

OFFICE OF POLICE & CRIME COMMISSIONER	
LEAD CHIEF OFFICER:	DCC Craig Guildford
TITLE:	Hate Crime and Disability Related Harassment
DATE:	05.07.16
TIMING:	Bi-annual
PURPOSE:	For information
1.	<u>RECOMMENDATION</u>
1.1	That the Chief Officer Team note this report in relation to Hate Crime and Disability Related Harassment, and consider forwarding to the Police and Crime Commissioner.
2.	<u>INTRODUCTION & BACKGROUND</u>
2.1	The Association of Chief Police Officers' definition of a hate crime/incident is: 'A criminal offence/non-crime incident which is perceived by the victim or any other person to be motivated by hostility or prejudice based on actual or perceived disability, race, religion and belief, sexual orientation and transgender.'
2.2	The Equality and Human Rights Commission published its report 'Hidden in Plain Sight' in September 2011. This includes findings and recommendations from their formal inquiry into the response of Public Authorities to Disability Related Harassment. The EHRC agreed to review the progress of all public authorities over a 1, 3 and 5 year time frame. Gwent submitted its 3 year update in October 2015. Since the publication of the report, and further findings of subsequent research, including the joint Her Majesty's Inspector of Constabulary, Her Majesty's Inspector of the Crown Prosecution Service and Her Majesty's Inspector of Probation report ' <i>Living in a Different World</i> ' - a Joint Review of Disability Hate Crime (March 2013), a national Association of Chief Police Officers Disability Hate Crime Action Plan has been developed to address specific recommendations for Police Forces. An updated report based on a recent HMIC and HMICPS review of progress was published in May this year which identified further improvements to be made around establishing an effective definition of disability hate crime, setting strategic objectives relating to disability hate crime, delivering effective training and increasing reporting. In addition, the four Welsh Forces made a commitment to implement the key recommendations of the EHRC's report and to prioritise the establishment of a Multi-Agency Risk Assessment Conference (MARAC) system to identify and support high risk victims of all victims of hate crime, but with a focus on disability related harassment.
2.3	Gwent Police has established a Hate Crime Forum which has the following objectives: <ul style="list-style-type: none"> • To develop and implement hate crime policy and procedure that ensures a high quality of service is provided to all victims, witnesses and communities

	<ul style="list-style-type: none"> • To ensure the effective response of Gwent Police to both local and national priorities in relation to hate crime • To develop effective and consistent relationships with local partnership hate crime and community cohesion arrangements • To deliver consistent messages around hate crime, both internally and externally • To monitor Force hate crime performance, including quality of service delivery <p>The group is chaired by Detective Chief Superintendent Mark Warrender and includes representation from across the force.</p>
2.4	The Community Cohesion Co-ordinator provides support to DCS Warrender in his role as Hate Crime lead.
	<u>ISSUES FOR CONSIDERATION</u>
3.0	<u>NATIONAL WORK</u>
3.1	<p>Welsh Government's Hate Crime Framework</p> <p>The Welsh Government's Hate Crime Framework, which sets out how public and partner agencies will tackle hate incidents and crimes was launched in May 2014 and their Outcomes and Evidence Report 14-15 recently published online: http://gov.wales/docs/dsjlg/publications/equality/151209-evidence-and-outcomes-report-hate-crime-en.pdf</p> <p>The Welsh Government intends to take forward the findings from the report and has integrated recommendations into their 2016-17 Framework Delivery Plan, which focusses on 2 key delivery areas:</p> <p>Delivery Area 1: To focus on preventative measures to tackle hate crime, including delivery of training and awareness across Protected Characteristics with the aim to increase reporting levels</p> <p>Measures of Success</p> <ol style="list-style-type: none"> 1. The number of Hate Crime Training sessions/ people trained in each Police Force Area, across: <ul style="list-style-type: none"> • Criminal Justice staff • Other Public Sector organisations; • Community Organisations/ Groups; and • All Wales Schools Programme 2. An increase in reporting in Hate Crime/ Incidents across Police Force Areas across all protected characteristics 3. An increase in reporting one month after Hate Crime Awareness Week across all four Police Force Areas <p>Delivery Area 2: To understand and enhance the quality of data, victim</p>

