Chapter four

The grey figure of crime: If it isn't crimed, it hasn't happened

The purpose of this chapter is to explore discretionary police practices around crime recording decisions. It opens by asserting the importance of crime recording and examines the under-recording of police recorded crime which prompted the introduction of National Crime Recording Standards (NCRS) in 2002. An overview of HBA incident to crime conversion rates across a four-year-period in one force is provided, followed by an evaluation of crime recording decisions of the 100 incidents analysed. Crime types are examined, in particular the emergent theme of "threats to kill" being under-recorded by officers. Facets facilitating under-recording practices are explored, notably the low visibility of officers and the lack of supervisory oversight when front line officers are decision-making. Explanations justifying 'no-crime' decisions are probed, such as the poor training of officers, the subjective judgements of officers and the use of quasi legal rules and procedures. Other factors shaping decision-making include officers pre-empting 'no charge' decisions from the CPS and being adversely influenced by a performance target culture. A visible shift is noted in recording practices, notably 'record to investigate.' Later sections focus on officers being de-incentivised to record crime when victims are reluctant to prosecute, which transpires to be a prevalent theme. Officers manufacturing victim reluctance and its relationship with officer workload is scrutinised, particularly by applying Lipsky's research on bureaucratic organisations.

The importance of crime recording

Recording a crime is a "highly significant decision" (Kemp *et al*., 1992:17) firstly because "what gets measured gets done" (O'Byrne, 2008:413, also Berry, 2009) and equally, what is not measured tends to get ignored. Secondly, from a strategic policing perspective, crime reports are subject to analysis by local and force intelligence units, shaping short-and long-term local and force strategic threat assessments, which in turn prioritises threats and determines the type and number of resources deployed over a geographical area. Emerging

threats may warrant additional government funding, which cannot be sought or indeed justified if the problem remains 'hidden' within filed incident data. Thirdly, recording practices are important for procedural justice. A crime report is symbolic acknowledgement and validation for the victim that a crime has occurred and that the police are investigating and seek justice (Varano *et al*., 2009). Fourthly, the recording of crime aids in sign-posting or alerting other agencies in supporting and safeguarding victims of crime. Failure to submit a crime report stifles any future investigation, leaves the victim exposed to further risk and leaves the stone unturned as incidents are not subjected to analysis. To summarise, crime recording informs government policy, identifies crime trends, directs police resources, underpins crime pattern analysis and intelligence led policing and allows crime reduction initiatives to be evaluated (HMIC, 2000).

Overall crime is under-recorded

The measurement of crime is based on two main statistical sources, the Crime Survey for England and Wales[i] (CSEW) and Police Recorded Crime (PRC) (House of Commons PASC, 2014). Rather than being preoccupied with the 'dark figure' (Manning, 1978a:20; Bourlet, 1990; Reiner, 2000:75) of *unreported* crime, this chapter is concerned with the 'grey figure' of unrecorded crimes. This is because the findings expose a disparity between what the public report to the police (PRC) and what the police, in turn, formally record (Bottomley and Pease, 1986). It is in researching this 'gap' that discretionary police practices are readily discernible.

National Crime Recording Standards (NCRS) and the use of discretion

Crime recording across all crime types has had a tarnished history. National Crime Recording Standards (NCRS) and Home Office Counting Rules (HOCR) were introduced into England and Wales police forces in 2002, after HMIC critically concluded that crime recording rates across 11 police forces varied between 55% and 82% (HMIC, 2000:x). The report highlighted that 24% of incidents reported to officers were not recorded as crimes (HMIC, 2000:53). Even when incidents were appropriately recorded, between 15% and 65% of crimes were incorrectly classified under the wrong crime type (ibid). Consequently, the aim of introducing NCRS was to promote consistency between police forces in the standard of crime reporting across England

and Wales (Home Office, 2003). According to Home Office rules, an incident shall be recorded as a crime (notifiable offence) if on the balance of probability[ii]:

> a) The circumstances of the victim's report amount to a crime as defined by law (the police will determine this, based on their knowledge of the law and counting rules) and
>
> b) There is no credible evidence to the contrary immediately available
>
> (HOCR, 2015:9)

The effect of 'criming' an incident means it becomes the subject of rigorous evaluation by crime evaluators working to the rules of each force crime audit unit (determined by HOCR and NCRS). A crime can only be 'filed' when all reasonable lines of enquiry have been pursued by police officers (HOCR, 2014:5). What serves to exacerbate the issue of crime recording is lack of knowledge by the public, who often believe that when an incident is reported face to face with officers this means it has been counted/recorded as a crime (Coleman and Moynihan, 1996:34), which is not the case.

Despite the introduction of NCRS in 2002 doubts about police crime statistics continue to proliferate. A freedom of information request by the Times (2011) suggests that 32% of crimes in England and Wales are filed without investigation (Policy expert, 2011 as cited in Brogden and Ellison, 2013:49). It is worth noting that in the first two years of NCRS implementation there was an immediate structural increase in the number of crimes recorded (2002-2004), yet overall crime levels have fallen every subsequent year since 2002, at a faster rate than the crime survey for England and Wales (CSEW) suggest is credible (House of Commons PASC, 2014). Given the consistent pattern, the hypothesis is that there has been an erosion of compliance with the NCRS and that incidents reported are not being captured in the crime recording system; in effect "PRC (police recorded crime) under-records crime" (House of Commons PASC, 2014:3). HMIC attests that if all forces recorded all crimes reported to them in line with current counting rules (HOCR) total crime nationally should increase significantly (2000:53). This confirms the fears for many, that police crime recording, like figures pre NCRS, represent a "faulty portrait of the social reality" (Manning, 1978a:22) as the statistics are based on "crime

which the police wish to make known" (Reiner, 2000:76) rather than being a reflection of true crime rates.

Academics have long asserted that official crime is a product of police decision-making (Black, 1980; Reiner, 2000; Maguire, 2012). Although discretionary decision-making by police officers has been researched concerning over-policing, i.e. the use of force and arrest (Black, 1971; Bayley and Bittner, 1984), deaths in police custody (Baker, 2016) and stop search (Bowling and Phillips, 2007; Quinton, 2011); there is much less research on *under-policing* and the discretion around whether or not to formally record a crime (Varano *et al*., 2009). Critically, not recording a crime and other actions at scenes tend to be low visibility decisions (Shearing, 1981; Klockars, 1985; Loftus, 2009) that often escape middle management and public scrutiny because:

> Decisions that cannot be reviewed provide fertile soil for abuses of discretionary decision-making (Warner, 1997:632)

When officers inappropriately apply discretion by failing to record a 'crime' this is termed 'writing off' or "cuffing" an incident; so termed where officers prematurely file rather than crime incidents by "concealing the truth up [their] sleeves or cuffs" (Young, 1991:324). Cuffing is effectively a means by which the crime is eliminated or hidden from public scrutiny (ibid). By 'cuffing' the officer is concluding that the offence did not take place or is not worthy of police intervention (Myhill and Johnson, 2016). In the USA such cuffing practices are termed "load shedding" (Varano *et al*., 2009:554), and equally in the UK 'unsolvable crimes' were consigned to file 13- a figurative term for the bin (Young, 1991:324). Decisions around whether officers should "cuff" the incident were often attributed to the likelihood of a "comeback" (Young, 1991; Coleman and Moynihan, 1996: 36) in terms of whether that course of action might prompt a police complaint, which then might deter the officer-making the practice an 'inhibiting' rule (Smith and Gray, 1985).

Bourlet contends that there is an overemphasis on the use of discretion by officers, particularly in the domestic abuse arena which leads to the considerable under-recording of crimes (1990). Explanations for the shortfall in officers recording crimes were provided in the 1992 British Crime Survey. Key themes included reports being treated as disingenuous, with police not

accepting victims accounts; there being insufficient evidence or reports being deemed as too trivial to justify formal action, especially if the complainant refused to prosecute (Mayhew *et al*., 1993 as cited in Coleman and Moynihan, 1996:34). Alternatively, some have suggested that performance targets are the cause of "cuffing" as they "drive perverse incentives" to mis-record crime (House of Commons PASC, 2014:8). Although performance targets *do* present officers with a conflict between the achievement of targets and core ethical policing values (ibid), it is argued that "cuffing" has been an active and widespread policing practice since 1939 (Young, 1991). The "numbers game" (Bayley and Bittner, 1984:39) and crime detection has always been central to the ideology of the policing institution as this is a primary means of determining practical police effectiveness (Young, 1991). Therefore, it is suggested that performance targets in isolation do not fully rationalise under-recording practices.

HBA crime is under-recorded

It is argued that HBA crimes are not fully captured under current Home Office data returns (College of Policing, 2015; IKWRO, 2014). This is illustrated in the data returns collated by the Iranian and Kurdish Women's Rights Organisation, who submitted a freedom of information request to all UK police forces (including Scotland and N. Ireland), which provided the first useful data of its kind for HBA. Findings from 39 of the 52 forces recorded 11,744 HBA incidents across a five-year period (2010-2014) consisting of beatings, abductions and murders, which equates to an average of 2348 HBA incidents per annum (IKWRO, 2015). Equally, HMIC data returns from 41 of 43 England and Wales police forces determined that there were 2,600 incidents over a 10-month period (to Jan 31st 2015) flagged as HBA, FM or Forced Genital Mutilation (FGM) with 830 associated crime reports (HMIC, 2015:58). However, the disparity arises when one compares these yearly incident figures (2348-2600) to CPS yearly prosecutions, which are small by comparison. Police referrals to CPS are declining across domestic abuse overall (HMICFRS, 2017), but specifically regarding HBA which results in less UK prosecutions, from 251 (2014-2015) (CPS, 2015:11) to 171 (2016-17) currently standing at 127 (2017-2018) (CPS, 2018:13). It is accepted that not all incidents will necessarily amount to a crime; yet even so the figures indicate that there is a significant

reduction in number between the stages were victims report incidents to police and their eventual referral to the CPS. The reasons as to this disparity will be fully explored.

