

**REPORT TO:** Safer Policy and Performance Board

**DATE:** 15 January 2013

**REPORTING OFFICER:** Strategic Director, Communities

**PORTFOLIO:** Community Safety

**SUBJECT:** Hate Crime and Harassment Reduction Strategy Review

**WARD(S):** Borough-wide

### 1.0 PURPOSE OF REPORT

1.1 To inform members of the current review of the Safer Halton Hate Crime and Harassment Reduction Strategy.

**2.0 RECOMMENDED: That the report be noted and Members comment on the report.**

### 3.0 SUPPORTING INFORMATION

3.1 Hate crime is the targeting of individuals, groups and communities because of their identify and it can have a devastating and psychological effect on its victims. While it is often perceived that hate crime affects a small number of individual victims, the nature of hate crime is that it is based on prejudice, hostility or hatred towards a particular group in society, and therefore it has a wider impact on the confidence and cohesion of the wider community.

3.2 Hate crime is widely accepted amongst public authorities to be under reported, where many perpetrators target victims at a level that will not be reported. Some victims do not even realise that they have been a victim of a hate crime, and will not report the incident as they either do not know how to or feel they will not be taken seriously. Hate crimes are unfortunately often tolerated by victims, even when they suffer repeated attacks.

3.3 Hate crime can breed mistrust, alienation, and exclusion.

*“Hate incidents not only impact negatively on the lives of victims and their families but also damage cohesion in the wider community. People who are more vulnerable to hate incidents are also likely to have a greater fear of crime. It is therefore essential that public authorities and local communities work in partnership to tackle this problem in their local area as no single agency or group can accomplish this alone.” (The Equality and Human Rights Commission)*

3.4 A **hate crime** is targeted victimisation which can include a range of offences such as:

- **Physical attacks** - such as physical assault, damage to property or pets, offensive graffiti and arson;
- **Harassment**
- **Criminal damage** to property or a place of residence
- **Threats** – including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints
- **Arson**
- **Verbal abuse, insults and other offensive behaviour**- offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.
- **Bullying**

3.5 As well as resulting in physical injury, hate crime can affect people's mental health and quality of life, and increase their fear of crime. It can lead to anger, insecurity, stress and depression, and can leave some people afraid to leave their home.

### 3.6 Defining and Identifying Hate Crime and Harassment

The Safer Halton Partnership uses the Home Office/Association of Chief Police Officers (ACPO) definitions of hate crimes and hate incidents:

- **A hate crime** is any incident which constitutes a criminal offence that is perceived by the victim, or any other person, as being motivated by prejudice or hate.
- **A hate incident** is any incident which may or may not constitute a criminal offence that is perceived by the victim, or any other person as being motivated by prejudice or hate.

It is important to recognise the difference between a hate crime and a hate incident. All hate crimes are incidents, but not all hate incidents are crimes.

3.7 Hate crimes and incidents are motivated by hate on the basis of:-

- **Disability related hate**– crimes/incidents motivated by disability, including learning difficulties
- **Race hate** – crimes/incidents motivated by ethnic origin, nationality, asylum seeker status.
- **Belief or Faith hate** – crimes/incidents motivated by religious belief or lack of religious belief.
- **Homophobic hate**– crimes/incidents motivated by sexual orientation.
- **Transphobic hate**– crimes/incidents motivated by gender identity.

3.8 It is a statutory responsibility to produce a Hate Crime Reduction Strategy and Action plan and the current version for Halton was adopted in June 2011. This Hate Crime and Harassment Reduction Strategy is now being reviewed and the Action Plan updated, following the launch of the Government's Plan to tackle hate Crime (*'Challenge it, Report it, Stop it: The Government's Plan to Tackle Hate Crime'*) published in March this year <http://www.homeoffice.gov.uk/publications/crime/hate->

[crime-action-plan/action-plan?view=Binary](#). This document follows the ‘Hidden in plain sight Inquiry into disability-related harassment,’ and the later ‘Out in the Open Tackling Disability related harassment ‘A manifesto for change, both published by the Equality and Human Rights Commission’.

#### **4.0 CHALLENGE IT, REPORT IT, STOP IT: THE GOVERNMENT’S PLAN TO TACKLE HATE CRIME**

4.1 Challenge it, report it, Stop it, sets out the aims of the Coalition to tackle hate crime in all its forms. The document provides an overview of all the activity either already underway or proposed by various Whitehall departments. The plan calls on all Government departments to support councils, the police and other local agencies to meet three key objectives:

#### **4.2 *Challenging the behaviours and attitudes that foster hatred and encouraging early intervention to reduce the risk of incidents escalating***

This section sets out the steps being taken by the Government to prevent hate crime from occurring by challenging the bigotry and prejudice that foster hatred. These include:

- Publishing an analysis of hate crime data as a supplement to the British Crime Survey.
- Working with schools and voluntary sector partners to increase the resources available to help tackle bullying in schools.
- Developing a new cross-Government Disability Strategy, which will include action on changing attitudes and behaviour.

