HMICS

Crime Audit: British Transport Police, Scotland Division

August 2015

Improving Policing Across Scotland

HM Inspectorate of Constabulary in Scotland

HM Inspectorate of Constabulary in Scotland (HMICS) is established under the Police and Fire Reform (Scotland) Act 2012 and has wide-ranging powers to look into the '*state, effectiveness and efficiency*' of both the Police Service of Scotland (Police Scotland) and the Scottish Police Authority (SPA).[1]

- Our powers allow us to do anything we consider necessary or expedient for the purposes of, or in connection with, the carrying out of our functions.

- The Authority and the Chief Constable must provide us with such assistance and co-operation as we may require to carry out our functions.

- When we publish a report, the Authority and the Chief Constable must also consider what we have found and take such measures, if any, as they think fit.

- Where we make recommendations, we will follow them up and report publicly on progress.

- We will identify good practice that can be applied across Scotland.

- We work with other inspectorates and agencies across the public sector and co-ordinate our activities to reduce the burden of inspection and avoid unnecessary duplication.

- We aim to add value and strengthen public confidence in Scottish policing and will do this through independent scrutiny and objective, evidence-led reporting about what we find.

Our role in relation to inspecting British Transport Police (BTP) in Scotland is outlined in the Railways and Transport Safety Act 2003. This places a duty on HMICS to inspect BTP 'from time to time' or as directed by the Secretary of State. Following an inspection we are required to report to the Secretary of State on the efficiency and effectiveness of the force.

Our approach is to support BTP to deliver services that are high quality, continually improving, effective and responsive to local needs.[2]

This audit was undertaken by HMICS in terms of Section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012 and Section 63 (8) (a) of the Railways and Transport Safety Act 2003.

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[1] Chapter 11, Police and Fire Reform (Scotland) Act 2012.
[2] HMICS, *Corporate Strategy 2014-17* (2014).

Contents

Our inspection

The aim of our audit was to **assess the state, efficiency and effectiveness of crime recording by BTP in Scotland and the extent to which recording practice complies with the Scottish Crime Recording Standard and the Scottish Government's Counting Rules**.[3] The results of the audit will provide the public and key stakeholders with greater information on which to base their assessment of the accuracy of crime statistics and will highlight to BTP areas of good practice as well as areas for improvement. The audit also seeks to address the need for a comprehensive, independent audit of crime data as highlighted by the UK Statistics Authority.[4]

Crime recording practice in Scotland is governed by the Scottish Crime Recording Standard (SCRS) and the Scottish Government's Counting Rules. These documents provide a framework for deciding when an incident should be recorded as a crime, what type of crime should be recorded and how many crimes should be counted. Crime recording should also be carried out in accordance with BTP's values.[5]

We tested the accuracy of crime recording through auditing incident and crime records from the period 1 April to 30 September 2014. We examined over 900 incidents and over 500 crimes. While HMICS has conducted several audits of crime recording since the introduction of the SCRS in 2004, auditing this number of records for a single BTP division allows us to report on statistically significant compliance rates. This was a quantitative rather than qualitative study and this report focuses on the results of our audit.

The number of records examined was significantly higher than in previous audits. This placed demands on the service to accommodate our audit and we are grateful to the Audit and Compliance team from BTP for their assistance in facilitating our work.

Our audit was led by Frank Gallop supported by Sheila Kelly and Pia Paganelli. Executive lead was provided by Assistant Inspector of Constabulary, Andy Cowie.

Derek Penman QPM
HM Inspector of Constabulary in Scotland
April 2015

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[3] Police Scotland, *Crime recording: standard operating procedure* (2014) and Police Scotland, *Scottish Crime Recording Standard: Crime Recording and Scottish Government Justice Directorate Counting Rules* (2014).
[4] UKSA, *Assessment of compliance with the Code of Practice for Official Statistics: Statistics on recorded crime in Scotland (produced by the Scottish Government)* (2014).
[5] BTP Mission, Vision, Values, http://www.btp.police.uk/about_us/our_vision,_mission_and_values.aspx

Key findings

- British Transport Police is unique in policing terms due to its funding arrangements with rail service providers and the additional specialist skills required of officers to police the railway system.

