



HM INSPECTORATE OF CONSTABULARY IN SCOTLAND

Crime Audit 2020

– Terms of Reference

July 2020

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 2012¹ 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).

We have a statutory duty to ensure that the Chief Constable and the SPA meet their obligations in terms of best value and continuous improvement. If necessary, we can be directed by Scottish Ministers to look into anything relating to the SPA or Police Scotland as they consider appropriate. We also have an established role in providing professional advice and guidance on policing in Scotland.

- 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 SPA and the Chief Constable must provide us with such assistance and co-operation as we may require to enable us to carry out our functions
- When we publish a report, the SPA and the Chief Constable must also consider what we have found and take such measures, if any, as they think fit
- Where our report identifies that the SPA or Police Scotland is not efficient or effective (or best value not secured), or will, unless remedial measures are taken, cease to be efficient or effective, Scottish Ministers may direct the SPA to take such measures as may be required. The SPA must comply with any direction given
- 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 approach is to support Police Scotland and the SPA to deliver services that are high quality, continually improving, effective and responsive to local needs.²

This audit will be undertaken by HMICS under section 74(2)(a) of the Police and Fire Reform (Scotland) Act 2012 and a report will be laid before the Scottish Parliament under section 79(3) of the Act.

¹ Chapter 11, Police and Fire Reform (Scotland) Act 2012.

² HMICS, [Corporate Strategy 2017-20](#) (2017).



Our audit

Introduction

1. HM Inspectorate of Constabulary in Scotland (HMICS) committed to a statutory audit of Police Scotland crime recording as part of its Scrutiny Plan for 2019-20.³ Our most recent Crime Audit was published in September 2016.⁴

Aim

2. The aim of this audit will be to assess the state, efficiency and effectiveness of crime recording by Police Scotland and the extent to which recording practice complies with the Scottish Crime Recording Standard and Counting Rules. This audit will also consider a number of related issues within our selected sample of records including the accuracy of direct crime reports submitted by new Resolution Teams and the use of the cyber marker when recording incidents and crimes.

Background

3. Recorded crime statistics are relied on by a wide variety of users 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. It is therefore essential that crimes are recorded accurately by Police Scotland, and that users have confidence in the crime statistics reported by the Scottish Government.
4. The Scottish Government publish these official statistics in its 'Recorded Crime in Scotland' series. The most recent annual publication relates to crimes and offences recorded by Police Scotland in 2018-19.⁵
5. Crime recording practice is governed by the Scottish Crime Recording Standard and Counting Rules (SCRS). The SCRS provides 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 the Police Scotland Code of Ethics.⁶

³ HMICS, [Scrutiny Plan 2019-2020 \(revised\)](#), 11 October 2019.

⁴ HMICS, [Crime Audit 2016](#), 21 September 2016.

⁵ Scottish Government, [Recorded crime in Scotland: 2018-2019](#), 24 September 2019.

⁶ Police Scotland, [Code of Ethics for policing in Scotland](#).

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6. In July 2014, recorded crime statistics in Scotland were assessed by the UK Statistics Authority (UKSA) which found that it could not confer National Statistics status on the statistics at that time.⁷ The National Statistics status serves as a quality mark and indicates that statistics have been independently assessed as meeting the high standards set out in the Code of Practice for Official Statistics. The UKSA noted that crime statistics were of high public interest, should be the subject of independent scrutiny and that the Scottish Government should obtain and provide strong levels of assurance about their quality. However, at that time the UKSA found that the Scottish Government lacked sufficient evidence to be able to provide such reassurance. The UKSA set out a number of requirements that the Scottish Government should meet in order for crime statistics to be re-awarded their National Statistics status.
 7. The Scottish Government, with the support of Police Scotland, took forward a number of actions to improve the information provided to users and to aid their understanding and interpretation of crime statistics. In its 2013-14 publication (published in November 2014), the Scottish Government for the first time included the results of an independent audit of crime recording by HMICS with the aim of providing users with additional information on which to base their assessment of the accuracy of crime data. The UKSA subsequently re-assessed the status of the recorded crime statistics and re-designated them as National Statistics on 27 September 2016.⁸ By conducting our 2020 Crime Audit, HMICS directly contributes to the retention of this designation.
 8. In 2016 we found that the quality of most incident and crime recording decisions by Police Scotland was good. 92.7% of incidents were closed correctly and 95.1% of crime was counted and classified correctly. These compliance rates were a slight improvement on those found in the previous audit in 2014. However there were still some significant variations in divisional compliance rates. There had also been a significant reduction in the number of crimes recorded within 72 hours of being reported to the police, from 96.6% in 2014 to 90.8% in 2016. HMICS found that the same errors were recurring in our 2013, 2014 and 2016 audits, and that these same errors were also being identified in internal audits. This suggested that there was insufficient learning from audits, and a need for more extensive training.