The subset of 100 cases analysed were obtained from a large data set comprising of 671 HBA incidents reported to this police force across a four-year period (2011-2014 inclusive). However, it is considered that the HBA incident numbers are underestimated for several reasons. Firstly, the data was pulled from the system by searching for 'honour' codes C58 and C59 within the code qualifier and principal closing codes. Therefore, if control room staff relied on other closing or qualifying codes to categorise the incident, not all HBA incidents would have been captured within the current data set. Secondly, HBA incidents could have been incorrectly coded within the system; for instance, labelled as domestic violence (only), concern for child or child abuse without any specific 'honour' coding attached. Thirdly, many HBA cases are referred through to the police from other agencies, such as the multi-agency safeguarding hub (MASH), the Education sector or Children's Social care (CSC). Such cases are immediately dealt with by specialist PPIU officers and are therefore not logged through the communications branch.

Analysis of the large data set (chart 4.1) of 671 cases reflects very poor incident to crime conversion rates longitudinally. On average, 13% (85/671) of all HBA incidents reported to police over a four-year period were recorded as 'crimes' and were investigated and subjected to scrutiny by crime evaluators and supervisors. The incident to crime conversion rate remained steadily low in 2011(11%), 2012 (10%) and 2013 (11%).

Chart 4.1: HBA incident to crime rate conversion (2011-2014)

[Chart 4.1 inserted about here]

On average 90% of HBA allegations attended by officers over a three-year period were 'filed' as no-crime (2011-2013). 2014 was a much better year for crime reporting, in which 21% (30/114) of incidents were crimed. Although this indicates an increase in cases being crimed, chart 4.1 reflects a year-on-year marked decline in victim reporting, representing the dark figure of crime. Interviewees recognise that the practice of no-criming incidents hides substantial numbers of offences and distorts the grey picture of crime:

> I'd say- why are we not criming this, if we're not criming it, crimes not going to go up..//.. And we're shooting ourselves in the foot I've been saying it for years (police officer i)

These findings reinforce extant research, supporting the view that HBA levels are significantly higher than published data suggests (HMIC, 2015:41) representing the "tip of an iceberg" especially when assessed against victim numbers contacting charitable helplines, which has increased by 47% (2010-2013) (Dyer, 2015:14).

More accurate recording mechanisms are essential in order to identify the scale of honour-based abuse across England and Wales. There are reassuring signs that the crime recording of domestic abuse incidents across England and Wales is improving, with 50% (598,545) of domestic abuse incidents reported to the police being converted into crime reports (ONS, 2018:11), which is an increase from 41% in 2016 (ONS, 2016:29). Yet crucially as a subset of domestic abuse, HBA crime recording data is currently *hidden* amidst ONS statistics. If one compares this information to the present HBA research study, there is a real disparity in crime recording rates, as on average only a tenth of HBA incidents over a three-year period in one police force were formally subjected to a crime report – with 89% of incidents filed as 'no crime (2011-2013). Yet the discrepancy in incident to crime conversion rates is not visible by examining ONS data. Attempting to disaggregate HBA data from the larger DA data set is neither possible or practical, because under home office counting rules HBA, like other forms of domestic abuse, encompasses numerous crime categories such as assault, criminal damage, kidnap, false imprisonment, threats to kill, murder etc. Therefore, it is considered impractical to advocate for an independent crime category as IKWRO suggest (2014). Instead, it is suggested that forces should utilise opening and closing codes for HBA (and related HBA crimes such as FM and FGM) incidents, and secondly that all incidents (and crimes) should be

properly flagged as HBA, in order to better identify the scale of the problem across each force area and ultimately across England and Wales. In this way analysts could disaggregate and compare HBA victims, crime conversion rates, prosecutions and CPS outcomes with other forms of domestic abuse within the one data set.

The 100 HBA incidents analysed

Chart 4.2 illustrating the ratio of 100 incidents analysed (2012-2014), appears healthier when compared with the longitudinal trend, with 31% (31/100)[iii] formally crimed and 69% (69/100) filed as no crime. However, this means that over two thirds of the HBA incidents sampled in this study were not subjected to a formal crime report.

Chart 4.2: HBA incident to crime rate conversion (100 cases)

[Chart 4.2 inserted about here]

Officers were shown chart 4.2 whilst being interviewed and there were mixed reactions. One officer was "actually surprised that 31% were crimed" (police officer j), whilst another compared these as broadly similar to domestic abuse rates (police officer f). By comparison, half of the specialist officers were surprised at the poor incident to crime conversion rate, not only because of breaches to NCRS and DA recording policy, but failing to record crimes does not support women and girls in dire need:

> Oh, that should be a lot higher then, yeah that should be a lot higher then (police officer p)

> It doesn't look great does it..//..it is staggering, because certainly with the new domestic violence recording policy within (this force) if a third party person reports it. Based on what they tell us, if a crime has been committed we record it–so how can that only be 69% no-crime? (police officer o)

> Officers still don't have a full understanding of the issues –obviously our conversion rate is very poor-because we should have a much higher conversion rate than that–I would say at least 75% should be looking at a 'crimed' incident (police officer a)

> I think we're not getting it right ..//.. Those 100 cases- It's got to that scary point of "really now I need help or my friend needs help". I would have thought it should have been the other way about (police officer b)

A summary of the results shows that of the 100 cases analysed 31% (31/100) were formally crimed; a further 25% (25/100)[iv] in the view of the researcher[v] breached NCRS and should have been subject of a crime report. Therefore, 56% of the whole sample (rather than 31%) should have been formally recorded as crimes (see chart 4.3). A further 5 cases (5/100)[vi] were difficult to determine due to insufficient rationale provided by the attendant officers to negate or determine whether a crime had occurred, which in turn breached the National Standard of Incident Recording (Home Office, 2011). The remaining 39% of filed cases were, according to the researcher, justifiably deemed as no-crime. It is to be expected that not all incidents reported to the police would necessarily amount to a crime. For instance, they could constitute concerns for welfare or missing from home (MFH) reports. One officer suggested that HBA incidents sometimes amounted to an argument between a brother and sister "about a relationship that they're not happy with" rather than a form of reportable criminality (police officer f). However, the lack of depth in some officer investigations caused concern, as such incidents could expose crimes if the correct questions were posed by officers, an area fully explored in chapter five.

Flawed no-crime decisions

In attempting to isolate the reasons for no-crime decisions, chart 4.3 provides the details of which crime types were formally recorded and which crime types should have been formally recorded as crimes.

Chart 4.3: HBA recorded and unrecorded crime types

[Chart 4.3 inserted about here]

As illustrated in chart 4.3, the largest proportion of under-recorded 'hidden' crimes were 14 cases of 'threats to kill'. There were six hidden crimes of assault and a further serious case involving a 13-year-old victim who was brought into the country on a false passport with an

older date of birth and forced into marriage, making the crime a historical rape (case 97). There were also several threats to commit criminal damage and false imprisonment cases.

Home Office rules dictate that any incident *not* subsequently recorded as a crime must be supported by the appropriate rationale (HOCR, 2014:39) on the incident log, which should provide 'sufficient information to justify actions taken by officers' (Home Office, 2011:1.17). Officers often presented a number of explanations when writing up their rationale, to justify inaction and non-enforcement decisions. Such practices were identified by examining the discrepancies between the officers' summary write-ups compared with witness and victim accounts and demeanours presented within police electronic documentary reports, such as the PPI, DASH risk assessment, intelligence or crime reports. Many officers breached NSIR (Home Office, 2011) by failing to rationalise why a crime was *not* being recorded:

> Despite it being documented on the incident that an 11-year-old Iraqi victim alleged mum "keeps hitting her," no crime report is submitted (case 13)
>
> Page one of an incident states victim was "hit by her husband" and yet no crime was input, with the officers write up concluding it "does not amount to a notifiable offence" (case 47)
>
> Despite those sheltering the victim being threatened to have their windows "smashed inwards" should they continue to harbour the victim, officers do not crime the threat to commit criminal damage (case 60)
>
> You're getting the officers who are going saying "oh yeah, they've not reported any offences"- well you've got somebody who's saying they were assaulted when they rung up so- you've done nothing to negate that (police officer k)

According to officers, writing off or 'cuffing' crimes appears to exist across a range of crime types rather than being specific to HBA:

> I think it would fall into the 'too hard to do' category for some. I think there's a culture if you can 'write it off' then we will (police officer c)
>
> We all know there are FWINs [incidents] out there that should be crimed (police officer f)
>
> In general policing I don't think we meet the NCRS compliance a lot of the time..//.. [victims] say "oh my mum slapped me" and it's been recorded or

> written off as reasonable chastisement -but you've still got a crime that's occurred. You know you still record it, although it might not be in the public interest and you might not pursue it, you still record it..//.. I think we're missing out on too many (police officer k)
> I'll bet in those 90% [of cases which were filed] there were a lot which named offences in the actual body the write up (police officer m)

Although interviewees broadly acknowledge under-recording practices, some officers attribute these decisions based on lack of knowledge or training of officers in crime recording rules:

> I think it's a training issue rather than officers not wanting to crime it..//..They innocently are failing to identify those signs and symptoms (police officer d)

> I don't think it's from officers being lazy or incompetent, I don't think it's generally from that, I just think it's from lack of understanding
> (police officer i)

> There are times when I've seen a log and a crime *hasn't* been put in and I just think the officers aren't aware sometimes that they are supposed to. So, for example, the incidents in nursing homes, underage children. We've still got to put a crime in even though we write it off, I just don't think they know
> (police officer b)

> I wonder if perhaps officers have been [to the location] and probably not understood the full meaning about it ..//..Perhaps that's been written off when it shouldn't have been (police officer p)

In contrast, other officers (a, g, o and k) suggest there is sufficient knowledge and training of NCRS. Some specialist officers also excuse no-crime decisions made by response officers on the grounds that they are unfamiliar with HBA offences and thus only comfortable with the "bread and butter" (police officer n) "day to day" (police officer b) offences they deal with:

> Maybe they just don't know about the other offences, because their day to day offences are theft, assault and harassment now
> (police officer b)

> It depends on whether front line understands the HBA part of it. But I mean if like you get straight assault, straight 'threats to kill'- then you'd think well they'd put a crime in for that-but whether they understand… I don't know if they understand (police officer g)

However, it is clear from the analysis that the HBA offences constitute the core offences of violence that frontline officers routinely deal with such as assault, rape, threats to kill and false imprisonment. Therefore, the explanation for no-criming cases in this way appears wholly insufficient.

