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Forum

What's happening
to crime?

Report of the thirteenth Oxford Policing Policy Forum
2 May 2013

All Souls College,
Oxford

POLICING POLICY FORUM

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GUEST LIST

Thursday 2nd May 2013

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Mr Andy Feist	Research and Analysis	Home Office
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Mr John Flatley	Head Crime Statistics & Analysis Division	Office for National Statistics
Mr Blair Gibbs	Principal Adviser	Mayor's Office for Policing and Crime
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Professor Mike Hough	School of Law	Birkbeck, University of London
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The Oxford Policing Policy Forum

The Oxford Policing Policy Forum is a joint initiative of the Police Foundation and the University of Oxford. The Forum provides an opportunity for a wide range of stakeholders interested in policing to discuss fundamental issues under Chatham House rules. The main purpose is to encourage informal debate rather than inviting an audience to listen to formal presentations. Participation is by invitation only (see guest list).

Background

Since the mid-1990s levels of measured crime in England and Wales have been falling. Many criminologists anticipated that the recession would reverse this trend, but that has not come to pass. However, in recent years, some examples of 'new' criminal activity have been identified. The 13th Oxford Policing Policy Forum met on the 2nd May to ask 'What's happening to crime?' and to discuss whether levels of criminality have indeed fallen, or whether criminal activity has instead migrated to other forms of crime, such as cyber-enabled crime, illicit trading and various other kinds of fraud.

This meeting of the Forum was chaired by Professor Ian Loader and an introductory presentation setting out some key issues was given by Professor Marian FitzGerald, visiting Professor of Criminology at Kent Crime and Justice Centre.

Opening presentation

Professor FitzGerald began by looking at the unpredicted fall in the official crime figures in Britain and other Western countries. Crime models in the early 1990's showed that violent crime rose when the economy was buoyant, whereas property crime rose during recessions (when violence tended to abate). However, over the last ten years, property crime has diverged from these trends and, despite the recession, traditional forms of property crime (such as domestic burglary and motor vehicle crime) have continued to fall. This may be due to factors such as the installation of better household security, greater use of anti-theft devices in cars and changes in methods of payment (using less cash and more credit cards).

On the surface, Professor Fitzgerald told the Forum, it looks as if property crime has decreased. However, the available sources of data – recorded crime and the Crime Survey for England and Wales (CSEW, formerly the BCS) - only measure certain types of property crime. Card fraud, for example, is rarely reported to the police; nor was it counted by the British Crime Survey (BCS) until 2005 when survey respondents were first asked whether they had been a victim of this type of fraud. The BCS revealed that by 2005 the experience of card fraud was three times as common as theft from the person. Yet, although subsequent surveys repeated the question and in 2009 card fraud began to decline, following the introduction of chip-and-pin, the figures for card fraud were not included in the official BCS count of crime, thus distorting the headline crime figures. 'Cybercrime' is another area where rates of reporting (to the police) are low, perhaps due to victim embarrassment at having been taken in, lack of knowledge of reporting procedures or the desire for organisations to hide their losses. Again, these crimes tend not to appear in the official crime figures.

Opportunities for new forms of property crime have certainly opened up with the expansion of access to the internet. Many of these are simply variations on traditional forms of theft and fraud, but it is the *scale* on which they may be perpetrated which the internet has (inadvertently) facilitated. The range of people involved in offending may also have changed: are we seeing a 'democratisation' of crime, with middle class, 'nerdy' hackers attracted to the thrill of anonymous crime, exploiting new internet-enabled opportunities alongside the 'usual suspects' - from petty criminals to members of international, organised crime groups?

This new landscape poses significant challenges for the police, for politicians and for Police and Crime Commissioners (PCCs). For nearly 20 years, according to Professor FitzGerald, the police service has been driven by the imperative to demonstrate year on year reductions in crime. This has created a mind-set in which the service is arguably resistant to recognising new types of crime, and is under pressure to avoid adding unnecessarily to their crime count. This mind-set could potentially damage police relations with the public. Only a small minority of victims of card fraud try to report the offence to the police; a Home Office bulletin in 2010 notes that those who did were far less satisfied with the response than those who reported to their card issuers, and that satisfaction with the police response fell by 10 percentage points compared to the previous year. There is a danger that, if the police do not get better at recognising and responding to these 'new' forms of property crime, the public may begin to lose confidence in the police service more generally.