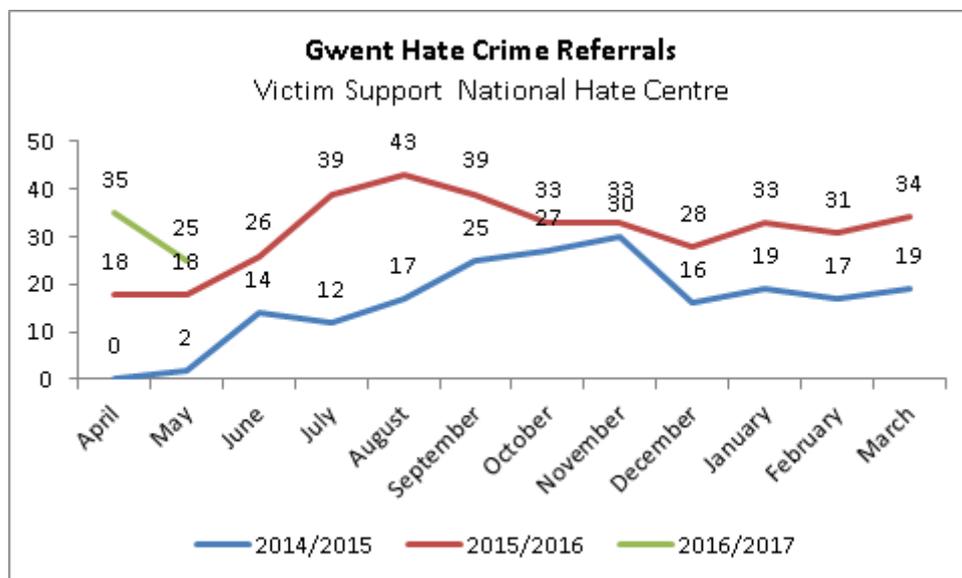
support and restorative approaches across Wales

1. An increase in Hate Crime victim satisfaction across Police Force Areas (including Police/ Victim Support)
2. A baseline established on the number of high risk victims referred to multi agency processes

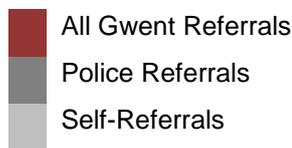
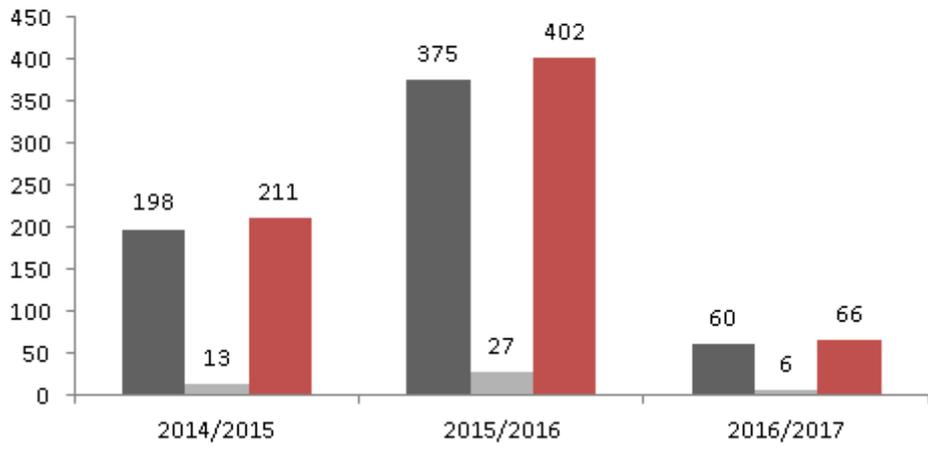
The extensive action plan which underpins these 2 key areas has been developed in partnership with members of the Hate Crime Criminal Justice Board Cymru (HCCJBC). The HCCJBC was established to deliver those actions within the Framework where responsibility sits with the criminal justice system, and is attended by all of the 4 Welsh Forces, third sector agencies, Welsh Government staff and Crown Prosecution Service representatives. DCS Warrender is the current Chair for the Board and now also represents Wales at the NPCC Hate Crime meeting, a national forum attended by UK hate crime leads.

3.2 Victim Support Third Party Hate Crime Reporting Project

Victim Support has now been delivering its Hate Crime Project since April 2014. Hate crime referrals are received on a daily basis through automated transfer from all of the Welsh Police Forces, and the project is also seeing a gradual increase in hate incident reports being made directly into the project. The first graph below shows police referrals per month over the service timeframes, and does not include self-referral data, the second graph shows all Gwent referrals, self-referrals and totals as separate bars for each year.



**Gwent Hate Crime Referrals
National Hate Crime Centre Victim Support**



Reporting on the Project’s progress is quarterly and co-ordinated through the Hate Crime Criminal Justice Board Cymru. To date, Victim Support have also delivered 89 Hate Crime Awareness Sessions during 2015/2016 which saw 1388 people trained across Wales with a focus on reaching key frontline services such as housing, health and social services.