- Of the crimes recorded by BTP that occur on Great Britain's rail network only around 3% are committed in Scotland, which equates to about 0.5% of crimes recorded in Scotland.

- Incident and crime recording decisions by BTP exceeded the 95% standard for closure with 98.8% of the incidents examined closed correctly[6] and 95.2% of crime counted and classified correctly.

- 100% of **sexual offence** related incidents were closed correctly and 95.5% were counted and classified correctly.

- **Violent incidents** reported to the police are closed correctly in 98.6% of cases. There is room for improvement in the counting and classification of such crimes with 89.4% recorded correctly.

- The division is effective in its recording of **theft**. 99.7% of theft related incidents were closed correctly and 97.7% of resulting crimes were counted and classified correctly.

- The recording of **hate crime** was excellent with 100% compliance in recording, classification and counting.

- The division is effective in its scrutiny of **non-crime related incidents**. 98.7% of the incidents we examined were closed correctly.

- **No-criming** practice is excellent with 99.2% of decisions being made correctly.

- Day-to-day crime recording decisions are overseen by the crime management units supported by the national audit and scrutiny team.

- There is a good system of internal auditing of crime recording within BTP and the results of the internal audits are broadly similar to our own. Reports are subject to wider scrutiny at the force executive and BTP Authority level.

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[6] Correct closure means either that (a) the incident was closed as non-crime related and contained sufficient information to dispel any inference of criminality; or (b) the incident indicated a crime had occurred and a crime record was traced.

Recommendations

We have made no recommendations in this report.

Improvement Actions

BTP should give closer scrutiny to violence related incidents to ensure that crimes are counted and classified correctly. This should form part of future crime audits of the division conducted by the Audit and Compliance team. (Paragraph 38)

BTP Scotland division should ensure that when reported crimes are transferred to Police Scotland the incident record should be updated with the appropriate crime reference number before closure. (Paragraph 47)

Context

British Transport Police

1. BTP has responsibility for policing the tracks, stations, trains and all related rail infrastructure across England, Scotland and Wales. This includes the London Underground system, Docklands Light Railway, the Midland Metro tram system, Croydon Tramlink, Sunderland Metro and the Glasgow Subway.

2. The force is funded mainly by the train operating companies and Network Rail, with some funding from the Home Office for specific projects. Officers have the same powers as non BTP officers but receive additional training to ensure the officers have the skills required for track safety and railway byelaws. These funding arrangements and specialist skills of officers make the force unique in policing.

3. The unique nature of policing of Britain's railways has a long history. Regulations relating to the Stockton and Darlington Railway make reference to railways police three years before the Metropolitan Police Act was passed in 1829. Station houses were placed at one mile intervals along the railway lines to provide shelter for officers. The term 'police station' used by most police forces today probably derives from these buildings. The force has been a leader in a number of areas being the first to recruit female police officers, the first to use technology to assist in solving crimes, the first to use police dogs and the first to use a computer to report and record crime[7].

4. The force is currently led by the Chief Constable, Paul Crowther OBE. The Force Headquarters in London maintains overall command of BTP activity and houses central departments and functions, including responsibility for resources such as forensics, CCTV and major investigations. Policing is delivered by three geographic divisions:

   - B division - East and South of England and Transport for London;
   - C division - Pennine, Midlands, South West and Wales and
   - D division - Scotland.

5. The Scotland Division is led by Temporary Chief Superintendent John McBride who has around 280 officers and staff to provide policing services on Scotland's part of the national railway network. The resources in Scotland equate to around 7.8% of the police officers and 3.4% of the police staff of BTP. Of the crimes recorded by BTP that occur on Great Britain's rail network only around 3% are committed in Scotland, which equates to about 0.5% of crimes recorded in Scotland. The division works under Scottish law and legislation but is supported by national specialist central departments providing the essential skills and expertise required for this role.

