

Office of the Police and Crime Commissioner

Statement of the Ethics, Integrity and Complaints Committee

Police Crime Recording

The Commissioner's Ethics, Integrity and Complaints Committee has recently considered the issue of police crime data integrity recording (CDI). Nationally all crime is recorded under the National Crime Recording Standard (NCRS) which is victim focussed and applies consistency of recording across all police forces. The Home Office Counting Rules stipulate what type and how many offences in any particular incident should be recorded by the police. All police forces are inspected by Her Majesty's Inspector of Constabulary and Fire and Rescue Service (HMICFRS) on compliance against the standards.

Currently Leicestershire Police are looking at recorded crimes for 2018/19 being in the region of 95,000. In considering the ethical issues police officers face on a daily basis members of the Ethics Committee considered a number of scenarios where officers are placed in the position of having to record a crime where they are personally challenged ethically by not being in a position to use their personal discretion to deal with a matter in a pragmatic and proportionate manner.

Examples of such scenarios considered by the Committee were:

- A 7 year old male child playing out at a local park has come back home with an injury on his head and states he has been assaulted by some other children of similar age.

Mum rings 999 and reports the assault and states the suspects are still at the park.

Police attend 40 mins later, they speak to the 7yr old child the injuries are very minor it's a small cut on his head after he has had a fight with some other children. His Mum wants the Police to actively deal with this. The children are no longer at the park but he can point out where one of them lives. It was a 6yr old boy that he knows from school who is in the year below.

An officer attends the address and the 6yr old boy admits there has been an argument and that he did hit the 7yr old. The officer has encouraged the two boys to shake hands and the younger boy has apologised to the victim.

Under Home Office Crime Recording the police have had to record this as an assault of Actual Bodily Harm, the 6 year old child is recorded as an offender as he has admitted the assault. He is below the age of criminal responsibility.

NOT PROTECTIVELY MARKED

This is recorded on police computer systems so would be searchable and the suspect details are recorded

- Female contacts the police as her 14 year daughter is causing her concerns, she is staying out late and mixing with older men, as a result she has been told she is grounded, she has become angry and is shouting at her mum who is worried that her daughter will leave the house and put herself in danger.

Mum wants the police to attend to talk to her daughter to try and make her realise she is putting herself at risk. Police attend and speak with mum and daughter and it is disclosed that during the incident daughter has thrown a glass at a wall causing it to smash. The glass is owned by mum and under the Home Office Crime Recording an offence of criminal damage must be recorded, this is irrespective of whether mum wishes to make a complaint or not, the daughter is recorded as a suspect. Due to the circumstances this also means it is a domestic incident.

This is an appeal for help from a Mum with a teenager who is causing problems, she has never intended to criminalise her daughter in any way, the crime recording guidance has forced this incident into being crimed with domestic risk assessments being completed. She is at an important age where background checks could be commissioned.

Members of the Committee discussed these scenarios at length and were unanimous in their views that children should not be criminalised for this type of behaviour, and that referrals to other appropriate agencies should be the preferred course of action in such circumstances.. Members also voiced their concerns that this approach to the recording of crime could conflict with legislation and statutory responsibilities placed on the police and others, particularly in relation to safeguarding, with the police in effect being forced to take a course of action that was not 'in the best interests of the child' as defined by the Children Act (1989). All members felt strongly that officers needed to be given room to apply their discretion in handling such incidents as long as all decision making was transparent and justifiable. There was support from the Committee for the police to push back on an accounting procedure that disadvantaged children.

NOT PROTECTIVELY MARKED