Lack of supervisory oversight

In the same vein, officers justify mistakes made by uniformed supervisors on the basis of lack of knowledge of offences, rather than the application of inappropriate discretion:

> It's your response sergeants that will look at whether a FWIN is NCRS compliant -because *they* haven't got a full understanding and awareness of the crimes that are available to them. I think there's a lack of expectation of crimes rather than an encouragement *not* to put those crimes in (police officer h)

Findings illustrate that supervisors rarely challenge the disparity between the incident report and the subsequent "write up" by officers. Incident data highlights several occasions whereby incidents are wrongly confirmed by supervision as "NCRS compliant" (cases 39, 62, 86)[vii]. For instance, in one case a victim was locked inside an address by her mother and uncle. Although the police assisted her in vacating the address, no crime of false imprisonment was logged and the supervisor deemed the case to be "NCRS compliant" (case 86). Furthermore, typing "NCRS compliant" appears to be a 'box ticking' process which has little tangible effect on data quality:

> We're having a lot of sergeants who are saying they are doing the NCRS compliance on the log- But they are not, no (police officer k)

HMIC also detect a lack of supervisory oversight, highlighting that the closure of cases under "no further action" do not routinely have a supervisory review, nor is the rationale for decisions explained. Neither is the long-term safeguarding plan for victims visible (HMIC, 2015:120). Because divisional and force analysts extrapolate information from 'crime' reports rather than incidents, the grey figure of crime is not readily recognisable by higher management when information is left languishing on the incident report. It is argued that NCRS rules and the

development of information technology can *only* limit the discretionary practices of officers once a crime is already recorded.

It also appears to be the case that the feasibility of supervisors 'checking' every incident is an "impossible mandate" (Manning, 1978a:12), particularly given the volume of incoming work and myriad of different computer systems. In a year, this force alone received 2 million calls (Police and Crime plan, 2014-2016:6) responded specifically to 896,912 incidents (2015) and dealt with, on average, 2375[viii] incidents in every 24-hour period (2016) (personal communication through accessing force systems, senior force analyst, 2016). On this basis, it is argued that supervisors do not and cannot routinely verify whether incidents are NCRS compliant. Given that since the public spending cuts this force, like many across the country, has had to make estimated savings of £236 million (2011-2018) along with losing 1100 police officers (Police and Crime plan, 2014-2016:27), police forces clearly have to do much more with less. There are rare occasions in the study where supervisors challenge[ix] officers about the conflicts between the information provided in the initial call from informants compared to the incident "write up" provided by the attendant officer.

'Threats to kill' offences under-recorded

As a crime of violence, threats to kill falls under the Offences Against the Persons Act 1861 (section 16) and has a ten-year imprisonment term (www.legislation.gov.uk). To prove this offence, the defendant does not have to intend to kill/carry out the threat; and neither does the victim (or officer) have to believe the threat would be carried out. The prosecution must prove that the perpetrator:

> 1. Made a threat to kill that or a third person (either written, orally or by actions), *and*
>
> 2. The perpetrator intended that the victim would fear that the threat would be carried out
>
> (cps.gov.uk)

Courts often consider the victim's situation to determine whether it is reasonable to assume the defendant intended the threat to be taken seriously (cps.gov.uk). CPS guidelines deem that a

charge of threats to kill is appropriate when there has been a threat of assault, but an assault was prevented. Therefore, if an assault occurs *in addition* to a threat to kill, an additional charge of threats to kill would be unnecessary (ibid). Therefore, only the cases in which no crimes whatsoever were submitted were counted as 'breaches' within the sample of the 100 cases analysed. Findings showed (chart 4.3) that despite there being sufficient evidence to crime eighteen cases of 'threats to kill,' only four cases were actually crimed. Thus, 78% of all threats to kill allegations within the sample went unrecorded by officers (14/18)[x], representing the largest crime type under-recorded and constituting 47% of all NCRS/NSIR breaches in the data set (14/30). Worryingly, threats to kill offences were particularly prevalent in cases where victims were pregnant.

Akin to other NCRS breaches in the sample, some officers via the incident write-up denied 'threats to kill' had occurred, suggesting there was no victim confirmation of crimes. Conversely other tactics involved officers trivialising and diluting the account given by victim(s) and/or wrongly suggesting that the circumstances did not fit the legal definition of a threats to kill (see chapter five). However, in these cases the write-up summary by the attendant officers largely conflicted with the initial report taken by the police call handlers. For instance, in one case a father discovered his daughter was in a relationship and forbade it. However, they continued the relationship and she became pregnant. In a phone call, the father threatened to kill the love choice boyfriend on three occasions saying "I'm going find you and murder you" (case 5). He then put his 12-weeks pregnant daughter on a flight to Pakistan to attend a "family wedding," stating "I'll give her what she deserves and you are gonna get the same." The officer intercepted the victim prior to her getting on the plane. However, despite the boyfriend's very "real" belief of the threats to kill, the officer negates the risks to both victims:

> Female victim has been spoken to and has confirmed there has been no assaults, there is no concern over honour-based abuse and she is happy to go to Pakistan..//.. There have been no threats to kill or assaults towards (the named boyfriend) (case 5)

Whether the victims are safe and well is unclear, but the officer took no action and did not input a crime. In a further pregnant victim case (cases 65 and 67 linked) there was a documentary audit trail highlighting that the victim(s) reported 'threats to kill' offences to

different officers on three separate occasions across a 15-day period. The threats were initially reported to the police station front desk, and then by the concerned boyfriend when he had not seen his girlfriend for four days following the parent's discovery of her pregnancy. Finally, when the female 'Facebooked' the boyfriend the police were alerted so that she could flee the family home. In the first report, the father discovered his daughter had a boyfriend and "made threats to kill" him, which was clearly logged on the incident report. Yet within the PPI report the officer contrastingly documents:

> They did not wish to make any complaint - they only sought advice. No threats of violence were made to any person, neither wish to make any complaint or provide any sort of a statement (case 65 and 67 linked)

In the second PPI report, a different officer concurs with the previous report suggesting the incident was not a domestic abuse incident but a 'concern for welfare' (case 65). In the final report the father was keeping his daughter under "house arrest" and, crucially, by this stage the victim had allegedly had a "miscarriage" at a private clinic. The father threatened:

> If you do decide to leave, then you will have your few months of happiness with him then I will get you killed as well as (boyfriend) (case 67)

It can be inferred from information supplied by the daughter (explored in chapter six) that the parents had encouraged the daughter into having an abortion. Had the police taken a more proactive stance and adequately safeguarded the victim in the initial reports, the child may still be alive.

In some threats to kill allegations, the threat level was high and yet no crime reports were submitted. For instance, an 18-year-old Pakistani victim was at risk of death due to the dishonour brought about by her 7-month pregnancy. The threat came from a third party (the mother) who told police that her husband and son were intent on killing the daughter and had booked flights to flee to Pakistan immediately after her murder. Police took the threat seriously enough to issue a threat to life "Osman"[xi] warning and yet paradoxically the Inspector sanctioned that 'no notifiable offence' had occurred in terms of a "threats to kill" (case 69, linked to case 70). There was a second 'threats to kill' incident reported against the victim's mother by one of her other sons, and neither was this incident crimed. It is posited that if the

police were entirely satisfied that the allegation was groundless they would not have generated a multitude of actions; created an intelligence item about the threat posed to the lives of the females; alerted the national border targeting agency nor allocated resources via a green room intelligence cell to manage the investigation. It is hypothesised that the crime report was not submitted by the Inspector because it would remain an undetected crime on the system.

Child cases are managed in a similar way. Despite a 12-year-old Bangladeshi victim contacting police to report a number of offences by her perpetrator parents, no crimes were recorded and the incident was 'written off' as 'NCRS compliant'. The impetus for calling the police was the victim's behaviour at a strict Islamic school for girls, in which she was found by a teacher trying to dispose of a condom (unused and still in the wrapper) in the bin. She was also questioned by the school about her 'Facebook' profile, in which she had worn no headscarf. After arranging an appointment with the headmaster, the father drove his daughter home and made threats to kill her. Believing the threats would be carried out, she dialled 999. On police arrival, the victim disclosed two assaults by both parents and several 'threats to kill' offences. Under the 'finished incident rule'[xii] (HOCR, 2016) the historical 'threats to kill' and two assaults would not require separate crime reports, however, the suspects could and should have been additionally charged with those offences. The officer should have crimed the recent 'threats to kill' against the child, or alternatively, under NCRS guidelines, provided rationale as to why this was not crimed. No crimes were recorded. The incident breached NCRS, but more significantly the child remained at the family home in a high-risk predicament for a further three years (case 39). Hemphill et al., suggest that threats of violence are a good predictor of future violence and hence 'threats to kill' is included in the DASH risk assessment tools (1998). From a safeguarding perspective, it is therefore concerning that 78% (14/18) of threats to kill offences in this sample went unrecorded and un-investigated. However, one interviewee considered that under-recording threats to kill was not limited to HBA but evident across domestic abuse more broadly:

> If you look at any DA incident where there's a threat, you know you'll have the same issue with threats to kill, across the board. I can't visualise any reason why an HBA incident should bring that out, rather than a DA incident
> (police officer f)

Subjective judgements and quasi legal rules

Several themes are apparent which appear to facilitate officers under-recording the offence of "threats to kill". Firstly, there is evidence[xiii] of officers applying a faulty interpretation of the 'threats to kill' definition, based on the immediacy of the threat and the timing of the victim reports. Secondly, officers apply their own highly subjective judgements about the 'seriousness' of cases. Both facets were intertwined:

> Threats to kill as a crime probably doesn't always get reported as much as it does because people go "well, you're not in immediate danger there's nothing there" they kind of write it off. But they're contacting the police- they're in fear (police officer p)