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[7] http://www.btp.police.uk/about_us/our_history/detailed_history.aspx#sthash.8CZjjfzI.dpuf

6.   Governance of the force is provided by the British Transport Police Authority (BTPA). This is the independent body responsible for ensuring an efficient and effective British Transport Police force for rail operators, their staff and passengers. Its duties and functions are similar to those of the Scottish Police Authority. A primary function is to provide the force with a strategic plan that sets out expectations for the future of the Force. The Strategic Plan sets out priorities for 2013 to 2019 thus:

- Helping to keep rail transport systems running.

- Helping to make the railway safer and more secure.

- Deliver value for money through continuous improvement.

- Promoting confidence in use of the railway.

Crime Recording Processes

7.   When a member of the public contacts the police to report a crime, the information provided is logged on an electronic incident recording system. The police assess the circumstances of the incident and respond accordingly. Depending on the information supplied and on the outcome of additional enquiries, the incident may result in the creation of a crime report. The SCRS and the Scottish Government Justice Directorate's Counting Rules provide a framework for determining when an incident should be recorded as a crime, the type of crime that should be recorded and how many crimes should be counted.

8.   The SCRS was introduced in 2004 to encourage a more victim-oriented approach to crime recording and to ensure greater consistency in recording of crimes. The SCRS requires that all incidents, whether crime-related or not, will result in the creation of an auditable report. The incident will be recorded as a crime if (a) the circumstances amount to a crime or offence under Scots law; and (b) there is no credible evidence to the contrary. Once recorded, a crime remains recorded unless there is a credible evidence to disprove that a crime occurred. The SCRS states that Police Scotland will record crime ethically and that recording practice must be capable of withstanding rigorous scrutiny.

9.   The SCRS is supported by the Scottish Government's Counting Rules, a 400-page document which sets out detailed information about when and how crimes should be recorded. The Counting Rules provide guidance on how crimes should be classified and counted. The Counting Rules are subject to annual review to take account of, for example, new statutory offences. Updates to the Rules are applied from 1 April each year and are agreed by the Scottish Crime Registrars' Group, a multi-agency working group, at which BTP is represented.

10.   Responsibility for compliance with the SCRS lies with the Chief Constable, and is discharged on a daily basis by crime registrars whose role is described in the SCRS as being critical to compliance. It is a specialist role that requires knowledge, skills and experience of the crime recording process. The role does not involve the exercise of police powers and may therefore be performed by a member of police staff. The registrar has ultimate authority to determine whether or not a matter should be recorded as a crime and the crime classification that will be applied. The registrar is also the final arbiter for all no-crime decisions. The SCRS notes that the crime registrar should not be placed in a position where he or she is directly responsible for performance or reducing crime or is answerable to a line manager

who has such responsibility. This approach is intended to ensure openness, transparency and independence in crime recording decisions.

Crime statistics

11. Information on the number of crimes and offences recorded by the police is published by the Scottish Government annually in its 'Recorded Crime in Scotland' series. The most recent publication relates to crimes and offences recorded in 2012-13.[8] Crime statistics recorded by British Transport Police are mentioned within the bulletin but full details are not included. The bulletin does mention that during 2013/14 there were 1,454 crimes and 3,756 offences recorded in Scotland by the British Transport Police, Ministry of Defence Police and Civil Nuclear Constabulary. The vast majority of these were recorded by BTP. Overall this level of crime and offences equates to just over 0.5% of the totals reported by Police Scotland.

12. The Scottish Government notes in its recorded crime publication that crime statistics are used by a wide variety of users and stakeholders to monitor trends, for policy research and development, and for research purposes. The public, for example, can use the statistics as a source of information to help assess how safe their local area is and whether crime is decreasing or increasing. The police, as well as other agencies, can use crime statistics to monitor trends and variations, ensuring that services are targeted appropriately and sufficiently resourced. Crime statistics are also used as a measure of how well the police service is performing. It is therefore essential that crimes are recorded accurately by BTP and that the users have confidence in the crime statistics reported by the Scottish Government.[9]

13. We last inspected crime recording in BTP in 2010 when we were reassured by the 'robustness of internal force audit checks and operational crime recording practices in British Transport Police'.[10] As a consequence we made no specific recommendations to British Transport Police. At that time and until the creation of Police Scotland BTP participated in the annual crime audits that were conducted by the eight legacy forces. Because of these results, the low levels of crime recorded by BTP, the robust audit arrangements and the intention to minimise the burden of inspection we have not revisited crime recording practices in BTP since 2010.

