautions should not be used for this kind of more serious crime.

The most common reason for the cautions we reviewed failing to comply with the guidance was that there was no record on the file of the victim being informed that the case had been dealt with in this way. Another error was the use of cautions to deal with multiple offences. We also found 14 cases where the subject's offending history suggested they were unsuitable to receive a caution.

### **Taken into considerations**

For offences to be taken into consideration, a number of criteria must be met. For example, the suspect must have made a clear and reliable admission to the offence and the victim should be informed that the crime has been detected.

We examined 30 cases of TICs and found that 25 complied with all of the requirements. Three failed to comply because there was no record that the victim had been informed that the crime had been detected in this way. In the other two cases, we could not find evidence of a clear and reliable admission to the specific offence that had been detected.

### **Penalty notices for disorder**

Guidance on PNDs is provided by the Ministry of Justice. This includes the requirement for officers to consider the subject's offending history in deciding whether a PND is appropriate.

We looked at 31 PND files, of which 18 did not comply with all of the requirements. The main reason for non-compliance was that the offender was not a suitable subject for a PND because of his or her offending history (and in some cases, being on bail at the time).

### **Formal warnings for cannabis possession**

The Association of Chief Police Officers (ACPO) has published guidance on the use of formal warnings for cannabis possession. This includes the need to inform the subject of the implications of receiving a warning.<sup>20</sup>

None of the 30 files we examined in this category complied with this requirement for the subject to be informed of the implications of receiving a warning. Unlike many other forces, the form Kent Police uses to administer cannabis warnings does not include details of these implications. The force should remedy this immediately.

In addition, the forms we examined did not contain the level of detail required by national guidance. For example, most forms:

- did not show if checks had been completed for previous convictions or cannabis warnings; and
- did not give any information as to whether the subject was sober and able to understand the officer's explanation.

## **Restorative Practices**

Finally, we examined a sample of 30 RPs recorded by the force. Because there is no HOOCR requirement for RPs, we assessed how well these files complied with the guidance issued by the ACPO, and with the force's own policy on this subject.

<sup>20</sup> For instance, the fact that the warning, while not a criminal record, still needs to be disclosed when applying for some jobs (such as those involving working closely with children).

We found that both offenders and victims were engaged in the RP process, and that RPs were generally administered by trained officers. However, in 11 of the 30 cases it was not clear how the RP outcome constituted either reparation or rehabilitation. Examples included an offender promising not to fight again or never to enter a specific store in the future. We also found poor supervision of RP files; only four of the 30 that we examined had been checked by a supervisor.

## **Are crimes resolved effectively, and in accordance with national policy and guidance?**

In summary, we found a lack of focus on victims in the way in which some crimes were resolved, and a failure to meet national standards or guidelines. In particular, errors related to:

- victims not being informed that the crime had been resolved;
- paperwork often not being completed properly; and
- officers not always carrying out background checks to determine the most appropriate way of dealing with the crime.

The force should ensure that staff are appropriately trained in all means of disposal so that they fully understand the requirements of each, including those relating to victim care, and use them appropriately. Supervision of disposals should be strengthened to ensure consistent standards are applied.

HMIC also found examples where priority had been inappropriately placed on detecting some types of crime in order to meet performance targets. This finding is covered in detail in the next section.

## The culture in Kent, and its impact on crime-recording practices

***Until recently a target-driven culture had led to some officers in Kent pursuing crimes on the basis of how easy they were to solve, rather than on their seriousness, or their impact on victims or communities. Kent Police recognises this, and is developing an approach which puts greater emphasis on the quality of service to the public, and less on meeting numerical targets. The force is committed to undertaking an assessment of whether its current culture is consistent with this new approach.***

### An historic culture of chasing targets

In common with other forces, Kent Police has for many years used a series of numerical targets for crime reduction and detection as the primary way of monitoring and managing its performance. Managers have become used to working in this way, with reward and recognition in the force closely linked to performance against these targets.

