

Hate Crime

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Under reporting



Why?

Some of the documented reasons why people don't report hate crime –

- Lack of confidence / mistrust in the Police & Criminal Justice System
- Don't think the incident is serious enough
- Acceptance – everyday occurrence
- Don't recognise that they have been a victim of hate crime
- Fear of repercussions
- Concerns about loss of independence (Winterbourne View?)



Suffering hostility



Common ways in which people are abused because of their difference / protected characteristics

Mental

Verbal

Physical

Financial

Stranger hostility

Domestic

'Friend' or 'Mate'-based.

High profile extreme examples include Raymond Atherton, Fiona Pilkington and her daughter Francesca, and Sean Miles

Public transport has been identified as a common 'hot-spot'.

Katherine Quarmby 2012



Police will investigate...



Hate Incident -

“Any incident, which may or may not constitute a criminal offence, which is perceived by the victim or any other person, as being motivated by prejudice or hate*”

e.g. licensed premises refused access because of disability

Hate Crime -

“Any hate incident, which constitutes a criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate”

e.g. someone shouts abuse on the bus, because of disability

Put simply: if it upsets you, call someone and report



Specific Offences able to be prosecuted?

The Crime & Disorder Act 1988 (as amended) created a number of specific offences of **racially aggravated crimes**.

The Anti-terrorism, Crime & Security Act 2001 expanded on this by introducing specific **religiously aggravated offences** (assault, harassment, damage and public disorder/threats).

At this time, Disability aggravated *crimes* do not exist in law – under consultation and hopefully going before parliament soon.



But,
....increased *sentencing* powers already exist

- Section 146 of the Criminal Justice Act 2003
 - ...*the **seriousness** of an offence should be increased if the offender demonstrates hostility based on the victim's sexual orientation, gender identity or **disability**, or if the offence was motivated by such hostility.*



Third Party Reporting



Introduced after the MacPherson report to enable people to report hate crime at a place other than a Police Station.

There are over 80 (likely to change) third party reporting centres throughout Cumbria, over half of these are located in North TPA.

A list of centres can be found on the Constabulary website.
Online reporting available.

Examples:

Heathlands Project

People First

Glenmore Trust

DaCE

Carlisle & Eden Mind

Allerdale Disability Assoc.

Barrow & District Disability Assoc.

Eden Mencap



The police response



As the officer attending the scene or OIC (officer in the case)

- Investigate the incident gathering any evidence as soon as possible
- Reassure the victim and explain police & subsequent court procedures
- Record information accurately to ensure repeat victims are identified
- When necessary seek support and guidance from the Hate Crime Manager (CID Detective Sergeant – who will oversee all such investigations.)
- Always offer the services of victim support
- If additional support is required speak with the Equality Officer (Julie Dodd)
- Keep the victim informed of progress or otherwise

Underpinning principles

- The police take hate crime very seriously
- We want people to report to the police *all incidents* involving hostility toward a person because of their race, faith, **disability**, sexual orientation or gender identity



Behind the scenes

Hate crime Manager, Intel Unit, Sgt/Inspectors

Police incident logs checked to ensure hate incidents and crimes are recorded correctly

Incidents reviewed to ensure appropriate response provided

'Main office' CID detective sergeant is 2nd OIC for all hate crimes and provides guidance as necessary to 1st OIC

Every victim of hate incidents/crime recontacted to QA response, address any service shortfall

Collation of information and ID trends/hotspots

Work with partners to support victims and reduce hate crime

Standing agenda item at Daily Management Meetings (NIM)

Management information on hate crimes and incidents monitored.

Regular review of live investigations at senior level

Final review of all such investigations



Disability Hate Crime - Summary



- Learning Disability Hate Crime is in all likelihood, massively under-reported
- Every incident can be reported *and* I want you to do so
- Third party reporting has been successful in some areas for victims with a learning disability
- If offenders are prosecuted -magistrates/judges have increased sentencing powers
- Nationally and locally – still work to do (*ECHR 2012 – Out in the open*)
- Lots of work behind the scenes to improve service provision on all HC
- Advocacy services can be key to increased confidence and reporting– hold us to account if not satisfied



Questions



Thank you