14. In 2014 an inquiry was carried out by the House of Commons Public Administration Select Committee into the accuracy of recorded crime statistics in England and Wales. The report of this inquiry suggested police recorded crime statistics were not trustworthy.[11] While the Committee focused on crime data in England and Wales, it also made two recommendations relating to crime recording in Scotland. Firstly, it recommended that the UK Statistics Authority (UKSA) urgently investigate the quality of crime statistics in Scotland and Northern Ireland. Secondly, it recommended that the Home Office and devolved administrations should analyse disparities in no-crime rates for sexual offences across all police forces. The Committee's other recommendations, while not directed at Scotland, will nonetheless be relevant to Scottish policy and practice.

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[8] Scottish Government, _Recorded crime in Scotland 2013-14_ (2014).
[9] Crimes recorded by the police are just one source of information about community safety. Many crimes are not reported to the police and another key source of evidence is the Scottish Crime and Justice Survey.
[10] HMICS (2010), British Transport Police: Crime Audit.
[11] House of Commons Public Administration Select Committee, _Caught red-handed: Why we can't count on police recorded crime statistics: Thirteenth report of Session 2013-14_ (HC 760, 2014).

15. In response to the House of Commons Public Administration Select Committee report HM Inspectorate of Constabulary (HMIC) in England and Wales conducted an inspection of crime data integrity in all 43 Home Office police forces and BTP in England and Wales. Individual reports for the Home Office forces were published in August 2014 and the final report of this inspection was published in November 2014.[12] At the time of writing the report for BTP England and Wales had been provided to the Secretary of State pending publication.

16. It should be noted that HMIC's audit results are not directly comparable to the results obtained in our own audit. This is because we used different methods to identify and examine records. For example, we examined different crime types. In addition, HMIC did not apply Tests 1 and 2, instead preferring to amalgamate results from the two tests.

Crime recording in Scotland

17. Concerns about the accuracy of crime statistics in England and Wales have been echoed in Scotland with some political and media commentary disputing the validity of the statistics. In addition the UK Statistics Authority's assessment of Scottish crime statistics identified the need for a comprehensive, independent audit of crime data in Scotland, which was provided by HMICS' Crime and Incident Audit as part of the planned Scrutiny Programme in 2014. Our report[13] found that the quality of most incident and crime recording decisions by Police Scotland was good. 92% of incidents were closed correctly[14] and 94% of crime was counted and classified correctly. There was however scope for improvement, particularly in relation to areas such as sexual offences and non-crime related incidents.

18. This report brings to a conclusion our current audit of crime recording practices in Scotland and presents an opportunity to provide the public and key stakeholders with greater information on which to base their assessment of the accuracy of crime statistics. Moreover, our audit addresses issues highlighted by the UK Statistics Authority.

Crime Audit 2014/15

19. Reviews of incident and crime recording have formed a regular part of the HMICS scrutiny programme in recent years. In our Scrutiny Plan 2014-15, we stated that we would revisit crime recording in 2014 and seek to provide the public and key stakeholders with greater information on which to base their assessment of the validity of crime statistics. This activity became more imperative given the outcome of the UKSA assessment of crime statistics.

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[12] HMIC (2014), Crime-recording: making the victim count The final report of an inspection of crime data integrity in police forces in England and Wales
[13] HMICS: Crime Audit 2014
[14] Correct closure means either that (a) the incident was closed as non-crime related and contained sufficient information to dispel any inference of criminality; or (b) the incident indicated a crime had occurred and a crime record was traced.

20.   In designing our crime audit we considered the need to take a more proportionate and thorough approach to sampling which would allow us to report on statistically significant compliance rates. Previous HMICS audits had taken account of the robust national audit and cross-scrutiny processes that had been successfully introduced as a result of previous HMICS Crime Audits.[15] These took a 'dip sampling' approach to analysing records to provide reassurance of comprehensive audit and compliance rather than providing statistically significant results.