It also sets out its aims on early intervention to minimise the risk of incidents escalating. Of greatest relevance to local authorities are plans to place Safeguarding Adult Boards on a statutory footing by the end of the year. This is intended to increase the awareness, detection and prevention of abuse of adults in vulnerable circumstances.

#### **4.3 *Encourage more victims to come forward and report hate crime***

In this section the most relevant measures for councils, set out in the plan to improve reporting are:

- The Home Office and the Association of Chief Police Officers (ACPO) will be working with councils, police forces and housing providers to improve the handling of public calls about anti-social behaviour so that hate crime victims can be better identified.
- The Home Office will be collecting best practice examples of work carried out by Community Safety Partnerships to tackle hate crime. These will be published in due course.

#### **4.4 *Improving the response to hate crime by better identifying and managing cases.***

This section of the report focuses on the Government's goals and actions for the criminal justice system so that operational responses to hate crime are made more effective and offenders are dealt with more robustly. It highlights the legislative changes that are being introduced – amendments to the Criminal Justice Act 2003 will ensure that murders motivated by hatred or hostility towards disabled or transgender victims have a sentencing starting point of 30 years, in line with murders motivated by race, religion or sexual orientation – as well as other measures in place to encourage better identification and management of hate crime cases among the police, the Crown Prosecution Service, prisons and probation.

- 4.5 It also calls on councils and other local partners to work jointly with the criminal justice system to bring offenders to justice by, for example, making available information on hate crime and local support services.

## 5.0 **NEXT STEPS**

- 4.5 Cheshire Constabulary is also responding to the above Government's Plan to tackle hate crime by updating their Hate Crime Action plan. We are working with Cheshire Constabulary to ensure that the revised Halton Action Plan for hate Crime is aligned with the work they are doing.

- 4.6 This revised strategy Hate Crime and Harassment Strategy for Halton will continue to promote effective and coordinated action against hate crime. We are working with the Safer Halton Partners, including the police, voluntary sector support groups and the council to gain a better understanding of reported incidents within Halton and how we can better support victims by developing confidence in the criminal justice system to bring perpetrators to justice, more alliance of services and reporting mechanisms and more importantly preventing hate crime from occurring in the first place.

## 6.0 **POLICY IMPLICATIONS**

- 6.1 There are no direct policy implications from the review of the Hate Crime and Harassment Strategy and Action Plan.

## 7.0 **IMPLICATIONS FOR THE COUNCILS PRIORITIES**

### 7.1 **A Healthy Halton**

Hate crime has a significant impact on the victim's physical and mental health, so bringing offenders to justice and supporting victims of hate crime will positively impact on victim's health.

### 7.2 **Employment, Learning and Skills in Halton**

Hate crime negatively impacts on the lives of victims destroying their confidence. This makes it difficult for victims to gain employment and access training. Hate crime can also occur in the work environment, with victims leaving employment to escape their abusers. Tackling hate crime will have a positive impact on this priority.

### **7.3 Children and Young People in Halton**

Hate crime impacts negatively on the lives of young people leaving victims afraid and destroying their self- confidence. Hate incidents and crimes can occur in schools, on the internet and in their neighbourhoods, often giving victims no escape from the abuse and having a long lasting impact on victim's lives. Preventing hate crime and educating young people will have a positive impact on their lives.

### **7.4 A Safer Halton**

Hate crime is a criminal offence taken seriously by the police and is a priority for the Safer Halton Partnership. Partners are working together to bring offenders to justice, support victims and encourage reporting and most importantly prevent incidents from occurring in the first place.

### **7.5 Environment and Regeneration**

Hate crime has a negative impact on communities, making residents fearful and can be accompanied by criminal damage, hate graffiti and anti-social behaviour, sometimes creating no-go areas or areas where people avoid in the evenings or after dark. By tackling and preventing hate we will also have a positive impact on environment and regeneration.

## **8.0 RISK ANALYSIS**

8.1 By not working with partners to tackle hate crime and incidents we would risk perpetrators not being brought to justice, incidents going un reported and victims suffering abuse which would be likely to escalate.

## **9.0 FINANCIAL IMPLICATIONS**

9.1 No direct financial implications.

## **10.0 EQUALITY AND DIVERSITY ISSUES**

10.1 Hate crime is based on prejudice and targets victims based on their identity, therefore tackling hate crime has a positive impact on equality and diversity.

## **11.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972**

11.1 None under the meaning of the Act.