> If they've said "it was over the phone and he's [the perpetrator] not actually turned up" then maybe they're [police] thinking -"Oh, it's not that serious" (police officer b)

> '6 months ago he said that if I was to do that he'd kill me' [victim's report]..//.. It could be perceived as -'I don't believe it'-because you know it was so many months ago..//.. the officers might have looked at that and said-well it's not a crime because it happened that long ago, she [victim] doesn't believe the threat (police officer n)

> Officers attending have varying views on what threats to kill is and base the need to crime on that, that's what I'm saying. So it is being viewed subjectively (police officer f)

These excerpts illustrate that police decision-making around 'threats to kill' subjectively revolves around whose account the officers are most persuaded by, rather than strictly adhering to the legal points to prove in the threats to kill definition. The perceived reliability of victims' hinges on whether officers are convinced by their responses. This illustrates that "all law enforcement is a matter of negotiation" (Manning and Van Maanen, 1978:220) between victims, perpetrators and the police. Thirdly, some officers rely on the presentational validity of quasi legal rules to *justify* no-crime decisions. For instance, officers are loath to crime cases where 'threats to kill' were made through a third party. To exemplify, after marrying her love choice against the family's wishes, the 'dishonoured' victim and husband fled from the area after being subjected to violence and threats from her brother. When she returned from Pakistan

after eight months, the brother communicated a threat through his own wife that "if I see her anywhere, I will get her and her husband killed." Officers did not crime this case on the grounds it was not a "direct threat" (case 29). In a similar case, a male Sunni Muslim and his Shi'a Muslim wife fled to the UK and married against the wishes of their families. Four separate police intelligence items (2011-2012) indicated several "threats to kill" allegations had been made against the couple and yet the attendant officer did not submit a crime report on the grounds:

> No direct person has made a threat, and (the threat is) not immediate (case 99)

Therefore, officers apply quasi legal rules, such as the threat not being 'imminent', or based on third party indirect threats[xiv], in order to erroneously justify a 'legal' inability to prosecute. However, the legal position is that the threat does not have to be a direct threat and can include a threat communicated via a 'third party', and neither does the threat have to be imminent (cps.gov.uk). Extant research reinforces this proposition, evident in Lynn and Lea's research on 'wit craft,' where officers legitimate a refusal to act based on their apparent knowledge of the law to members of the public. The success of this strategy is highly dependent on the public's lay ignorance of the law. In accepting officers' judgements, this allows selective or 'creative' interpretations of the law to pass unchallenged (Lynn and Lea, 2012).

As indicated earlier, police officers themselves excuse poor investigations on the basis of lack of knowledge or training, rather than the inappropriate application of discretion. Equally, Myhill and Johnson attribute poor recording practices at domestic incidents to officers failing to identify the risks, rather than this being malicious (2016:16). However, it is argued that the findings here align with Hobbs's contention that it may be too gracious to suggest that officers pursue "principled non-enforcement" (1991:604) practices which underrates the self-interested nature of why such offences are not being enforced. This is a worthy of consideration, particularly when some officers apply several 'improvised' techniques of 'writing off' an incident i.e. case 73 (explored in chapter five). The excerpt below highlights that some officers' rationalisations for no-crime decisions are without foundation:

> There are times when we review a log and a third party's rang it in ..//..they'll [officers] go "Oh, I spoke to the parties. No crimes", and I have to send it back [the action] saying "What did the informant say"? And [the reply] "Oh I didn't speak to them" (police officer b)
>
> Researcher - So they're not investigated properly in order to negate a 'threats to kill'?
> No. Nobody ever speaks to the informant (police officer b)

Therefore, whether there is a lack of understanding by officers around the points to prove for threats to kill, or whether this is a device used to 'cuff' these crimes is open to interpretation; however both facets are evident in the findings.

Officers pre-empt CPS 'no-charge' decisions

Officers often attribute the under-recording of threats to kill based on anticipated no-charge decisions from the Crown Prosecution Service (CPS). Despite no questions being posed on the CPS, several police officers alluded to being impeded by CPS, who rarely accept a charge of "threats to kill" because of the high threshold test:

> The level they need [CPS] and almost about to kill you before they'll charge on threats to kill, so whether or not they [officers] don't think there's enough to put in a 'threats to kill' (police officer b)
>
> There's always been some resistance to about threats to kill because the [CPS] threshold is deemed to be quite high..//..We all know what CPS wants for threats to kill and it's traditionally a lot more than what we [police] arrest for, and maybe that inhibits officers, but having said that, the CPS want more for every offence that we arrest for (police officer f)
>
> They'll [CPS] say well if it's not immediate, you know the threat's been made but it was an indirect threat that was made 3 months ago, sort of thing, they're not going to charge on it (police officer n)
>
> I think the offence is made out very easily initially, but to actually get a prosecution for it – I think is horrendous. If they [perpetrators] -definitely if they have a solicitor –they are told what constitutes the crime of 'threats to kill'. Simple isn't it- "I didn't mean it to come across as that, I didn't mean when I said that, I was just angry"..//.. We find threats to kill notoriously difficult to 'get home' [to prosecute in court] (police officer m)

Such excerpts firstly suggest the threshold test applied by the CPS is too high[xv] with the offence notoriously difficult to "get home" (police officer m also e), suggesting the legislation is ineffective in protecting victims. Secondly, there is evidence of officer's decisions being influenced and pre-empted by the likelihood or otherwise of a charging/prosecution decision from CPS, whereby officers' act as a "prosecutorial filter" (Lynn and Lea, 2012:363). For instance, the officer documents in the crime report how the victim suffered 'slaps across the left cheek'. Yet in contrast, the incident report states that "her jaw is sore from the punches, offender has used his fists to punch (her)" (case 16). This certainly shows how, through the constructed 'write up' crafted by the officer, a section 47 assault is reduced to a lesser section 39 offence. Rather than rely on the legal points to prove and victim testimony, officers pragmatically submit crime reports based on anticipated CPS charging decisions:

> I think they know [officers] from experience the outcome of what a job would be, and I think some can see "well CPS are never going to run it as attempt section 18, it would be a common assault or 47" (police officer i)

Thirdly some officers conflate the two different requirements, as crime recording under NCRS and charging decisions have an entirely different standard of proof. The former is based on the 'balance of probabilities' and the latter on being satisfied that there is sufficient evidence to provide a realistic prospect of conviction (The Code for Crown Prosecutors, 2013). These findings reinforce the House of Commons PASC report, in which officers erroneously "set the evidential bar too high when making a recording decision, based on their perception of the likelihood of a Crown Prosecution Service charge, rather than using the victim-focussed standard prescribed by the NCRS" (House of Commons PASC, 2014:13). However, despite the poor recording practices by some officers, inputting threats to kill was recognised by some specialists as necessary:

> I'm assuming that most of the domestic homicide reviews that we get, there will be a threat at some point..//..So threats to kill..//..It needs to be crimed, there needs to be a safeguarding plan in place because it is one of the most riskiest crimes ..//.. I think if they are thinking of it evidentially, it's very hard to prove without the victim (police officer o)

There was only one other instance in which an officer alluded to CPS being loathe to prosecute 'threats to kill' on the basis of victim reluctance:

> But often CPS say it's not in the public interest because the female victim..//.. doesn't want to be involved. They won't support the prosecution
> (police officer a)

This illustrates that despite CPS advocating good practice and training on 'victimless prosecutions' (CPS, 2015) for high risk domestic abuse cases the practical reality may lie adrift from policy.

There is also evidence of officers possessing the free rein to "satisfice" (Simon, 1976) by simplifying or reducing crimes to less serious offences[xvi]; or choosing one crime (or no crime) or one charge, which is evidentially and legally the 'easiest' to prove in court (cases 16, 57, 79 and 62). In another instance, multiple charges should have been laid (e.g. threats to commit criminal damage, assault and threats to kill) (case 62) but no crime was input and no perpetrator arrested. Such simplifications may be pragmatic, and may pre-empt CPS charging decisions, yet this could be perceived as officers aiming for the low hanging fruit whereby other crimes and multiple perpetrators, including female perpetrators (see chapter six), could easily be overlooked, resulting in the under-protection of victims.

Police preoccupation with performance targets

Investigate to record

The findings strongly support extant research which indicates that officers (between 2005-2014) were encouraged to "trawl the margins" for detections (not recording, misclassifying crimes, encouraging criminals to admit to other crimes they had not committed, solving minor, or easier, "volume crime") in order to improve figures instead of actively investigating more serious crime (HMIC, 1999). Indeed, what better way is there to "convince the politicians they have used their allocated resources efficiently" (Manning, 1978a:10) by reducing *undetectable* crimes, rather than investigating all the crimes reported to them?