Officers we spoke to during the inspection were aware of the force's previous focus on improving its overall sanction detection rate. This had often been reinforced by visual displays in police stations, setting out how performance in this area compared to force and local targets. We found some examples of this type of information still on display in the police stations we visited.

HMIC found that this target-driven culture had in the past directly led to some officers in Kent pursuing crimes on the basis of how easy they were to solve, rather than on their seriousness, or their impact on victims or communities. For instance, we found evidence of:

- some officers actively seeking out cannabis users to administer formal warnings; and
- a proactive policing team, set up to tackle burglary, being inappropriately redeployed to deal with cases of shoplifting.

HMIC considers that both these activities were motivated by the desire to meet monthly performance targets around the number of disposals attained.

While such an approach is not unlawful, and does not contravene the letter of the HOCA, it is against the spirit of the rules, which place the needs of victims – not of meeting particular performance targets – at the centre of the crime-recording process. HMIC therefore concludes that there has in the past been an institutional bias in Kent towards chasing numerical targets for solving crime. This has led to some officers focusing on those categories of crime which have the best chance of a quick and easy resolution. As a result, resources have been diverted from tackling other crimes, some of which have far greater impacts on the people and communities in Kent.

Kent Police has already identified this major problem. Following the two internal reviews into the management of detections and the impact of the performance

culture, it has also recognised that aspects of its culture have led to a bias in the way in which officers had approached the resolution of crime, and developed an action plan to address these issues. This plan is being progressed under the leadership of the deputy chief constable. It covers a wide range of issues and is supported by a detailed communications strategy. Much of the plan relates to changes to the way in which the force monitors and manages its performance.

## Recent changes to performance management

HMIC found evidence that Kent Police is making a number of changes to the way it monitors and manages performance, as a result of the Chief Constable's determination to cast off the old, target-driven culture. For instance:

- on 19 April 2013, the Chief Constable gave a clear message to staff through his blog on the force intranet that seeking out quick and easy detections needs to stop. Instead, their focus should be on dealing with each crime in the most appropriate way;
- the format and level of the data on crime and detection levels provided to the force's regular performance management meetings,<sup>21</sup> and to managers on a daily basis, have changed. Rather than presenting the data starkly, based simply on whether the figures for that day are above or below the target, the information is now shown in a more rounded way, based on longer-term trends and indicating whether any fluctuations are in line with those that might reasonably be expected, or if the trend is a significant one that requires intervention;
- the Police and Crime Plan<sup>22</sup> includes high-level ambitions to reduce the level of victim-based crime by 8% over its four-year period, and to increase the proportion of all crimes that are resolved to 37%, but these are not underpinned by a series of numerical targets;
- there has been an instruction from the Chief Constable that no member of staff, apart from himself, will be subject to individual numerical targets within their performance and development review (PDR or staff appraisal). Instead, the focus will be on continuous improvement in all aspects of policing;
- during February 2013, the Chief Constable met with every member of staff of sergeant level and above, together with police staff equivalents, to explain the

<sup>21</sup> Internal scrutiny of performance takes place in a number of ways within Kent. The force performance committee sits every two months. Chaired by the Chief Constable or his deputy, this focuses on force-level performance. The weekly Chief Officers Strategic Meeting (COSM) considers any force-level performance issues by exception. Each of the chief officers then holds regular meetings within their respective areas of responsibility and district-level performance meetings are also held on a regular basis.

<sup>22</sup> The Police and Crime Plan sets out the the Commissioner's vision and priorities for policing and community safety from April 2013 – March 2017. Available from <http://www.policeplan.annbarneskentpcc.co.uk/>

new approach. These messages have been reinforced through the Chief Constable's blog on the force intranet; and

- the force has had discussions with other forces that have made or are considering similar changes to their performance arrangements. Visits to some of these forces are planned.

This new approach aims to prevent knee-jerk reactions to minor, short-term changes in performance, and to take a more rounded view of the force's performance.

However, while we did not find evidence of the previous bad practices continuing at the time of inspection, and officers we spoke to understood the Chief Constable's message, the new approach had only just been introduced, and was not yet fully embedded.