21.   This audit was of incidents and crimes recorded by BTP. It has not included a wider assessment of the governance and accountability of crime recording, policy and procedure, systems and processes, people and skills, and audit and performance. This is because we do not wish to duplicate work only recently carried out by HMIC.[16] In addition the force conducted its own self-assessment of internal audit and governance arrangements during 2014. We have conducted interviews with the Divisional Commander and Crime Manager and conducted a focus group with police officers to provide assurance that Scottish Crime Recording Standards and counting rules are understood and being applied.

Methodology

22.   We tested the accuracy of crime recording through an audit of records. In deciding which records to audit, several factors were taken into account including areas identified as weak in previous audits, areas of high risk or emerging concern, and national and local policing priorities. We audited records in six categories, four of which related to specific crime types:

- Sexual offences
- Violent crime
- Theft
- Hate crime
- Non-crime related incidents (i.e. incidents that were potentially crime-related but which were eventually closed as being non-crime related)
- No-crimes (i.e. cases that were originally thought to be a crime but were later re-designated as not being a crime following additional investigation).

23.   The examination of no-crimes involves an assessment of whether the no-crime decision was correct. Because the no-crime test is different from that applied to incidents, the no-crime results are reported separately.

24.   The following tests can be applied to incidents:

- **Test 1** involves reviewing the initial report to the police (the 'incident') and assessing whether a crime has, or has not, been correctly recorded. Incidents which result in a crime report proceed to Test 2.

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[15] HMICS (2010) Crime Audit: National Overview Report; HMICS (2011) Crime Audit: National Overview Report;
[16] HMIC (2014) Crime Data Integrity - Inspection of British Transport Police (not yet published)

- **Test 2** involves reviewing the crime report to assess whether the crimes recorded are correctly classified and counted. Test 2 allows us to consider whether subsuming has been carried out correctly.[17]

- **Timeliness**: crimes should be recorded within 72 hours of the circumstances becoming known to the police (or within seven days where the delay is outwith police control).

25.   In our audit of Police Scotland all three tests were applied to the four crime types we examined (sexual, violent, theft and hate crimes). We applied the timeliness test to review progress against a recommendation made to Police Scotland as a result of our review of crime and incident recording in 2013[18] where we identified that delays were occurring because of the then requirement to record crime *'as soon as reasonably practicable'.* In response, the new edition of the Counting Rules published on 1 April 2014 now requires that, *'All crimes must be recorded… …within a period of 72 hours from the time the incident is first notified…* BTP already applied the 72 hour rule to provide a consistent approach across Britain. Therefore we chose not to apply this test in our audit of BTP.

26.   In assessing the results of its internal audits, BTP uses the bandings set out in the original NCRS audit methodology based on the Audit Commission's Data Quality Audit Manual (DQAM), where:

- Poor = compliance rates are 79.9% and below

- Fair = compliance rates are between 80.0% and 89.9%

- Good = compliance rates are between 90.0% and 94.9%

- Excellent = compliance rates are 95% or better

In Scotland a self-imposed benchmark of 95%, inherited by Police Scotland from the Association of Chief Police Officers, is used to assess compliance with SCRS. For the purpose of this audit we have used the 95% compliance rate as our benchmark.

Sample size

27.   In total we examined 912 incident records and 522 crime records, relating to allegations of theft, violence, sexual crime, hate crime, none-crime related incidents and crimes that were deemed to be no-crime. Of the 912 incidents 50 were found to be duplicates. The total incident sample was therefore 862. Further information is available in Appendix 1 regarding how incidents were identified, how our sample size was determined, how we gathered and recorded our findings and why we chose to audit incidents reported between 1 April 2014 and 30 September 2014.

28.   Our goal was to report statistically significant results across the six categories to be reviewed. Because of the low numbers of incidents and crimes we audited the total population for each category.

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[17] Subsuming refers to the practice of counting multiple crimes as one crime. Subsuming is only possible in some situations and guidance on when subsuming is appropriate is provided in the Counting Rules. See page x for further information.
[18] See Recommendation 1, HMICS, *Review of incident and crime recording* (2013).