Officers spoke candidly of a pervasive performance culture or RAG culture (red, amber, green) (police officer o, m) when some officers "were putting more effort into 'getting rid' of crimes rather than investigating the ones that we knew happened" (police officer f), particularly when 'detections' were unlikely. This practice was prevalent where victims were unwilling or 'reluctant' to prosecute. The pressure to reduce non-detectable crimes was achieved by some officers endeavouring to disprove the victim's report before a decision was made to record the crime; a discretionary unethical practice termed "investigate to record" (HMIC, 2014:86-87; HOCR, 2016). The majority of officers denied such a pressure[xvii], whilst conversely several officers suggested that management put pressure on officers to reduce non-detectable offences (police officers i, f, m and o):

> Just that the figures were now red, not necessarily anyone-and I suppose what *you* would do then I suppose-shit rolls downhill, if you were a supervisor you'd probably get a grip of the member of staff "Is there a way we can detect this, is there a way we can write this off, no-crime it- go back [to the victim] –has this really happened - if they waver I want that crime getting rid of" you know that kind of culture (police officer m)
>
> Researcher**:** So did it come from senior officers' then– this pressure?
>
> I think the words were said in the meeting as such- "you'll be getting rid of this one won't you"..//.. It just doesn't sit right. Thankfully we are coming away from that now (police officer m)

Acquisitive crimes in particular were discussed, whereby robbery, burglary and volume crime squads were established (2002 onwards) with a particular remit, seemingly to question the validity of some crimes in order to no-crime:

> Certainly, not honour crime specifically, but I think going back six/seven years- everything was about detection, detection rates. There seemed this willingness to get anything crimed that could be detected. For instance, if you look at robbery, the investment that the divisions were putting in to get people to be able to say that a robbery hadn't happened. So a crime could be no-crimed and they could get it written off the books (police officer f)
>
> Historically the culture in [this force] was- if we have less crime, then it means it's not happened- and we look better. Whereas it's just had the knock on effect that we don't have the right staffing levels because you don't realise the crime levels ..//.. It's almost I suppose, 'playing, playing with figures', the crime is

> still going to happen regardless..//.. so I'd say before that, going back ten years, I'd say there was a problem with crime reporting – certainly (police officer o)

> To actually not record it – or to fudge the figures, no. It must have happened ..//..I know, a lot of officers got moved, I think that was about 2005/2006, were I think whole offices got disbanded based on that (police officer o)

> It wasn't just this force, you'd go to meetings, national meetings and everybody talked about the culture at that time was to drive down, well to 'increase detections'. So in order to increase detections the pressure was there to reduce the non-detectable crimes..//.. It's viewed by a lot of people, senior leaders now, that it was unethical (police officer f)

Such findings reinforce the PASC report by illustrating that a dysfunctional and target driven mentality created "perverse incentives and sacrificed core policing values" (House of Commons PASC, 2014:48). Although police officers referred to a performance pressure in the area of volume/acquisitive crime this also existed in other serious crime areas such as rape allegations:

> Certainly rapes weren't recorded historically- they ran on a FWIN..//..[an incident record], so there was almost reluctance to crime, as opposed to an order not to crime (police officer o)

Several police officers conceded that the pressure came from police managers, such as bosses in the CID, volume crime teams and superintendents in the morning performance meetings, due to the prevalent performance 'target driven' culture (police officers m, i, o, n). There was only one interviewee who felt the government were to blame for the performance culture, stating "but that wasn't just something that a division or a force came up with, that was national" (police officer f).

The research reflects the historical pressure rank and file officers were put under to avoid criming cases that would remain "undetected" in the system (House of Commons PASC report, 2014). The over focus on government targets appears to have spawned such dysfunctional outcomes. Performance culture and preoccupation with detections appears to reflect a collective organisational pressure to 'clear up crime' and present a favourable image. As the findings suggest, reducing non-detectable crimes is not limited to acquisitive crime but potentially all non-detectable cases, including serious and violent crime. It is noteworthy that

of the 30 incidents breaching NCRS/NSIR in this sample, 77% constituted violent crime[xviii] (threats to kill, assault, false imprisonment and rape). Therefore, this refutes the notion that 'cuffing' by officers is limited to crimes of a "low level" (Roberts *et al*., 2014:79) or less serious nature (HMIC, 2014:86). Crucially, HMIC find that violence against the person offences have the highest under-recording rates across England and Wales police forces, with an estimated 1 in 3 (33%) violent offences being under-recorded (HMIC, 2014:65). This HMIC report supports the current findings which allude to a culture embedded within the crime recording process (ibid).

Record to investigate

The dramatic shift in police crime recording practices occurred as a consequence of the directive given by the then Home Secretary Theresa May (2010) at the ACPO annual conference to "cut crime" (Curtis, 2015:20), along with the HMIC recommendation (11) to discontinue 'investigate to record' practices (HMIC, 2014; HOCR, 2016). There appears to be a visible shift in attitudes when one compares HBA incident data with officer interview data. Officers were consistent in expressing that a dramatic shift and change of ethos in recording practices had occurred over the previous two years (2014-2016) (police officer f and c) with officers being directed to submit crimes now that "targets have gone" (police officer j). When asked whether officers were put under pressure 'not' to record crimes, over half the officers interviewed[xix] denied such a pressure existed. Indeed, several suggested the opposite, that they get directed to put crimes in:

> No. It's completely opposite. We get told to crime things that we don't actually think should be crimed (police officer c)
>
> Targets have gone now. I have never known an officer to be pressurised not to put a crime in for DV, it's 100% the other way (police officer j)
>
> They've never said to me don't record that, don't record a crime or don't record any of these crimes (police officer p)
>
> Asking me 'not' to record-I've never experienced that..//.. I would be saying "no it's going in", but I mean there's many a time I've come across something and an officer hasn't crimed it and I've discussed it with my supervision and they've said -"yeah you're right we need to put that crime in" (police officer k)

A number of officers commented favourably on the positive push in crime recording, which intended to eliminate the ethos of artificially keeping crime figures down:

> Since we got a nice kicking [from HMIC]..//..everything gets crimed..// When Theresa May got rid of that I thought that was actually a good thing..//. That has a negative impact on victims and dealing with cases, so hopefully now is the time we can turn that around (police officer i)

> [The ethos] has changed completely I must say -the last two years, that focus on detections has gone, which would mean-with the focus on 'record to investigate'. It's completely switched round everything gets crimed now (police officer f)

One interviewee erroneously perceived that a "72-hour window" (police officer c) was available to investigate these reports:

> We 'record to investigate', rather than 'investigate to record'. That's the buzz phrase, so what used to happen was, we had a 72-hour window, was when a report was made to us, we could investigate that report and determine whether it was a false report or not, whereas, now we're not allowed to do that..//..You get pulled up on it- "Why did it take so long to do this"? You record it immediately (police officer c)

This observation illustrates how some officers used NCRS rules themselves to disprove a report rather than the timeframe being used for its intended purpose in order to trace victims/witnesses. Officers recognise that previous non-recording practices not only failed to reflect the "true picture" of crime (police officer m) but were unethical (police officer f) and had a "negative impact on victims" (police officer i). Yet equally, the pragmatism of officers is evident in that accurate crime recording could create a long-term demand that was difficult for officers to sustain:

> That could also come back to bite us ..//..because if we're putting more crimes in and we can't deal with them all then they're going to start..//.. Trying to privatise the police ..//..Let's get another agency in to take on board other aspects of policing (police officer n)

It is also worth acknowledging that the current political climate of budget cuts and reduced resources might incentivise officers to record more crimes, which was observed by one officer:

> I think they want crime figures to go up. They want more and more crime to be recorded so that they can say "actually we have got less officers, we've got less money, but crime's going up" (police officer c)

This has come to fruition as the statistics reflect recent rises in violent crime reporting (ONS, 2016) despite a downward trend in previous years. Lipsky's research aids in explaining this phenomenon by arguing that where bureaucratic organisations, like the police, "perceive themselves under attack" (2010 [1980]:92) they work harder to demonstrate that the service they provide is essential. This suggests that crime recording is politically driven rather than a reflection of reality. The shift towards ethical recording should be because officers "genuinely feel empowered to do the right thing" (Curtis, 2015:52; also Berry, 2009) for victims of crime, and not because it advances the cause and continued existence of the policing organisation itself.

The 'reluctant' victim

Victims unwilling to prosecute

Victim reluctance is highly relevant to crime recording, particularly because of its impact on the *process* of crime construction. Key reasons for officers not criming cases revolve around victim unwillingness to prosecute, victims not confirming a crime has occurred or not providing perpetrator details, all essentially on the grounds of victim reluctance. Such findings not only replicate Coleman and Moynihan's study (1996) but they reinforce UK statistics[xx] showing a rise in unsuccessful HBA prosecution outcomes based on "victim issues", were victims either retracted cases or refused to attend court (from 35% in 2013-14 to 46% in 2014-15) (CPS, 2015:73; HMIC, 2015:62). However, these statistics only encompass 'crimed' cases and do not factor in incidents that never led to arrest or charge (the grey figure of crime).

As explored in chapter one, culture issues create additional barriers that inhibit victims from prosecuting relatives. The key issues revolve around fear of racist attitudes by the authorities, concern around family honour and personal honour, along with fearing the social ostracism associated with bringing "shame" on the family. Yet central to the theme of victim reluctance is the ambivalence of victims in prosecuting family members. Despite being betrayed by those

closest to them (HMIC, 2015:8) few HBA victims are prepared to prosecute family members (Phillips and Dustin, 2004:542):

> A lot of them are obviously quite unwilling, they don't want to give statements, they don't want to go through the process (police officer e)
>
> I think the reluctance can be the risk – the risk posed to the victim, that they're scared, very scared (police officer f)
> Sometimes forced marriages we just do the protection side of it if they don't want to have anything else to do with a prosecution (police officer g)

Loyalty amongst kin is central to notions of honour (Jafri, 2009:20) and a crucial barrier preventing victims from reporting abuse (Hanmer, 2013[1989]:119):

> They'll say "well I didn't want to tell the police because I was frightened about what would happen to my family, I don't want my family to get into trouble" so I do think it is the loyalties (police officer k)

Such loyalty also increases risks to victims. One Sikh family had a "funeral" for their daughter when she ran off with a Muslim. When that relationship broke down she and her children returned to live on the same street, but her relatives continued to ostracise her:

> They're still my family, and I'm hoping one day they will acknowledge me or my children (police officer h)

The added dimension and considerable emotional trauma associated with being asked to prosecute parents and relatives, rather than an intimate partner, should not be underestimated**:**

> A lot of victims say–no I don't want to go ahead with this. I don't want to criminalise my parents, I will not go to court (police officer a)
>
> They're [victims] not seeking to criminalise parents (police officer h)
>
> They just want to live safely..//..if you're looking at prosecuting your own family members..//..it will upset everyone in the family or alternatively you can pick up your stuff, move on and start a new life somewhere, the vast majority of people will start a new life (police officer o)

> We can do all the prints and investigate and arrest people and do Forced Marriage Protection Orders but a lot of the time, by the time we've got to that stage they have retracted or they don't want to do any more-and they want to go home (police officer b)
>
> I'm talking 99% of the cases it seems to be that the victim withdraws support or at some point has to go back to the family (police officer m)

Victims minimise the severity of perpetrator offending and/or retract complaints out of loyalty to family members, including rape retractions[xxi] or retracting FMPOs[xxii]**.** Unheeded pressure to retract complaints can result in victims being socially ostracised by kin and community (Pease and Flood, 2008; Siddiqui, 2005) and demonised as perpetrators. Continuing a prosecution can inhibit "bridges to be rebuilt [with relatives] thereafter" (Mr Justice Peter Singer cited in Phillips and Dustin, 2004:542). Consequently, adult victims of HBA often return back to the risky home predicament of their own volition[xxiii] due to fearing the ramifications of going against the collective (police officer f), with abuse often being reinstated. Equally, there were significant numbers of child victims 'reconciled' with perpetrating family members (explored in chapter seven).

