



**domestic
abuse
commissioner**

The Rt Hon Chris Philp MP
Policing Minister
2 Marsham Street
London SW1P 4DF

Sent by email to: ministerforcrimeandpolicing@homeoffice.gov.uk

25 January 2024

Dear Minister Philp,

Falling Police Recorded Crime: Changes to the Counting Rules

As Domestic Abuse Commissioner for England and Wales, I am writing to express my concerns over changes to the Counting Rules and request a meeting with you to discuss this issue in more detail. The first set of police recorded crime statistics following these changes, implemented in June, were published today. I am troubled that these changes have distorted police data to falsely deflate the volume of domestic abuse-related crimes reported to the police.

The data only shows a snapshot of the changes up to September 2023, yet we have already seen that following the introduction of the new rules, 23,000 fewer reports of domestic abuse were recorded compared to the same quarter the preceding year. Of deep concern is the decrease in the number of domestic abuse-flagged malicious communication offences recorded by police, which have fallen by 42 percent when comparing July to September 2023 to the same quarter in 2022. Many victims of domestic abuse experience this offence both within the course of their relationship and following separation. To see this being minimised by policing is not only disheartening, it is dangerous.

Prior to the changes being implemented, most police forces only recorded a maximum of two domestic abuse crime incidents when a victim made a report to the police, regardless of whether more than two different crimes had taken place. Now,



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only what is deemed the most serious crime will be recorded by the police due to the implementation of the 'Principal Crime Rule'. The introduction of these changes contradicts the Government's own strategic priorities, with the *Tackling Domestic Abuse Plan* stating that "[the Government] need to increase reporting to the police of domestic abuse-related incidents and recorded crimes." As forces fully implement these changes, we expect to see the volume of domestic abuse recorded crime considerably decrease by around half over time without a real fall in reports to the police.

I initially raised my concerns regarding these changes with you at a roundtable which you hosted on 27 February 2023. As I highlighted at the roundtable, I am concerned that the changes to the Counting Rules will have the unintended consequence of falsely deflating the domestic abuse figures and create an inaccurate picture of police activity. Since the roundtable, the proposals moved forward at pace, and I was discouraged to see that this came at the expense of meaningful consultation with domestic abuse organisations – and frontline police officers – who have wide-ranging concerns on the impact these changes will have on victims.

The implementation of the Principal Crime Rule prevents a series of individual offences which a victim reports from being recorded by the police, with only the most serious of the reported crimes being recorded. The very nature of domestic abuse means that victims will typically come to the police and report multiple crimes – rarely will it be a one-off incident. My concern with this recording rule is twofold.

Firstly, not recording these crimes individually makes it harder to understand the extent and types of abuse being reported to the police by victims across the board, thereby painting a false picture of the reasons why they are contacting the police or police activity, and no alternative measures for tracking this have been proposed. The recording methods disproportionately dismiss domestic abuse-related crimes which often involve multiple incidents with the same victim and perpetrator, compared to "one-off" crimes such as theft. Not only will this mean that one form of crime is more accurately recorded than another, but it will depict the volume of domestic abuse which the police is responding to as being lower than it is in reality. Police recorded crime will no longer reflect police activity. This is concerning as a fall in recording of domestic abuse could result in much-needed resources being diverted away from domestic abuse responses if it creates the false impression that the volume of incidents being reported to the police has reduced.

Not only will the domestic abuse incident rate fall, but the charge rate will also be falsely inflated and risks convoluting the statistical landscape. For example, if a victim reports six crimes but only one crime is recorded, then the perpetrator is ultimately charged with three separate crimes, the charge rate will be 300 percent, rather than 50 percent. Additionally, new offences, such as spiking, may be impossible to track where the reporting of these incidents is accompanied by reporting of other offences.

The worsening in the quality of data held by the police will have impacts beyond policing and also impact the data used by wider systems and which inform compliance with statutory duties, such as Community Safety Partnerships, the Strategic Policing Requirement and the Serious Violence Duty. These systems need to have an accurate picture of the volume of domestic abuse incidents taking place in their local area in order to deliver a targeted response.

Secondly, domestic abuse is complex and often constitutes a range of behaviours, some of which may seem trivial or less serious than others. However, that is not to say that they are not dangerous or of less impact to survivors. I have been told that officers will still be instructed to investigate every crime that is reported, but I have yet to be reassured about how this will be effectively and consistently operationalised without separate crime records. If these offences are not recorded, it is difficult to build an overall picture of course of conduct crimes, such as coercive and controlling behaviour. Further, there does not appear to have been any mitigation regarding the impact this will have on identifying escalations in behaviour and assessing the risk levels of perpetrators via tools such as the recency, frequency, gravity matrix. Opportunities to identify dangerous offenders will likely be missed. Efficiencies in process cannot come at the cost of survivor safety.

I have attempted to raise my concerns regarding these changes to a range of decision-makers and have been disappointed with the lack of consideration given to my requests for more detailed discussions on these proposals. Throughout my time in office, I have endeavoured to work constructively and respectfully with stakeholders with a view to obtaining the best possible outcome for victims. However, the lack of transparency and engagement around these changes has demonstrated little reciprocity of this ethos. I know we can do better and I believe this is best achieved with cooperation.

These changes to the Counting Rules need to be immediately reversed until such time as a robust evaluation of the impact has taken place. As a starting point, I would like to kindly request that the data listed in Annex 1 to this letter is provided to me in order for my office to be able to analyse the impact which these changes have had to the domestic abuse figures in greater detail. I would further welcome assurances from you that my office will be central to the evaluation of these changes, which I understand is due to commence shortly, to provide independent oversight to the process. In order for the evaluation to have meaningful impact, it must be as comprehensive and rigorous as possible. I would welcome a commitment from you that if the consequences highlighted above manifest, these changes will be permanently reversed.

I would be grateful if you could let me know of a convenient time for us to meet to discuss this further.

Yours sincerely,



Nicole Jacobs

Domestic Abuse Commissioner for England and Wales

Annex 1 – Data request

1. **Average number of crimes recorded per incident reported per month** (or per quarter at the very minimum), **by police force**, January 2023 through to December 2023. *To give us 5 full months pre Counting Rules change and 7 months post change.*
 - a. This is definitely data that's never normally published and might be something that would need to be dip sampled from a handful of forces rather than a bespoke collection from all 43 but could be something HMICFRS could include in their PEEL data collection for 2024?

2. **Police recorded crimes, flagged as a domestic abuse offences, at the crime code level, by month (ideally but if not by quarterly) – again for January 2023 to December 2024, by police force area.**
 - a. This is cross-tabulation of the three following data sets which are currently published quarterly.
 - i. [Police force area data tables](#)
 - ii. [Recorded crime at crime code level](#) – Table A4b
 - iii. [Domestic abuse flagged offences](#) – Worksheet F13

 - b. We would also want to see the cross-tabulation of (2ai and 2aii); Police recorded crimes at the crime code level, by police force area over the same time period without the specific domestic abuse flag for comparison purposes.