Category	Number of records Examined – Test 1	Number of records Examined – Test 2
Sexual offences	34	22
Violent crime	225	188
Theft	365	302
Hate crime	12	10
Non-crime related incidents	145	
All categories excluding no-crimes	781	522

Category	Number of Records Examined
No-crimes	127

Findings

Overview

Sexual offences, violent crime, theft, hate crime and non-crime related incidents	
Test 1 compliance rate	Test 2 compliance rate
98.8%	95.2%

29.   We examined 912 incident records and found that 902 were closed correctly (Test 1). Correct closure means either (a) that the incident was closed as non-crime related and contained sufficient information to dispel any inference of criminality; or (b) that the incident indicated a crime had occurred and a crime record was traced. The incidents examined resulted in 522 crime reports, of which all but 25 were counted and classified correctly (Test 2).

30.

No-crimes	99.2%

31.   We also examined 127 no-crimes. These are cases which were initially thought to be a crime but were later re-designated as not being a crime following additional investigation. We found that all but one had been no-crimed correctly.

32.   We report separately on compliance rates for sexual offences, violent crime, theft, hate crime, non-crime related incidents and no-crimes.

Sexual offences

Sexual offences	
Test 1 compliance rate	Test 2 compliance rate
100%	95.5%

33.   We examined 34 sexual incidents, 22 resulted in a crime record. All 34 incidents were closed correctly. Of the 22 crimes which resulted from the sexual incidents all but one were classified correctly.

Violent crime

Violent crime	
Test 1 compliance rate	Test 2 compliance rate
98.6%	89.4%

34.   We examined 225 violent incidents. These incidents included common or minor assaults, serious assaults and robberies. We found that there were 15 duplicate incidents resulting in a sample size of 210 incidents, from which 188 crimes were recorded. 207 out of 210, or 98.6% of the incidents were closed correctly. Of the 188 crimes that resulted from these incidents, 168 or 89.4% were counted and classified correctly.

Test 1

35.   All of the three incidents that failed Test 1 were of a minor nature and involved uncooperative complainers who did not wish to make a complaint. However, the circumstances were such that an offence had been committed. The crimes should have been recorded and the non-cooperative marker used.

Test 2

36.   Of the 188 crimes we examined we found 20 errors relating to the counting or classification of the crime. We found 12 cases where crimes were undercounted and one over counted.

37.   In all the under-counted crimes we found the circumstances were such that additional offences, mainly common assaults and public order offences, could also have been recorded. This was due largely to additional witnesses not being included as victims to potential public order offences or where an uncooperative complainer had been assaulted during an incident and a public order offence was recorded but no assault with the non-cooperative marker being used.

38.   Only 7 crimes were classified incorrectly. In one case of minor assault there was a possibility that the extent of the injuries to the victim were such that it may have been a serious assault but a final update on the nature of the injury suffered had not been included in the crime report, although this had been asked for by local supervision. Two errors were breaches of the peace which should have been threatening or abusive behaviour under s.38 of the Criminal Justice and Licensing (Scotland) Act 2010. One offence had not taken account of a racially aggravated element of a public order offence. The remaining three were crimes recorded as obstruction offences where a resist arrest would have been appropriate.

39.   There is scope for improvement in respect of counting and classification of violent crime. **BTP should give closer scrutiny to violence related incidents to ensure that crimes are counted and classified correctly. This should form part of future crime audits of the division conducted by the Audit and Compliance team.**

Theft

Test 1 compliance rate	Test 2 compliance rate
99.7%	97.7%

40.   We examined 365 incidents created using a theft opening code. There were 13 duplicate incidents leaving a sample of 352 incidents, all but one, 99.7% were closed correctly. 302 crimes were recorded as a result of these incidents of which 97.7% were counted and classified correctly.

Test 1

41.   The only incident that failed Test 1 was noted as lost property when a theft should have been recorded.

Test 2

42. Only four crimes were regarded as having failed at Test 2. Two were counting errors where additional crimes, one public order offence and one breach of bail offence, should have been recorded. There were two classification errors, one where an attempt was more appropriate and another where a theft should have been recorded instead of a housebreaking offence.