Victim reluctance, 'relational' distance and no-criming

Although the prior section emphasises the cultural elements of HBA, victims refusing to make statements or withdrawing support to prosecute even before offenders are charged (Hoyle, 1998) shows a considerable overlap between HBA and traditional domestic abuse victimology. Policing domestic disputes are seen as the most problematic for officers, due to the close relationship between victims and perpetrators (Bayley and Bittner, 1984; Edwards, 1986a; Grace, 1995). Black argues that in 'relational' encounters, sublegal controls operate; in that the closer the relationship between victim and perpetrator, the less likelihood of the police pursuing arrests because parties were more likely to 'repair' their differences. Conversely, there is a higher likelihood of arrests if the perpetrator is a stranger (1971). Complainant preference is a powerful situational factor in the police and victim interaction, and where domestic abuse victims did not want police to arrest, despite a legal right to, they did not in all but 10% of cases (ibid). Research suggests that an officers' decision to arrest or take any action is heavily influenced by the victims' willingness, or otherwise, to prosecute or testify (Berk

and Loseke, 1980; Edwards, 1986a and b; Grace, 1995; Hoyle, 1998; HMIC, 2014; HMIC, 2015).

Police officers interviewed overwhelmingly concur that a lack of crime recording is based on the victim's reticence[xxiv] in pursuing prosecutions. In Edwards' research 96% of retracted cases were subsequently no-crimed by officers (1986a:236). Equally, in a HMIC (2000:203) focus group with 81 officers, the top reasons for not recording crimes included lack of evidence (238), the complainant not being present (84) ascertaining whether a victim will make a complaint (65) and 'no 'complaint by the victim (59). The centrality of victim testimony as 'evidence' in HBA/domestic abuse cases remains crucial:

> A lot of them are obviously quite unwilling, they don't want to give statements, they don't want to go through the process, so then when you're looking for other evidence, and obviously your other evidence can then be in short supply because generally speaking they [victims] *are* your evidence (police officer e)

Victims do have a choice as to whether they wish to pursue prosecutions. Yet crucially a victims' willingness or otherwise to prosecute should not feature in an officers' decision-making as to whether to submit a crime report. When a victim confirms a crime has taken place to officers, a crime must be recorded (HOCR, 2015) regardless of any prosecution. Findings illustrate that officers do have a comprehensive grounding in NCRS compliance, understanding that being 'reluctant' does not preclude inputting a crime report:

> But then we're told and trained to put a crime in if a crime's been confirmed. So even if it's a simplest of a section 39..//..then we still have to put a crime in (police officer g)

> It should be recorded - unless we find something that says that what they are saying isn't right..//.. We should crime it to investigate it, we shouldn't investigate it, to crime it..//.. However, for that to be a no-crime without investigation seems really, really high (police officer o)

Manufactured victim reluctance

An iterative theme is of officers suggesting that victims are reluctant to disclose abuse (inherently different to pursuing a prosecution) by refusing to provide 'victim confirmation' of a crime;[xxv] therefore providing 'insufficient evidence' to record offences. These findings challenge the contention that such incidents "fall short of notifiable offences and are therefore not recorded as crimes" (ONS, 2018:6). The conviction that problem lies in lack of victim cooperation (and creates evidential difficulties in prosecuting cases) (HMICFRS, 2017; ONS, 2018:18) is evident in HBA and domestic abuse more broadly. However, corresponding electronic documents evidences that victims are willing and disclose sufficient information to call handlers to warrant a crime report. By the time the attendant officer concludes the write-up, a clear juxtaposition and bizarre 'u turn' in behaviour is evident, with victims presented as uncooperative and uncommunicative:

> She was very reticent with myself on the phone and has not told me what her address is down there..//..Has been very vague and has not been very forthcoming with information (case 88)
>
> A 14-year-old child divulged instances of physical abuse by her father and stated that if she was "taken home she would kill herself." Despite this candour, the officer suggests in the write-up that the young victim "would not expand on this" (case 81)
>
> Page 1 of the incident report states the victim has been "forced into an arranged marriage". Yet by the time an officer obtains the information she is "very reluctant to give too much information to front desk…. she did not elaborate further or wish to disclose anything to me at all" (case 17)
>
> Despite a mother currently being imprisoned in Pakistan by her siblings until she concedes to her daughter being married, the report states "she was not held against her will" and "did not want to go into detail about this" (case 78)

In one case the officer claims the victim 'refuses' to provide a statement or complete a DASH questionnaire, she is "reluctant to go into detail" and it is "sorted":

> Victim appeared very cagey as though she did not want to speak to me at all. She appeared very defensive also (case 16)

Such alleged victim reluctance is not limited to adults. A previous incident highlights that a 15-year-old victim is "refusing to go home in fear of her father beating her again". The present incident communicates "she was still scared to go home" and if "taken home she would kill herself" (case 74). There was evidence of previous bruising under the child's eye and yet no action was taken in terms of arresting the father, no crime report was input and no effort was made to video interview the child. Indeed, there was a real risk of the victim being taken out of the country for marriage, yet the police report states:

> There is nothing to corroborate this fear..//..It would seem from all write-ups that the child will not disclose fully what has gone on (case 74)

In a similar case, a 16-year-old Pakistani victim outlines to her college tutor several incidents of being kicked, hit with vacuum cleaner attachments and having her hair pulled. She fears being sent abroad for a forced marriage. The rationale that officers provide for not criming the case was that:

> Victim does not wish to speak to the police to make a criminal allegation against her parents at this moment in time..//..Did not want to discuss the comments she made in her hand written note regarding her parents assaulting her. The note confirms violence, but it does not give any dates or times (case 57)

The fact that the victim confides in her college tutor and produces a handwritten note of the allegations shows cooperation rather than an unwillingness to disclose abuse (case 57).

Examination of these excerpts first shows that all cases breach NCRS rules, as no rationale is provided to negate the original allegations. Second, throughout the narrative, victim reluctance is used as a means by which officers justify police inaction. Ironically, some officers rely on the formal NCRS rule requiring 'victim confirmation of a crime'[xxvi] in order to subvert the policy itself and justify non-enforcement decisions, akin to the police use of quasi legal rules to mislead the public. Third, this indicates that 'front work' or the manipulation of appearances (Manning, 1978b) is being employed through the officers' summary write-ups (half-truths, omission of information, discrediting of the victim) in order to portray an alternative version of events. Such crafted 'write-ups' appear reminiscent of the verbal inventions or alleged 'admissions' of guilt that were historically attributed to suspects on arrest, with officers

appearing adept at "putting words in people's mouths" (Holdaway, 1983:112). Therefore, it is argued that the genuine reluctance of these victims is open to dispute, as numerous excerpts provide direct evidence that victims are willing to disclose criminal offences to the police. Previous research shows how the attitudes of some officers *influences* the victims' withdrawal (Harne and Radford, 2008) with pressure placed on victims by professionals not to prosecute, to withdraw or downgrade the report (Bourlet, 1990; House of Commons PASC, 2014:11). Moreover, Waddington suggests that the alleged wishes of the complainant can be manipulated by some officers, exploiting the vulnerability of women to convince them not to press charges (Waddington, 1999:58). In a similar vein Patel argues that the police "fuel the myth" that women do not want to press charges, when in fact they allegedly dissuade women from pursuing complaints (2003:180). These findings align with Brown (1981) and Holdaway's (1983) research which suggests that victim reluctance, in some instances, is manufactured by some officers as a "pretext to avoid taking any action at all" (Brown, 1981:205). In effect this leads one back to the social construction of crime, with low numbers of crimes recorded and few prosecutions reflective of the response by professionals, rather than indicative of reluctant victims. Replicating this research, Myhill and Johnson show that although victim assaults were disclosed in the initial call these were negated when victims allegedly retracted the allegation to officers (2016). It is argued that victims being labelled as reluctant, non-compliant, "silent" or uncooperative is a patterned policing practice (Lipsky, 2010 [1980]). Fourth, it must be noted that the distinction between genuine and 'embellished' victim reluctance is incredibly difficult to delineate, yet both facets were prevalent in the findings. This point shall be revisited.