Inspection terms of reference

9. The aim of our Crime Audit 2020 is to test the accuracy of incident and crime recording by Police Scotland, and to assess arrangements for the management, governance and auditing of crime recording. The results will:
 - provide the public and key stakeholders with information on which to base their assessment of the reliability and validity of crime statistics;
 - highlight to Police Scotland areas of good practice or areas for improvement and/or increased internal audit and scrutiny;
 - assess the extent to which recommendations made in our 2013, 2014 and 2016 reviews of incident and crime recording have been implemented; and
 - continue to address the need for comprehensive, independent audits of crime data as highlighted by the UK Statistics Authority.

⁷ UK Statistics Authority, Assessment of compliance with the Code of Practice for Official Statistics: statistics on recorded crime in Scotland (published by the Scottish Government) (July 2014). The UKSA is an independent body established by the Statistics and Registration Service Act 2007. Its objective is to promote and safeguard the production and publication of official statistics that serve the public good.

⁸ UK Statistics Authority, [Assessment of statistics on Recorded Crime in Scotland](#), 27 September 2016.

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10. In deciding what to audit, several factors have been taken into account, including areas of high risk or emerging concern, national and local policing priorities, and areas which have not previously been subject to independent audit.
 11. HMICS has also considered the incident and crime types assessed in previous audits and proposes to include many of the same categories in the 2020 Crime Audit thus providing a strong basis for comparison, including:
 - sexual crime
 - violent 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. incidents that were originally thought to be a crime and a crime report was created, but which were later re-designated as not being a crime following additional investigation)
 12. In addition, a limited number of other areas have been identified for audit and inspection in the Crime Audit 2020 all of which have been the subject of prior consultation with the national Crime Recording Board.⁹
 13. We will therefore audit records relating to:
 - sexual crime
 - violent crime
 - domestic abuse offences
 - 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. incidents that were originally thought to be a crime and a crime report was created, but which were later re-designated as not being a crime following additional investigation)

Domestic abuse offences

14. All but one category (domestic abuse offences) were also audited in 2016. The Domestic Abuse (Scotland) Act 2018 came into force on 1 April 2019 creating a new offence of domestic abuse, recognising that abuse often involves a course of conduct and a multitude of behaviours including physical, sexual, psychological and financial abuse.
15. This new legislation provides an additional tool to tackle what has long been a high risk area and a national and local policing priority. As of 29 March 2020, 1669 domestic abuse offences had been recorded under the new law. Of those, 1569 offences were recorded where the victim was a woman (in 94 per cent of those cases the accused/suspect was male). It is therefore appropriate for HMICS to include domestic abuse offences in the 2020 Crime Audit which will allow us to assess accurate and timely recording and investigation of crime under this relatively new legislation, to provide assurance and identify any areas for improvement. HMICS will also consider the results of our audit in terms of planning a potential thematic inspection.
16. Within the crime categories selected for audit HMICS also proposes to examine the accuracy of direct crime reports submitted by new Resolution Teams and the use of the cyber marker when recording these incidents and crimes.

⁹ Scottish Government, [Scottish Crime Recording Board](#).