Professor FitzGerald identified three challenges ahead. Firstly whether a cultural shift is required or feasible whereby the police start to identify and deal with 'new' forms of crime proactively, which may well increase recorded crime, at least in the short term, and run directly counter to promises being made by PCCs' to their constituents to reduce crime still further. Secondly, identifying new crimes will require more not less resources for policing, much of which will not be visible to the public. Thirdly, the effort required may not always directly benefit the PCC's own force in that most of the perpetrators of internet-enabled and other 'new' crimes such as people trafficking may not live in the force area.

Discussion

Has crime really fallen, or has it migrated?

The Forum was in broad agreement that crime, in terms of what we measure, has fallen. However, it was recognised that it is almost impossible to capture an accurate picture of all crime, as recorded crime and victim surveys only measure certain types of crime. Recorded crime cannot measure unreported crimes or reported crimes that are not recorded and victim surveys cannot include victimless crimes, such as drug misuse. Since many so called 'new' crimes are relatively difficult to detect, Forum participants felt that it was difficult to say what the real picture of crime looked like. So, for example, when the CSEW tries to count burglaries based on self-reported victimisation it includes both attempted burglary and burglary, but counting 'attempts' is much more problematic when it comes to areas such as cybercrime. Through email, members of the public are exposed to attempted scams and various kinds of fraud every day. But at what point has a crime been committed? Is it when the phishing email was sent or received, when a victim responds to it, when funds have been extracted, or simply when the victim feels sufficiently harmed to contact the police? Indeed, where a victim has not actually lost anything, or is fully compensated by their financial provider, has a crime been committed at all?

Many new crimes do not fit neatly into force boundary areas and are national and international in nature, making them harder to monitor or record. Further, cybercrime is an enabler of other crimes, so emptying a bank account might be recorded as a crime, but not the fact that a computer was hacked to achieve this. Action Fraud has begun to rectify this by recording the 'misuses of a computer' as the enabler to commit the recorded crime. The agency also records 'pure cybercrime' such as hacking, as well as 'cyber enabled crime,' i.e. where crime is facilitated through the computer.

In relation to some 'new' crimes it can be particularly difficult to pinpoint who the victim actually is. Often people will not necessarily know that their computer has been hacked or that an attempted fraud has taken place. Even where a victim can be identified, the offence could be defined in law as a civil matter rather than a criminal matter. One participant made the point that in a sense every member of society is a victim, as the costs of fraudulent insurance claims are passed onto consumers in the form of higher premiums or, in the case of tax fraud, cuts to public services.

Reflecting the above, some participants at the Forum believed that the level of criminality has not actually fallen, but has simply migrated to areas which are harder to identify and measure. Others disagreed. It was pointed out, for example, that the number of crimes committed based on the BCS/CSEW has fallen from 18 million to 9 million crimes since the mid-1990s. If crime had migrated rather than fallen, that would mean at least 9 million 'new' crimes were being committed to fill the gap. This, the Forum was told, was implausible. The participant stated: 'Traditional crime is shrinking; new crimes are growing, but not enough to compensate for the shrinkage.' Furthermore, any putative increase in 'new' crimes might be partly explained by better recording procedures: although in the last quarter (October 2012 to December 2012) there has been a 20% increase in fraud, this may reflect the fact that agencies are improving their monitoring or recording of fraud.

Participants pointed out that the CSEW has evolved over time and now counts a number of crimes it didn't include before. The integrity of police recording is also higher since the removal of targets such as Offences Brought to Justice. More sophisticated technology, better links with partners and increased professionalisation of the police have also led to more crime being uncovered.