Hate crime

Test 1 compliance rate	Test 2 compliance rate
100%	100%

43. Our 2014 audit of Police Scotland was the first time we had audited hate crimes and this crime category was chosen in part because the recording of hate crime was highlighted as a concern in research with minority ethnic communities we carried out jointly with the Council of Ethnic Minority Voluntary Sector Organisations in 2014.[19] To ensure consistency we have carried this forward to the audit of BTP. There were only 12 incidents classified as hate crime during the audit period. All were found to have been recorded, counted and classified correctly.

Non-crime related incidents

Non-crime related incidents
Test 1 compliance rate
98.6%

44. For the purpose of this inspection non-crime related incidents are those incidents reported to the police which did not result in a crime report, although the initial circumstances of the call may suggest that a crime has occurred. Because no crime report normally results, this category was assessed against Test 1 only (that is, whether they were closed correctly as being non-crime related). We examined 145 such incidents, of which 143 or 98.6% were closed correctly. Of the two incidents that failed one related to a minor assault where the complainer did not wish to make a complaint. This should have been recorded with a non-cooperative marker added to the crime. The second related to a potential theft but there was insufficient detail recorded to determine either way what had taken place.

No-crimes

45. Sometimes an incident which is recorded as a crime is subsequently found not to have been a crime. In such cases, it can be 'no-crimed'. No-criming is permitted in limited circumstances:

- where additional credible information is available which determines that no crime has been committed

- the crime was committed outwith the jurisdiction of BTP

- the crime was reported to BTP but was found to have been committed in another area and has been transferred to that area for recording and investigation

- the crime is a duplicate of a crime recorded elsewhere

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[19] HMICS, *Policing ethnic minority communities in Scotland* (forthcoming).

■ a procedural error has been made in recording the crime.

46.   Where a no-crime decision has been made, the reason for the decision must be explained in detail on the crime report along with details of the requesting and authorising officer. The crime registrar is the final arbiter for all no-crime decisions.

> **Examples**
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> A man reports that he has had his wallet stolen. A theft is recorded. Inquiries reveal that the offence took place at a location outwith the jurisdiction of BTP. The matter is transferred to the relevant police force for investigation and a crime number obtained by BTP. The BTP offence can then be no-crimed.
>
> A person reports that their luggage has been taken whilst they were waiting for a train. The crime is recorded and investigated but additional credible information from CCTV shows the luggage was picked up by station staff and subsequently lodged as lost property. The owner is reunited with their property and confirms it is intact. The theft is no-crimed.
>
> A woman reports that she has been raped and a crime is recorded. Following investigation, there is no evidence to prove or disprove that a crime occurred. The crime of rape should remain recorded and is not appropriate for no-criming.

47.   We examined 127 no-crime decisions and found that 126 or 99.2% had been made correctly. Over half of the crimes examined related to property that was reported stolen but subsequently found elsewhere on the railway network. We were particularly impressed at the quality and thoroughness of investigations leading to no-crime decisions. Good use was made by officers of the extensive CCTV coverage of the whole rail infrastructure including trains and railway stations. In addition officers were able to gain assistance from lost and found offices across mainland Britain to reunite passengers from around the world with their property. Subsequent no-crime requests were closely scrutinised by local crime managers and ultimately national crime registrars before being authorised. As a consequence the crime records contained a good explanation of why the no-crime decision was being made.

48.   During our audit we noted a number of incidents that were reported to BTP but on investigation were found to have occurred in an area that fell within the jurisdiction of Police Scotland. The SCRS identifies that "*it is good practice for the area recording the crime record to forward the crime reference number for cross-referencing with the original report, thus providing an audit trail*".[20] While in most cases we found that this was the case we did note that in 17 incidents, from all the crimes and incidents we reviewed during the audit, there was no record of a reference number indicating that Police Scotland had accepted responsibility for dealing with the victims. **BTP Scotland division should ensure that when reported crimes are transferred to Police Scotland the incident record should be updated with the appropriate crime reference number before closure.**

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[20] Police Scotland, *Crime recording: standard operating procedure* (2014) and Police Scotland, *Scottish Crime Recording Standard: Crime Recording and Scottish Government Justice Directorate Counting Rules* (2014).