Resolution teams (direct crime recording)

17. In our 2016 audit we found that there was scope for lower level incidents, such as those involving damage, to be recorded and resolved at first point of contact and to the complainer's satisfaction, without the need for officer attendance. We considered that this would improve the quality of service to the public and reduce demand on the frontline, allowing officers to attend higher priority cases and engage more with their local communities.
18. In our October 2019 'Review of the early implementation of the Contact Assessment Model (CAM)¹⁰ HMICS assessed the early implementation of this new means by which Police Scotland manages requests for police assistance made by the public and other agencies. The introduction of CAM had taken place following a recommendation made by HMICS in 2015 that Police Scotland should adopt a more formalised risk and vulnerability assessment model such as Thrive, a model used by several police forces in England and Wales.¹¹
19. To support the delivery of the most appropriate policing response under CAM, Police Scotland has established Resolution Teams which aim to reduce the demand placed on local policing divisions by resolving calls and incidents over the phone by providing advice and guidance, recording crimes and conducting remote investigation. These regional Resolution Teams, which are aligned to the C3¹² model, are staffed by police officers and police staff.
20. During our 2019 review, HMICS identified some issues with the quality of crime reports input by the Resolution Teams, including adherence to and awareness of local standards; limited narrative of events and key information being provided; and some crimes not being classified appropriately under the SCRS. HMICS were advised that action had been taken to improve the quality of direct crime recording but were unable to conduct further audit work at that time.
21. When auditing the crime categories in the Crime Audit 2020 HMICS will identify those recorded by the Resolution Teams which will allow an assessment to be made of the accuracy of direct crime recording.

Cybercrime

22. At the time of our Crime Audit in 2016, Police Scotland lacked the capability to identify nationally the number of incidents or the number of crimes that had a cyber-element.¹³ A manual examination of records for evidence of cyber-crime was however conducted. Our audit identified that 11.4% of incidents reviewed had a cyber-element. This varied across divisions and was as high as 17.5%.
23. HMICS recommended 'Police Scotland should develop the ability to tag all incidents and crimes with a marker to show that they have a cyber-element and to assess the nature and scale of cyber-crime and its demands on policing in Scotland'.¹⁴

¹⁰ HMICS, [Review of the early implementation of the Contact Assessment Model](#), 31 October 2019.

¹¹ HMICS, [Independent Assurance Review: Police Scotland – Call Handling Final Report \(2015\)](#). Recommendation 24. We closed this recommendation and restated it as Recommendation 6, taking into account the latest developments in policing, in our [Update Report \(2018\)](#).

¹² Police Scotland's contact command and control division, a national service across 3 locations, where calls are initially taken by service advisors and either resolved by providing advice or an incident is created.

¹³ Cyber-enabled crime refers to traditional crimes perpetrated using new technology such as fraud, drug supply or child sexual exploitation. These crimes can be committed offline, but online can take place at an unprecedented scale and speed. Cyber-dependent crime refers to crime which can only be committed using computers, computer networks or other forms of information communication technology

¹⁴ HMICS, [Crime Audit 2016 - Recommendation 4](#), 21 September 2016.



24. Subsequently, Police Scotland introduced a cyber 'marker' flag on both incident and crime recording systems allowing them to assess the scale of cyber-enabled or cyber-dependent crime, as well as the demands that cyber-related activity places on policing.
25. In the HMICS Strategic review of Police Scotland's response to online child sexual abuse published in February 2020¹⁵ we highlighted that understanding the true nature and extent of cyber-enabled sexual crime and child sexual exploitation remains difficult due to data quality issues surrounding use of cybercrime markers for recorded crime.
26. In our report HMICS acknowledged the ongoing drive within Police Scotland to improve the use of intelligence markers as they relate to cybercrime. Police Scotland conducted an internal exercise to remind officers to apply the marker - 'Tag It, Mark It, Log It' - aimed at achieving improvements in this area. HMICS considers it is an essential requirement to ensure the appropriate use of such intelligence markers to assess accurately the scope of online child sexual abuse, as well as other crime types, across Scotland.
27. HMICS will therefore as part of this audit examine how these markers are being used and their accuracy.

Exclusions from scope

28. Our Crime Audit 2020 will only assess incident and crime recording by Police Scotland and not any other police service operating in Scotland. We last audited crime recording in Scotland by British Transport Police in 2015 and found compliance with the SCRS to be very good.¹⁶ We have been notified that Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS) planned to inspect the British Transport Police (BTP) later in 2020 and would include a Crime and Data Integrity audit as part of that work. HMICS will partner with HMICFRS to jointly undertake this work in Scotland when it takes place.

