

Hate crimes, Hate incidents & Racially Religiously aggravated offences.



Safeguarding Adults
Week
November 2019

P A R E N T A L

A D V I S O R Y

E X P L I C I T C O N T E N T

HATE CRIME OR HATE INCIDENT?

What is a hate crime?

A criminal offence, perceived by the victim or any other person, as being motivated by prejudice or hate.

What is a hate incident?

A hate incident is any non-crime perceived by the victim or any other person, as being motivated by prejudice or hate'.

Remember that even if the victim does not perceive the matter they are reporting to be a hate crime or

incident, if you perceive it to be then it will still be a hate crime or incident.



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Strands of Hate Crimes/Incidents



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Racial Group / Religious Group

Racial Group

Defined as a group of persons defined by reference to:

- (a) race,
- (b) colour,
- (c) nationality (including citizenship)
- (d) Ethnic or national origins.

Religious Group

Defined as a group or person defined by reference to:

- (a) religious belief
- (b) lack of religious belief

This could also include sectarian crimes, where both victim and offender are of the same faith, but follow differing sects (e.g. Catholic and Protestant)

SCENARIO 1

A woman is being harassed and verbally abused at work by her male colleague after she got promoted before him. He does not believe women are as capable as men.

SCENARIO 2

Children throw stones at the front window of a house and knock loudly on the door to then run away. The family living there all have

disabilities. The children do not do this to any other houses on the street.



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SCENARIO 3

At a restaurant, the manager refuses to seat and serve two women because they are lesbians.

SCENARIO 4

A nurse that cares for disabled people is harassed outside her work. The offender said she is now infected and contagious from touching “spastics” and “cripples”.

SCENARIO 5

A heterosexual male is assaulted because he is seen leaving a gay club.

SCENARIO 6

A woman with severe learning disabilities is burgled. She was befriended by someone who persuaded her to let them into her home.

What happens after a Hate Crime is reported to the Police?

If a victim/witness decides to report their hate crime to the police, a crime report will be taken and usually a crime number will be given.

Even if the report provided by the victim/witness does not amount to a criminal offence, if it is hate related then a noncrime Hate incident will be recorded and a reference number provided

If a victim has been identified, they will be treated as a vulnerable victim and should have an officer contact them within 24 hours of making the crime report. The initial contact will usually be by telephone. They should also receive a letter, either by post, email or text message, giving them details of the offence reported, a crime number and contact details of the investigating officer.

What happens after a Hate Crime is reported to the Police?

It will depend on whether there are any lines of enquiry as to if an officer will visit the victim/witness. If there are no lines of enquiry (no CCTV, suspect not known or cannot be traced) then the matter will be closed, but can be re-opened if new evidence comes to light. If there are lines of enquiry, the officer will inform the victim as to their investigation plan and will arrange with the victim on the frequency of their contact.

The officer will then carry out an investigation, which could involve taking statements, obtaining CCTV, looking for witnesses, etc.

What happens after a Hate Crime is reported to the Police?

If a suspect has been identified, they can either be arrested (if there is sufficient reasons to do so), or invited to the police station for an interview (if the incident is of a very low level, they may just be questioned at home).

If there is sufficient evidence to charge the suspect with an offence, usually the wishes of the victim will be taken into consideration, as to what happens next.

The victim may only wish for the suspect to be given words of advice, they may be happy for the suspect to be cautioned (if eligible) or they may want the matter to go to court.

What happens after a Hate Crime is reported to the Police?

The necessity to arrest a suspect is based on a number of factors:

- **Can the identity of the suspect be confirmed?**
- **Can the address of the suspect be verified?**
- **Does the suspect pose further risk of injuring themselves or others?**
- **Does the suspect pose a risk of causing damage to property?**
- **Has the suspect committed an offence against public decency?**
- **Does the suspect pose a risk to children or vulnerable adults?**
- **Will the investigation be hindered if the suspect is not arrested?**

Sometimes, a victim will be angry or upset by the fact that a named suspect was not arrested by the police, but unless one of the reasons above apply, the arrest could be deemed as unlawful.

What happens after a Hate Crime is reported to the Police?

The victim should be given regular updates throughout the investigation and will be referred to Victim Care (unless they specifically decline). As a victim of a Hate Crime, the victim can also be given information on other support agencies and organisations.

If the matter goes to court, then the victim will be notified and will then fall under the care of the Witness Care Team, who will then provide the updates.

What happens after a Hate Crime is reported to the Police?

If the victim/witness is required to attend court, they can ask for special measures to be considered. These might include:

- **Providing their evidence by video link.**
- **Being seated behind a screen, so they do not have to face the suspect.**
- **Asking for the Judge/Magistrates/Solicitors to remove their wigs, if they are deemed to be too overbearing.**

The victim/witness can also be provided support on the day by Witness Care. Who can show them the court room, prior to the hearing and can give an explanation of what will be required of the victim/witness.

Risk Management

RISK TO LIFE & LIMB



**RESPECTING THE
CONFIDENTIALITY OF
THE CLIENT**

How Do We Choose Between the Two?

A person's life and health will always take primacy over any other concerns, but we do not want to lose the confidence in users.

What do you do if a user has stated that they have the intent to cause harm to themselves, but do not wish for the police to be informed?

What if they state that they intend to cause harm to others?