For instance, despite strong personal leadership from the Chief Constable, we found mixed levels of understanding (particularly among middle managers) about what the changes would mean for the way in which they were held to account. Some described the situation as being a "hiatus", and felt that there was a lack of clear focus and direction. They were concerned that in these circumstances, some senior managers might revert to the previous way of managing performance, based on numerical targets.

Staff also did not have a consistent understanding of precisely how continuous improvement can be measured. Assessing performance through the use of numerical targets is relatively straightforward, while defining success based on continuous improvement is inevitably more complex. This will be an important issue for the force to address in order to be clear about how success will be judged in the future.

## **Changes to the organisational culture**

As discussed, Kent Police had for many years taken an approach to managing performance that focused on meeting numerical targets. The perception of many staff is that reward and recognition has been based to a significant degree on the achievement of these targets. Changing to a more rounded assessment of performance is, by its very nature, more complex. Although there has been very strong personal leadership by the Chief Constable, Kent Police is a big organisation, spread over a large geographic area, and deals with a wide range of issues. Implementation of the new approach will require the combined effort of leaders across the entire organisation.

The plan in place to change the force's focus away from numerical targets concentrates on developing various products and processes to support a more rounded management of performance. However, it does not include an assessment of any changes that will be needed to the overall culture of the force.

Staff we spoke to during the inspection had very different views on this issue. Some considered that the changes would make very little difference to how the force works, and felt that the current culture is entirely consistent with this new approach. Others (at all levels, from constable to chief officer, as well as police staff) took a different view. They felt that an entirely different type of organisational culture was needed, in which leaders are required to display a much broader range of skills. Many were



nervous about the changes being implemented, and particularly about what would happen if crime rates should start to rise. There was much concern that if this happened, some managers might revert to the old ways, and there would be a shift back to focusing on numerical performance at the expense of delivering the best possible service to victims.

Kent Police recognises the importance of having the right culture to support the changes that it is making. Some important steps have already been taken. For example, the Chief Constable has carried out briefings personally with managers and supervisors and has publicised his mission, values and priorities. The force is committed to undertaking a comprehensive review of whether its culture is consistent with its new approach of promoting continuous improvement in policing.

The force also needs to ensure that it has an effective process in place to monitor the impact of any changes that are made, and to assess whether the anticipated benefits are realised.

## Summary of principal issues

1. The force should explore if the reasons for crimes not being recorded correctly are because attending officers give inaccurate accounts of events when they report the circumstances to the IMU, or because IMU investigators fail to ask sufficiently probing questions of attending officers. Having investigated this, the force should then take the action required to address the issue.
2. The force should urgently ensure that all its no-criming decisions meet the required standard. It should also put in place better arrangements for checking and evidencing that this is happening, so it can assure both itself and the people of Kent that offences are being properly investigated, and crime figures are accurate.
3. As a matter of urgency, the force should review its cannabis warning form to ensure that it includes a clear explanation to the offender of the implications of receiving the warning.
4. The force should ensure that staff are adequately trained in the various means of disposal open to them, so that they fully understand the requirements of each, including those relating to victim care, and use them appropriately.
5. Supervision of crime detection and resolution should be strengthened to ensure consistent standards are applied.
6. The force should develop a clear understanding of how continuous improvement will be defined and measured in the future.
7. The force needs to ensure that it has an effective process in place to monitor the impact of any changes that are made to its performance framework, and assess whether the anticipated benefits are delivered.

## Annex A: The crime-recording process



## Annex B: Glossary

ACPO	Association of Chief Police Officers
HMIC	Her Majesty's Inspectorate of Constabulary
HOCR	Home Office Counting Rules
IMU	Investigation Management Unit
NCRS	National Crime Recording Standard
PDR	Performance and development review
PND	Penalty notices for disorder
RP	Restorative Practices (also known as restorative justice)
TIC	Taken into consideration. Offences that can be taken into consideration by the court as an alternative to charging the suspect with each separate offence