Detections and the new national crime system

29. HMICS also considered whether to include an assessment of detections and detection rates in this audit. An HMICS audit of detected crime has been the subject of discussion over recent years, with a view to such data being formally recognised as national statistics.
30. In a paper¹⁷ submitted to the national Crime Recording Board in February 2020, Police Scotland has however proposed a significant alteration to the method of recording detections. The proposal is to introduce a new system of recording a range of outcomes rather than the binary detected/undetected options currently being recorded. It is considered by Police Scotland that this will provide more meaningful data on the investigative work undertaken by them and the reasons for the different outcomes.
31. It is anticipated the new method of recording will be introduced to coincide with the implementation of a new national crime system which is due to start being phased in across local policing divisions in November 2020.
32. HMICS found in the 2016 audit that the absence of a national crime management system limited the extent to which there can be consistent processes and resources to support accurate crime recording. HMICS will continue to monitor how the roll out of the new national crime system progresses and will, in future crime audits, assess the impact this has on the accuracy of crime recording.

¹⁵ HMICS, [Strategic review of Police Scotland's response to online child sexual abuse](#), 26 February 2020.

¹⁶ HMICS, [Crime Audit: British Transport Police, Scotland Division](#), 12 August 2015.

¹⁷ National Crime Recording Board, Paper 6, 26 February 2020.



33. HMICS considers that, at this stage, an audit of detections would have limited value and proposes it be excluded from the scope of this audit. HMICS plans to re-visit this once the new method of recording has been introduced nationally and been fully implemented.

Methodology

34. The Crime Audit 2020 will be carried out in two phases.

Phase 1

35. Phase 1 will involve HMICS testing the accuracy of crime recording through an audit of records. We will examine around 7,500 records (sourced from 1 January 2020 to 31 March 2020) which will allow us to report on statistically significant compliance rates at national and divisional levels, and by category. The timeframe selected mirrors that used in previous crime audits providing a measure of consistency.
36. In relation to the three crime types (sexual crimes, violent crime, domestic abuse offences), we will apply Test 1 (whether a crime had been correctly recorded), Test 2 (whether the crimes recorded were correctly classified and counted), and Test 3 (whether a crime was recorded within an appropriate timescale). We will apply only Test 1 to non-crime related incidents. The test for no-crimes involves an assessment of whether the no-crime decision was correct. The incidents and crimes to be audited will be randomly selected from those recorded by Police Scotland between 1 January and 31 March 2020. Test 2 will include assessment of whether the Resolution Team recorded the crime. Both Test 1 (for the incident) and Test 2 (for the crime) will include an assessment of whether a cyber marker was used and on what basis.
37. In assessing compliance with the SCRS, we will review the incident and crime records. Where the records have been created as a result of a call to the police via the 999 emergency or 101 non-emergency number, we will also listen to original calls where necessary.

Phase 2

38. Phase 2 will involve a qualitative assessment of the arrangements for the management, governance and auditing of crime recording by Police Scotland. This will include a review of relevant documentation, observation of key processes and interviews with police officers and staff.
39. Phase 2, coupled with the results from Phase 1, will assist us in assessing what progress has been made in implementing our previous recommendations and improvement actions relating to crime recording.



Publication and reporting timescales

40. For Phase 1, a team of inspectors will begin examining records in August/September 2020. Fieldwork for Phase 2 will be carried out in October/November 2020.
41. We anticipate publishing a report of our findings in December 2020. Our report will be published in terms of Section 79 of the Police and Fire Reform (Scotland) Act 2012. A copy of the report will also be provided to the Chief Constable, the Scottish Police Authority and the Cabinet Secretary for Justice and laid before the Scottish Parliament. A copy will also be made publicly available on the HMICS website.
42. For further information about the HMICS Crime Audit 2020 please contact either Tina Yule, Lead Inspector - Christina.Yule@gov.scot or Dawn Lewington, Lead Inspector - Dawn.Lewington@gov.scot

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HM Chief Inspector of Constabulary in Scotland
July 2020