Local Management of Incidents and Crime

49. Incidents occurring on the railway are reported to a network control room in Birmingham, where initial details are recorded and resources allocated. Local officers attend to investigate and determine the nature of the incident and whether or not a crime report is required. Within Scotland division the crime management unit provide oversight of incident and crime recording decisions. This approach ensures that incidents and crimes are recorded and classified correctly and that investigations are completed effectively.

50. Crime recording in BTP is overseen by the Force Crime Registrar and Deputy Crime Registrar. The force has an audit programme in place and conducts regular audits of crimes and incidents to monitor compliance of both Home Office and Scottish recording standards and counting rules. The last internal audit of the Division was conducted in September 2014. The results were broadly similar to our own. Results of audit are considered by the force Integrity and Compliance Board, which monitors findings and progress against any improvement recommendations. Copies of reports are also provided to the Force Executive Board and the BTPA.

51. During the course of our audit we conducted interviews and a focus group with key individuals and operational staff. We found that local management and staff had a good understanding of the processes and acknowledged the role of local crime management and national audit teams in supporting recording and classification decision making.

Conclusion

52. The results of our audit provide clear evidence that BTP crime recording processes are effective, ensuring the correct application of crime recording standards and counting rules. We remain assured as to the robustness of internal force audit checks and operational crime recording practices in British Transport Police in Scotland. As a consequence we have made no recommendations for the force, we do however make 2 improvement actions for the division (paragraphs 38 and 47).

53. Finally, HMICS will continue to provide external scrutiny of incident and crime recording in Scotland. Crime audits will continue to be a regular feature of our scrutiny programme. The frequency of our audits will depend on information we receive about crime recording practice including the results of internal audits, as well as the effectiveness of internal and external governance and scrutiny arrangements. If such arrangements are strong, we anticipate conducting less frequent crime audits. We may bring forward an audit if we have concerns about crime recording generally or about a specific aspect of crime recording which we do not feel are being addressed.

Appendix 1 – Methodology

Identification of records

When an incident is reported to the police, an incident record is created. The incident record is assigned an initial (opening) code and a disposal code. We used these codes to identify the records for analysis (see Table 1). The four crime types were identified only by their opening code.

Table 1 – Identification of records for analysis

Category	Method of identification
Sexual offences	Incidents opened with code E-3 (sexual offence)
Violent crime	Incidents opened with codes E-10 (robbery) and E-1 (Violence against the person)
Acquisitive Crime	Incidents opened with code E-6 (theft)
Hate crime	Incidents opened with the code E-14 (hate crime)
No-crimes	Crimes reported during the sample period (1 April – 30 September 2014)
Non-crime related incidents	Incidents opened with any crime code, but closed without a crime report.

Sample size

The volume of incidents reported to the police and crime varies across Scotland. As BTP deals with relatively low levels of crime we chose to audit all incidents in each of the categories over a six month period. As a consequence there is no statistical confidence interval in any of our samples. We chose the period 1 April – 30 September 2014 as this coincided with the time period used for the national audit of Police Scotland, although for BTP the period was extended from June 30 to September 30 in order to provide sufficient numbers of incidents and crime to be statistically significant.

In relation to the four crime types, we wanted to report statistically significant Test 2 as well as Test 1 results and so examined all crimes resulting from the incidents audited at Test 1.

Category	Test 1		Test 2	
	Population[21]	Sample	Population[22]	Sample
Sexual offences	34	34	22	22
Violent crime	225	225	188	188
Theft	365	365	302	302
Hate crime	12	12	10	10
Non-crime related incidents	145	145		
No-crimes	127	127		
Total	781	781	522	522

Recording our findings

Our team of three inspectors were provided with training on how to navigate the various incident and crime systems used by BTP. Inspectors then had direct access to police incident and crime systems and were able to examine each incident and crime record. Findings were logged on an Excel template which ensured all relevant information was recorded. Incidents and crimes which failed to comply with the SCRS were brought to the attention of BTP's crime registrar allowing any necessary corrective action to be taken.

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[21] The population for Test 1 is based on all incidents reported to BTP between 1 April 2014 and 30 September 2014.
[22] The population for Test 2 is based on the number of crimes arising from the incidents examined at test 1.

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