Despite strong disagreement on the issue of 'migration', the Forum recognised that crime patterns change with time, that new opportunities for new crime emerge, and that it is important to ensure, as far as possible, that as a society we are recording the right crimes. The Forum therefore began to discuss how the capture of crime could be improved. One suggestion was to broaden surveys to ask the public about their experience of a wider range of crimes. Another was to include data from commercial organisations, such as financial institutions, in the overall crime figures. The latter are however often reluctant to report fraud for fear of damaging their reputations and undermining public support.

It was also felt that policing could assist in improving capture. Participants noted that there is a significant amount of hidden crime in 'high crime' neighbourhoods where the public may not report crime out of a fear of retribution or a belief that the police wouldn't do anything. Good neighbourhood policing should result in higher confidence in the police to protect citizens from retribution and ensure incidents are acted on, which in turn should lead to higher reporting rates.

Challenges for the police

There are challenges for the police service in terms of detecting and investigating 'new' crimes and securing the confidence of the public that the concerns of citizens are understood and acted upon. The considerable pressure from the government to reduce crime and improve detection rates has created a certain mind-set in the police service, in particular a reluctance to uncover and record 'new' crimes, especially those which require considerable resources, such as complex fraud cases. It was felt that these political pressures could make it difficult for the police service to move away from a culture which views low crime levels and high detection rates as critical measures of success. Yet high detection rates do not always indicate successful policing, the Forum was warned, particularly in relation to crimes with low reporting such as rape or domestic violence.

The pressure to reduce crime can sometimes be at odds with the pressure from the public to record and investigate the crimes they are concerned about. Participants were clear that, to maintain public confidence, the police need to demonstrate to the public that they will listen to and take citizens' concerns seriously, even where it might cause reporting rates to go up, and detection rates to go down. On this point, the Forum heard anecdotal evidence that the investigation thresholds applied in fraud cases might need reconsideration. One participant stated that the police had failed to follow up the theft of a £50,000 cheque, a significant sum to ordinary people, on the basis it fell below the threshold. This risks giving the public the impression that the police are less interested in investigating frauds that harm the ordinary citizen.

The police also need to show the public that they are using resources to make a difference in local communities. The public often focus on the number of officers on the beat, yet many 'new' crimes require a considerable amount of behind the scenes, computer-based investigation. It may therefore be difficult for the police to demonstrate to the public that on the one hand they are providing a visible presence while on the other hand demonstrating a positive impact. Furthermore, often the best outcome in fraud cases is disruption of activity, rather than more traditional criminal justice remedies, so the public may feel offenders are escaping 'proper' punishment.

One area which has improved is the recording of what constitutes a 'clear-up'. Previously, if one force detected and solved a crime outside their force area it could not be counted in their own clear-up statistics. In terms of cyber-enabled crime, which transcends geographic boundaries, this was particularly problematic. The counting rules have now changed such that where a force identifies and clears-up a case in another force area it can be counted towards their own clear-up rates.

An additional challenge for the police is that of crime prevention. New forms of cybercrime and fraud continue to be uncovered, and as such are difficult to predict and prevent. New patterns in offender-type are also difficult to identify: the anonymity of the internet can tempt people to engage in criminal activity who wouldn't otherwise commit offences. Victims can also be diverse: cyber-enabled crimes are often complex and widespread, affecting large numbers of people through multiple email accounts.

The Forum recognised that the police service does not always have sufficient in-force skill, time or capability to investigate complex internet-based crime. Attracting employees with the talent and knowledge in this difficult field is not easy and can be costly. Resources are also an issue in terms of the length of time it can take to bring cases to trial and in terms of the deployment of officers. Cybercrime networks commonly cross force areas meaning police resources are being duplicated in multiple forces. This brought the Forum to discussing whether a national cybercrime agency that monitored and tracked cyber-enabled crime might offer a solution. A national agency would be better placed to identify overlapping organised networks, to recruit and train the right experts in the field, to undertake more sophisticated data analysis and collate and analyse information from the commercial and industrial sector.