Reluctant victims and rationing workload

Rather than accept the position that there is insufficient evidence to prosecute these cases the findings instead indicate that some officers do not 'crime' cases, do not "dig deeper" and "don't probe further *because* of victim reluctance" (police officer h). Victim reluctance de-incentivises officers from formally recording crimes and pursuing rigorous initial investigations, particularly when there is little prospect of them being 'cleared up' (Coleman and Moynihan, 1996:35) or 'detected'. Reminiscent of the performance targets discussion,

officers cuff crimes because there is no potential detection to be had and no incentive to take on workload, particularly when victims "waver" (police officer m) in showing an inkling of reluctance to prosecute:

> You could look at it two ways can't you? They're being cuffed by the officer and no crimes going in-or actually they're ringing for help but [victims] don't want to go down the criminal routes (police officer j)

> I used to get quite a bit of flack off my old shift years ago when I first joined..//.. I wasn't bothered- I'd put a crime in, even go to domestics. I think it like was the 'old sort of way of thinking'- "oh if they don't want to prosecute-we'll just write no crime's [has] occurred" (police officer i)

> They would be written off at source through some form of DNFP-doesn't want to prosecute – and then we didn't record the crime. I think that's the kind of things that's would be going on. "I've turned up, she [victim] said this- but she won't support- so who are we to believe?" And it just gets closed and left as that (police officer m)

Cuffing serves to distort the picture of crime (Mcabe and Sutcliffe, 1978, as cited in Waddington, 1999). These attitudes are reflective of 1980s/90s domestic abuse research, with officers getting frustrated and manifesting cynicism, particularly if a reconciliation with the perpetrator is anticipated (Stanko, 2013 [1989]; Grace, 1995). Such reluctance reinforces an officer's grounds not to pursue the case, as Brown suggests, officers consider "if they [victims] won't take it seriously, why should we?" (1981:205). Many officers also pragmatically lean towards conflict resolution in domestic disputes (Stanko, 2013 [1989]) because prosecution in itself will not solve the problem (Brown, 1981; Hoyle and Sanders, 2000), especially if victims intend to reconcile. Patrol officers continually make judicial decisions in deciding whether the law will achieve what the spirit of the law seems to call for (Bayley and Bittner, 1984). Consequently, this reluctance results in under-enforcement by some officers:

> The complexity of the law and the difficulty in obtaining a complainant (statement) tend to combine to make the police man (sic) under-enforce the law to overlook, ignore, dismiss, or otherwise erase the existence of many enforceable breaches of the law (Manning, 1978a:17)

Several officers suggest that whether officers' crime cases is based on their individual motivation, along with the type and complexity of the incident:

> I think they're encouraged "you should be recording" and I think if they're not doing, it's down to the individual officer not recording for potentially various reasons (police officer e)

> You could have all the training in the world but if you've got somebody who can't be bothered or you know is just too lazy, you'll still get the same response even *after* they've had the training (police officer k)

> Researcher: When officers don't crime crimes why do you think they don't do it?
> I think it's to keep the 'stats' down or because they genuinely don't want to investigate (police officer k)

> Researcher: And if they don't want to investigate what do you think the reason for that is, particularly in this context of honour abuse?

> You get a lot of lazy cops, you get cops who are quite happy turning up in to your public order kind of situation-and you've got cops who don't have enough experience to actually investigate (police officer k)

Officers also base enforcement and discretionary decisions (arrest or otherwise) on their own workload or whether another department would take responsibility for prisoner processing[xxvii]:

> They are [response] only pushing to get that person in at the beginning of the shift[xxviii]..//.. they would [when the case was handed to a different department] go "let go and see if we can get 'so and so' [wanted person] he's supposed to be back now – he's supposed to be at the job centre" -There will be none of that [after the changes] because it's their number [collar number] next to it. You will also get the phone call as well "is it high risk this one-are PPIU picking it up, is there a pack there–are you good to go-have you got someone in there who can deal?" "Vvoooom"- they will go out and get [the prisoner] (police officer m)

> Just before someone is due to finish maybe, or someone who seems to, you know, be a bit immune to this [work] "full stop". Same collar numbers are next to the jobs- 'no offences' 'no offences' 'no offences' (police officer m)

To summarise, interviewees provide many explanations for officers no-criming cases (in all crime categories): because of the complexity and lack of experience in investigation (police officer k); because it fell in the "too hard to do category" (police officer c) as opposed to a 'straightforward' offence, such as a public order matter; lack of interest in investigating due to being "too lazy" as well as to "keep the stats down" (police officer k). Particularly when officers want to finish 'on time' they 'control' their own workload in avoiding arrests or cuff

incidents as 'no offences' (police officer m). Whether it would be that officer's personal responsibility to process that prisoner would affect whether, when, and *if* the officer decides to arrest, delay the process or alternatively apply discretion. Officers might also under-enforce if they were imminently due to finish work. Klockars suggests that the wishes of the complainant are the single most important influence on police selective enforcement practices (1985). However, these findings contradict this contention and highlight how some officers prematurely file cases on the basis of self-interested motives, working "consistent with their own preferences" (Lipsky, 2010[1980]:19). When managing personal workload, officers pragmatically appear to begin with the end in mind. The fact that officers interviewed can rationalise what others do, whilst not subscribing to those dysfunctional practices, illustrates a degree of rational choice in decision-making.

'Wasted' workload

The research illustrates that officers are acutely mindful, as they were historically, that recording a 'crime' generates increased workload and process for them, which is deemed as "wasteful" (Brown, 1981:205) and a "drain on resources" (Edwards, 1986a:235) particularly when victims are reluctant to prosecute:

> Researcher: But if they don't want to prosecute it's different, if they don't want to prosecute we are still *obliged* to put a crime in
>
> But then, they still have to go through all the paperwork, the admin and everything else, that's what people knew you have to go through that process and it becomes an NFA[xxix] at the end *because* of the victim, and the support you're doing -and all that extra work-effectively people think it's for nothing. And I tell you what- I do understand that, but at the same time I'm like- I'm not going to be the one that has MIT [Major Incident Team] ringing them on my day off and say "this person's murdered-what did you do at that job?" I've had that-and luckily the person wasn't murdered..//..I thought 'thank god I actually did a proper job on it' (police officer i)

The same officer recalled an argument she had with CID officers for inputting an attempt section 18 assault, which resulted in generating more work:

> So I was like, "yeah it's an attempt"-

> "no, don't be criming that as attempt section 18".
> So you put it in and I think well "sod you"..//.. Then you get criticised later on, someone writes-up saying "well that's not attempt section 18." And you get made to feel bad that you've created work for someone- but at the end of the day, it is our job (police officer i)

This indicates that central to crime recording is the issue of managing personal workload. Unquestionably, some victims are reluctant to prosecute relatives, which makes the practice of 'cuffing' inherently difficult to identify. It is argued that both facets of genuine and manufactured reluctance exist, and this is precisely why some officers utilise the 'reluctant victim' theme to stifle further investigative lines of enquiry, because it is a highly plausible explanation. As Goffman identified, the more closely the 'impostors' performance approximates the real thing, the more intensely we may be threatened (Goffman, 1990[1959]:59) as it becomes difficult to decipher the competent performance of legitimate police authority from that of the 'shirker'. Even HMIC appear to be unable to establish with certainty how much victim retractions reflect "the victim's perspective" as opposed to being reflective of "policing activity" (HMIC, 2015:129). It is inferred therefore, that embellishing victim reluctance is a short cut practice used by some unscrupulous officers to limit demand and reduce workload in order to "make tasks more manageable" (Lipsky, 2010 [1980]:83). Such findings in this section show, particularly for the "work shy" officer (Manning, 1977), that avoiding inputting a crime report is an opportunistic way of keeping the workload light (Lynn and Lea, 2012).

Practical issues: Improving HBA Crime Recording

There are other practical issues which cumulatively impact on the accurate recording of HBA across England and Wales and these centre on poor information management systems (HMIC, 2015:128). First, certain police forces link crimes of HBA with forced marriage or alternatively record these two issues separately (IKWRO, 2014). A distinctive feature of this research is that 64% of the HBA cases analysed (64/100) directly link to a forced or imminent forced marriage (see chart 6.6). Parents faced with what they consider to be a child "off the rails" (Ballard, 2011:5) are keen to arrange a marriage in order to "halt the corrupting influence of the West" (Siddiqui, 2003:76; Phillips and Dustin, 2004) with assaults, threats to kill and other HBA

incidents often preceding a marriage. Therefore, 'counting' cases can indeed prove problematic if these two seemingly interrelated concepts of forced marriage and HBA are separated. To avoid obtaining a 'partial' picture of reports it is advisable for forces to capture information management data from *both* HBA and FM incidents, whilst ensuring these incidents are not double counted. Second, as much of this chapter illustrates, whether a case is crimed is less about adhering to law and procedure and more dependent on the individual motives and integrity of the attendant officer. Third, system issues create a lack of standardisation between UK forces, making HBA rates across the country difficult, if not impossible, to compare. This is because there are wide variations between forces in terms of the flagging, categorising or criming of HBA (HMIC, 2015). Current system issues create a "post code lottery" of service provision for victims (IKWRO, 2014). Some forces only 'flag' HBA cases that are formally crimed and do not include incident reports, thus obscuring a large proportion of cases-which is highly relevant against the present findings. Some forces are only able to identify HBA cases by conducting a time consuming 'manual search' of each case (ibid). Other system issues include forces holding information on several systems rather than one, which makes identifying an effective policing response difficult to determine (HMIC, 2015:69-70).

Despite former ACPO recommendations for forces to implement effective mechanisms for recording HBA incidents (2008:27), an IKWRO report identifies that 20% of forces fail to flag HBA cases reported to them (IKWRO, 2014:16). HMIC recommendation 10, in part propelled by the work of IKWRO, places an obligation on forces to have information management systems in place by June 2016 (HMIC, 2015). Although the recommendation to collect annual data returns from all forces (HMIC, 2015:132) is welcomed, this will not address how to manage the inappropriate discretion applied by some officers through the circumvention of crime recording rules.

It is encouraging to report that the Home Office will begin collecting HBA figures from April 2019 which will be published by the ONS in the near future (personal e-mail communication from analyst, violent crime statistics, crime and policing analysis, Home Office, 20 Feb 2019).

Concluding remarks

The importance of recording crime should not be underestimated. Extant research confirms that victims get a "better service" once a crime has been recorded (HMIC, 2014:56). Crime report creation is pivotal in placing victim needs on the radar and for placing the actions of officers under direct supervisory scrutiny. Once an incident is 'filed' there is no onus on officers to safeguard, pursue lines of enquiry and no consequence for failure to follow procedures outlined in force policy. Officers evading the formal crime process means that investigative outcomes are not visible. Crucially, if it is not crimed it has 'technically' not happened.

The findings dispel the notion of a decline in police officers "cuffing" crimes (Coleman and Moynihan, 1996:34), establishing that "writing off" crime remains an enduring police discretionary practice. Of the 100 cases analysed, 69% (and 89% of incidents between 2011-2013) constitute cases filed and not subject of further investigation. 30% of the 100 incidents analysed breached NCRS and NSIR. Whilst attrition rates are of strategic concern it is argued that the 'grey' figure of under-recorded crime constitutes the greatest volume of missed opportunities. The poor incident to crime ratio replicates HMIC findings on data integrity which calculates that 19% of all crimes (1 in 5) are not recorded (800,000 crimes per annum) which is "inexcusably poor" (2014:50). Some of the most harmful cases of HBA show prolonged and repeat victimisation of children (explored in chapters three and seven). HBA certainly appears to be the poor relation when compared to its traditional domestic abuse counterpart, as only a tenth of HBA incidents are crimed in this study, compared to the crime conversion rate for domestic abuse which currently stands at 50% (ONS, 2018:11).