Risk Management

Even though the user does not wish to report their hate crime to any other agency and is adamant that the police are not to get involved, if there are any concerns over their safety or the safety of others, the user should be treated as any other person who presented as a risk to themselves or others.

SCENARIO 7

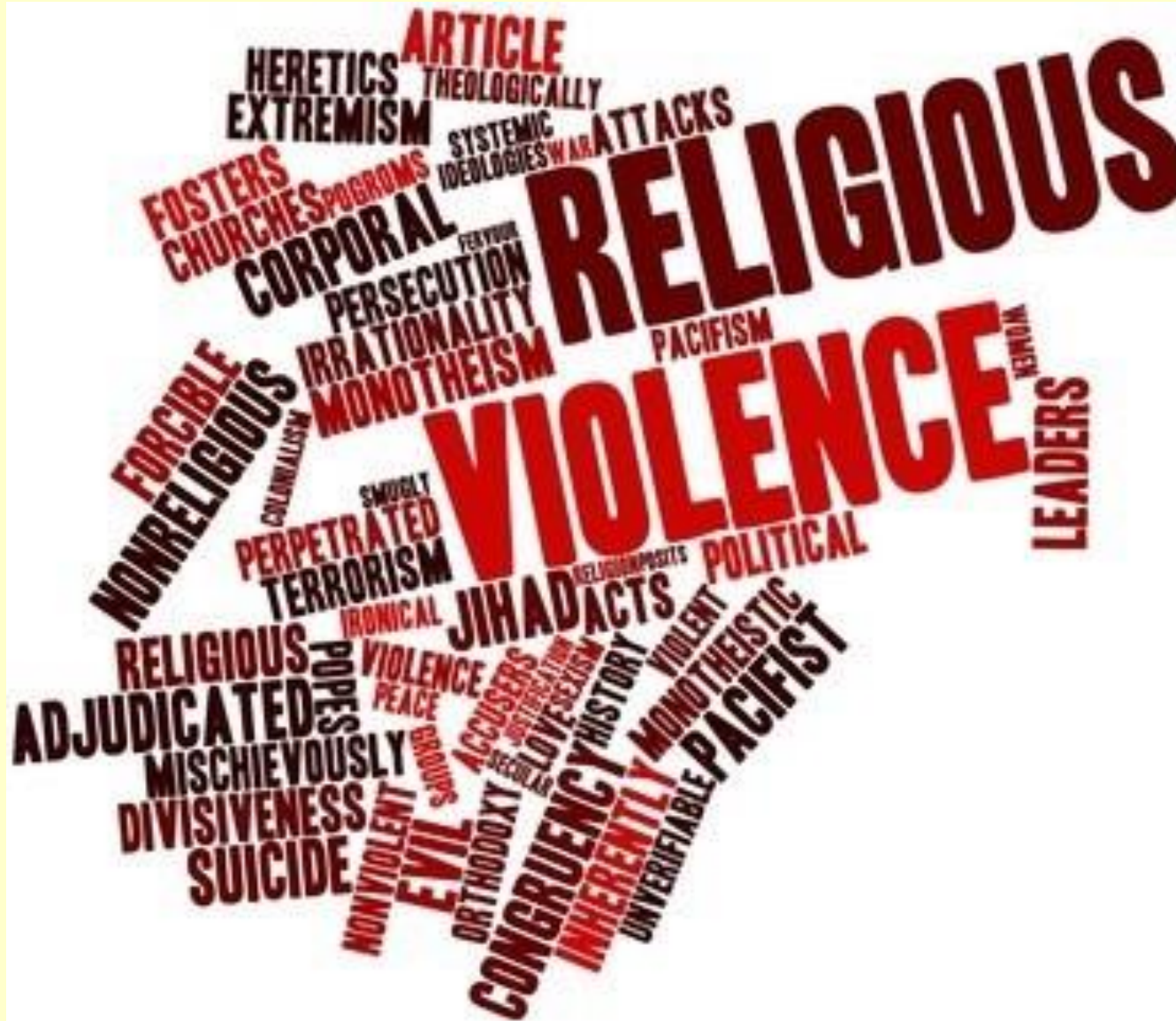
A transgender user states that they have just been subject to abuse in a shop and local youth have pointed and laughed at her. She has had enough and states that she might as well kill herself. When asked if she wants to report this matter to the police, she is

**adamant that the police are not
informed.**



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RADICALISATION



SCENARIO 8

A Muslim mother wants to speak about money worries. During the conversation she states that her husband has changed, ever since he began watching extremist videos and began conversing with people who he refers to as his

**“Jihadi” brothers. She is worried
that he is becoming radicalised.**

**CHANNEL is a confidential,
voluntary multi-agency
safeguarding programme**



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**that supports people who
are vulnerable to
radicalisation.**

The CHANNEL Programme

Referrals can be made by anyone to the Local Authority or the police, who will then pass the information onto the CHANNEL panel.

The Anti-Terrorist Hotline can be reached on **0800 789 321, if there is any risk of an imminent terrorist act.**

Each case is reviewed and if it is deemed that intervention is required, the aim is to support and educate, rather than

criminalise if dealt with at the early stages of radicalisation.

Support could include assistance with education or employment, health support, and ideological mentoring to provide vulnerable individuals with the skills to protect themselves from being drawn into committing terrorist-related activity or supporting terrorism.



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