The role of other organisations

The police are not the only players in crime reduction, the Forum noted, and many advances in technology and commerce have greatly assisted crime prevention, such as the design of the crime-free car and the invention of chip and pin. Some 'new' crimes affect a range of institutions, from banks and insurance companies to websites like eBay or Facebook, and the Forum agreed that there is more that commercial organisations could do to protect the public. But how far can one expect a bank or a website to allocate its own resources to monitoring and preventing crime? Commercial organisations are highly protective of their reputations with their customers and it may harm business to report such crimes. The Forum wondered whether there might be incentives or other forms of persuasion that might help to encourage commercial organisations to play a greater role in preventing/detecting crime.

The public

There may also be a greater role for the public. The Forum recognised that members of the public must accept some responsibility for their security on the internet, such as learning to protect passwords and to look out for scams, and to this end, it was felt that public education needed to be increased, particularly with regard to the elderly or those less adept with computers, who are especially vulnerable. One participant suggested that companies should stop compensating victims of fraud in the hope that people will then be forced to take more care. Others, however, were concerned that without such compensation commercial organisations would have little incentive to address fraud and other financial crimes.

The power of the public could also be harnessed when it comes to identifying new crimes. Both the Scottish Crime Survey and the CSEW ask the public whether they are worried about a range of crimes, including a few of 'new' crimes such as identity fraud and credit card theft. However some participants felt the surveys could go further by asking respondents about a much wider range of crimes, including those which are commonly unreported. Others expressed concern over the expectations this might raise and the pressure this would then place on the police to meet the new demands for security. Fear of cybercrime is ten times greater than the chance of being victimised, the Forum was told, and policing resources, which are finite and declining, need to be intelligently deployed to respond to that which causes the greatest harm.

The role of Police and Crime Commissioners

Police and Crime Commissioners (PCCs) were introduced to reduce crime and improve the accountability of the police to the public.¹ Some participants were concerned that this might discourage PCCs from uncovering 'new' crimes as this would result in crime rates automatically rising, leading to the public possibly feeling that the police weren't doing their job. The Forum felt that PCCs need to be comfortable with the idea of encouraging the reporting of crimes such as rape and violence against women as well as other hidden areas of crime that have, historically, suffered from low reporting rates. PCCs have an important role to play in terms of listening to the public's concerns about crime and reporting those concerns to their force. This will help to increase community confidence in the police and encourage the public to come forward to report hidden crimes.

As 'new' crimes often transcend force boundaries, it is also important for PCCs in different forces to consider how they might collaborate and share knowledge and resources.

Future research and policy

The Forum agreed there is much still to learn about crime measurement and about the prevalence and nature of 'new' crimes. How well equipped are we to track new harms in our communities? Research is required on offenders too; are 'new' crimes committed by new offenders or organised crime groups, or are they perpetrated by the same people as always? If there is a new class of offender, what is their socio-demographic make-up?

We know far too little about areas such as cyber bullying, which can have far reaching effects, particularly on young people. To decide what constitutes a crime in this field, and uncover the profile of victims and offenders, we need to do further research. One option is for the CSEW to ask a greater range of questions on this subject. Since 2009 the CSEW has asked young people aged 10-15 about their experience of crime, and questions could be incorporated to cover cyber threats and bullying to help understand the scale and nature of the problem.

Policy makers, the Forum believed, might begin to consider what the role and responsibilities of commercial organisations might be in the prevention and investigation of 'new' crimes, particularly cyber-enabled crime and fraud. An analogy was drawn with energy companies who have a duty to assist with reducing energy consumption. Could a similar obligation be put in place on internet providers or financial institutions so that they play a greater part in tackling cybercrime and fraud? In many cases, a simple change such as better website design could assist in making the public less vulnerable to this type of crime.

¹ <http://www.apccs.police.uk/page/Role%20of%20the%20PCC>

Conclusion

Although participants at the 13th Oxford Policing Policy Forum were in agreement that measured crime has fallen, the experts were divided on whether criminal activity has in fact fallen, or simply migrated to new forms of crime. It is almost impossible to capture an accurate picture of all crime, and there is much the government, the police and the public have yet to learn about the amount and type of crime in society. Further research needs to be undertaken to identify new types of crime and offender and protect a broader range of victims, and careful consideration should be given to the implications of widening the scope and functions of the police in times of contracting budgets.

Abie Longstaff