The findings support the institutionalist perspective that official crime statistics are a product of police decision-making (Black, 1980), with police recorded crime representing the "tip of the iceberg" and 'actual' crime largely hidden from view (Carrabine, 2014:33; also Coleman and Moynihan, 1996). In attempting to reconcile disparities between incident and crime figures HMIC suggest that HBA may have been reported before a substantive 'offence' has actually been committed (2015:58). However, the current findings do not reflect such pre-crime preparatory behaviours, showing evidence of the offences having already taken place.

Moreover, the problem appears to be systemic rather than isolated to HBA, with one officer suggesting that failing to crime incidents is generic across many crime types. Certainly, Myhill and Johnson's domestic abuse research identifies the same disparities between initial logs and attending officers' accounts, indicative of cases having been cuffed (2016:11).

The reluctant victim theme was the most prevalent reason supporting a no-crime decision. Officers suggested that it was victim refusals to *confirm* crimes which led to insufficient evidence and prevented officers from recording of crimes. Depicting victims as uncooperative, "cagey", who do not want to "elaborate," "discuss the comments" or "refuse" to "disclose" details is a means by which some officers can justify no-crime decisions. Such lack of victim cooperation is difficult if, not wholly impossible, to reconcile with the archived records that evidence willing and detailed disclosure of offences. Supervisors routinely attest to checking all incidents however the reality, exacerbated by public spending cuts to services, makes checking all incidents an "impossible mandate" (Manning, 1978a:12). Compounding this is the low visibility of officers (Shearing, 1981; Holdaway, 1983:165; Reiner and Newburn, 2008:363) and the latitude officers have in wielding broad powers of discretion (Brown, 1981; Holdaway, 1983), which means that few, other than attendant officers themselves, can attest to victims manifesting such reluctant behaviours. Thus, no-criming cases are not wholly reflective of a genuine unwillingness of victims to prosecute. It concerns the time and effort officers need to invest in that endeavour, which "because of the victim" may constitute "extra work..//..for nothing" (police officer I) if the victim decides not to support a prosecution**.** Frontline officers pragmatically begin with the end in mind. Officers appear to internally conduct a cost/benefit analysis as to whether a case is worthy of time investment, given the close relational distance of victims to perpetrators, a likelihood of reluctance, the complexity of the case, the likelihood of CPS prosecuting, or even whether officers have to physically 'process' the prisoner. All these factors influence whether an officer is likely to 'act'.

In a similar vein, the exploration of performance targets highlights a relationship between victims who waver in pursuing prosecutions and officers filing incidents as no-crime, particularly when there is little chance of a 'detection'. It is argued that the target driven culture merely exacerbates the problem of a few 'bad apples' that apply corner cutting (Punch, 2009) practices, because victim-blaming, the shredding of crime reports and other 'cuffing' practices

existed prior to the era of performance targets. Manufacturing victim reluctance provides the unethical **"**lazy" (police officer k) officers with grounds to validate their own inaction, and thus legitimately circumvent what they perceive to be 'wasted' workload.

No-criming cases results in many lost opportunities to safeguard vulnerable victims, as 78% (14/18) of threats to kill offences reported to the police in this sample went unrecorded and un-investigated. Whilst there is some evidence of officers wrongly interpreting the threats to kill definition, there is stronger evidence of officers using incorrect but convincing quasi legal rules, such as the "imminent" nature of the threat and third-party reporting, to justify to victims the *legitimacy* of the decision through a legal 'inability' to prosecute. As the findings show, the law does not dictate action (Brown, 1981; Bittner, 1978; Reiner, 2010) and perceived legalities as well as formal rules, such as NCRS requiring 'victim confirmation' of crimes, are used as a shield behind which some officers apply discretionary practices such as no-criming. Such creative rule bending by officers has resulted in changes to NCRS, which now demand that crimes must be recorded even for "unwilling victims" (HOCR, 2016:4). Consequently, the data shows a discernible relationship between no-crime decisions, victim reluctance and officer workload. Many researchers have analysed these facets separately, including exploring the unsympathetic attitudes of officers, without recognising the subtle interplay between these features. Lipsky's work on 'street bureaucrats' in public sector organisations helps to speculate on what these findings mean. He argues that due to large caseloads and scarce resources public officials develop "short cuts" and simplifications which limit demand. Officers modify their concept of the job (this could be interpreted as lowering standards) and also modify their client base (Lipsky, 2010[1980]:83). In support of this, HMICFRS suggest that some forces may be suppressing demand due to insufficient officers available to respond (2017).

The findings show that some officers apply bias, judgement and morality in decision-making. In rationing their own workload some officers pragmatically "simplify" and aim for the 'low hanging fruit' and, in doing so, reduce their clientele. Such self-serving needs, goals and behaviours (Brown, 1981; Manning, 1978a) seems counter-intuitive to the role of public servants and incongruent with the service model of policing (Myhill and Bradford, 2013), yet Lipsky asserts that such behaviours are commonplace in bureaucratic organisations (2010 [1980]). The cuffing of crimes appears to be less about the external needs of victims and more

concerned with internally managing the workload pressures of police officers. Young suggests that manipulations in counting and recording have been created and are being sustained by officers, so much so that it has become a "structural necessity" (1991:333).

The impact of cuffing such crimes distorts the picture of crime, fails to deter perpetrators or bring them to justice. Crucially this also portrays victims as embellishing their original accounts either through victim blaming, as explored in chapter three, or in the omission/ 'retraction' of data, explored in this and the proceeding chapter. This has the effect of erroneously exaggerating the extent of false reporting. Some attendant officers often defend and disguise their dubious no-crime decisions in the application of skilfully crafted language within the summary write-up. In doing so, they present an alternative version of reality which contrasts to the victim narrative. These carefully constructed linguistic representations shall be explored in the following chapter.

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[i] Formerly British Crime Survey.
[ii] This is the standard expected when an officer crime's an incident. This is a civil (not criminal) standard of proof and is therefore easier to prove.
[iii] Those cases which were crimed were 1, 6, 7, 9, 16, 18, 21, 24, 25, 26, 31, 32, 37, 38, 43, 44, 49, 50, 51, 57, 59, 60, 66, 68, 80, 85, 91, 92, 94, 95 and 96.
[iv] Assaults: cases 13, 34, 39, 47, 74, 93. Threats to kill: cases 2, 5, 29, 41, 59, 64, 65, 67, 69, 70, 77, 78, 87, 99. Rape: case 97. False Imprisonment: cases 79, 86. Criminal damage 'threat': cases 62 and 73.
[v] The researcher was formally a CID trainer for several years and, aided by the force crime registrar and crime audit unit, wrote and delivered the force wide crime evaluators course, specialising in training evaluators in NCRS and HOCR.
[vi] Cases 15, 40, 61, 72 and 84.
[vii] In other cases, incidents were closed due to communications operators accepting the officers 'write off' which negated the offences (cases 47, 13, 60).
[viii] The lowest incident counts per day was 1893 with the highest 2913.
[ix] Case 73 is an excellent illustration of resilient management bucking the trend.
[x] Cases 2, 5, 29, 41, 59, 64, 65, 67, 69, 70, 77, 78, 87, and 99.
[xi] An Osman warning is given by police officers to intended victims to warn them of a threat to their life. This is derived from the case of R v Osman 2000 in which the ECHR ruled that public bodies such as the police are under a positive obligation to take preventative operational measures to protect an individual when there is real and immediate risk to life from the criminal acts of others. The Osman family appealed to the ECHR after one of their family was killed, arguing that the police owed a duty of care to the victim, that police should have taken steps to safeguard the victim and should not hold immunity from prosecution (Donald *et al*., 2009).
[xii] The finished incident rule states that an incident comprising of a sequence of crimes between the same offender (or group of offenders) and the same victim should be counted as one crime if reported to the police simultaneously (HOCR, 2016:21).
[xiii] Cases 62, 29, 69 and 70 and police interviews n and f.
[xiv] Evident in cases 62, 29, 69, 70, 99 police officer n, f, b.
[xv] Police officers m, b, f, n, i, e.
[xvi] This is reminiscent of 'criming down' where officers reduced section 47 assaults to 'common assault' resulting in victims having to seek civil rather than criminal redress (Bourlet, 1990). It was the Domestic Violence, Crime and Victims Act 2004 legislation that inhibited this, making section 39 common assault an arrestable offence (www.legislation.gov.uk).
[xvii] Police officer a, b, c, g, h, j, p and k.
[xviii] Violent crime is defined as crimes of violence with or without injury: Wounding and assaults (GBH, ABH); homicide, sexual offences such as rape, manslaughter, threats to kill, harassment, stalking, intimate personal violence (domestic abuse) (Home Office, 2011).
[xix] Police officer a, b, c, g, h, j, p, k.
[xx] Which include FGM and FM.
[xxi] Cases 7, 9, 18, 20, and 58.
[xxii] Cases 8, 37, 38, and 51.
[xxiii] Cases 11, 19, 24, 28, 33, 58, and 72.
[xxiv] Police officers a, b, e, m, k, f, o, g and i.
[xxv] Evident in cases 16, 17, 39, 41, 57, 60, 74, 78, 79, 81 and 88.

[xxvi] Under old HOCR rules, there was no requirement to 'crime' an incident unless there was a victim who would confirm the crime (HOCR, 2014:3). The new rules specify that officers are obliged to crime record the crimes even in the case of "unwilling victims." This includes recording crimes made by third parties (HOCR, 2016:3).

[xxvii] Prisoner processing includes doing fingerprints, photograph, descriptive forms, conducting interviews, preparing initial court prosecution file, conduct secondary investigation (interview other witnesses etc.)

[xxviii] Arresting at the beginning of a shift was common practice, as most officers realise that arresting at the end of a shift would result in finishing at least 4 hours late to process the prisoner process, which would impact on an officers' personal life.

[xxix] No further action [NFA].