4.0 LOCAL PROGRESS

4.1 Training

Force Training Day 6 included a hate crime session, delivered to all frontline officers. The session reinforced definitions, worked through practical examples, tested officers’ ability to recognise and record a hate crime, and considered recent local and global influences on public attitude and perception. The training has been particularly well received, with a number of attending officers volunteering to become HCSOs, and officer identification of hate incidents improving dramatically, particularly cases now being recognised as hate crimes. One supervisor provided the following feedback:

“I also wanted to give some feedback in relation to the recent hate crime input that was included on the most recent training day. An officer on my shift recently dealt with a disability related hate crime. Through his own admission, the way in which he dealt with it following the training was very different to the approach he would adopted prior to the training. He was able to understand that for victims of crime where there is an aggravated element, the impact is very different. This is a real breakthrough as no matter what systems are put in place to ensure that its dealt with properly, without the appropriate understanding and empathy, then the systems will fail”

4.2 Hate Crime Support Officers

Our existing LGB&T Liaison Officers received 2 days of training in April 2014 to

enable them to provide advice and guidance to officers dealing with, and victims of, all types of hate crime, as part of our Hate Crime Support Officer pilot project, supported by Dragon's Den. Over a 6 month trial period, HCSOs provided support to over 120 victims of hate crime in Newport alone. Since January this year, every victim of a hate incident or crime automatically receives a referral to an HCSO who is able to provide a single point of contact for the victim, keep in touch regularly and refer into specialist services.

HCSOs are volunteers, taking on the duties in addition to their everyday roles, and have now supported around 500 victims since the introduction of the scheme. They continue to make a tangible difference to the quality of service received by people affected by hate crime, as illustrated by a quote from victim of disability hate crime:

Why did having an HCSO make a difference?

"It's just the way she went about things; she took her time and she got all the details. She was really patient when taking the statement and made sure everything was how I wanted it worded. She was the most sympathetic of everyone as well I'd say. She really seemed to understand how much of an impact the incident had - especially with my disability and the fact that the offender was a relative."

HCSOs are continually stretched by rising numbers of hate incidents. Gwent Police currently have 22 HCSOs and will be training an additional 15 over the summer. The HCSO scheme is managed by the Community Cohesion Co-ordinator who has now recruited 2 community volunteers to assist with its administration.

4.3

Victim Satisfaction

A recent change in the way that our victim satisfaction surveys are conducted has led to a significant increase in the data that is being captured relating to victims of hate crime. The results have indicated some areas for further work, but have been particularly positive. Our latest results mean that we currently have the second highest level of hate crime victim satisfaction across all UK forces.

Volume

144 surveys have been conducted with hate crime victims in the last 12 months. In addition, the victim satisfaction survey now identifies whether ASB or violent crime victims feel their incident was motivated by hate. In a 3 month period, around 7% of ASB victims and 4% of violent crime victims felt that there was a hate element to their victimisation that hadn't already been identified. As a result, around 30 incidents were sent to Crime Audit for review.

Overall

- 86% of hate crime victims were satisfied with the overall service and 73% were at least very satisfied, compared to 80% and 66% respectively from the previous period
- 94% of hate crime victims were satisfied with the way they were treated
- Almost three-quarters of hate victims surveyed (73%) said that they were visited within 24 hours of attending an incident compared to 56% of crime victims and 52% of ASB victims. 11% of victims did not see an officer – of these, only 4 victims were unhappy they had not seen anyone.

- 90% of hate incident victims were satisfied with ease of contact
- 82% were satisfied with actions taken by officers (compared to 76% at the same time last year)
- 79% of hate incident victims were satisfied with being kept informed (improvement on 75% from last period)
- 89% of hate incident victims said that they were treated fairly

Reporting

- A lower proportion of hate victims reported the incident themselves compared to ASB (80% vs. 95%) 46% because of disability/communication issues

“It’s difficult to explain and understand on the phone - there are too many questions. I get my social worker to call now if it’s before 5pm”

Police attitude

- 96% said that the police believed what they had said
- 89% said the police understood the impact of the incident on their life (compared to 79% of ASB victims)
- 92% said that the police took the matter seriously

Outcomes

- 30% of hate victims surveyed said that this contact had changed their overall view of the police for the better (compared to 20% of crime victims)
- 87% of hate incident victims were “very likely” to contact the police again if the need arose and 93% were “very/quite likely”. This result is the same as for Crime and ASB victims.
- Only 2 respondents said that the case has gone to court. Victims are called (on average) 8 weeks after reporting the incident. 76% were happy that the case had not gone to court

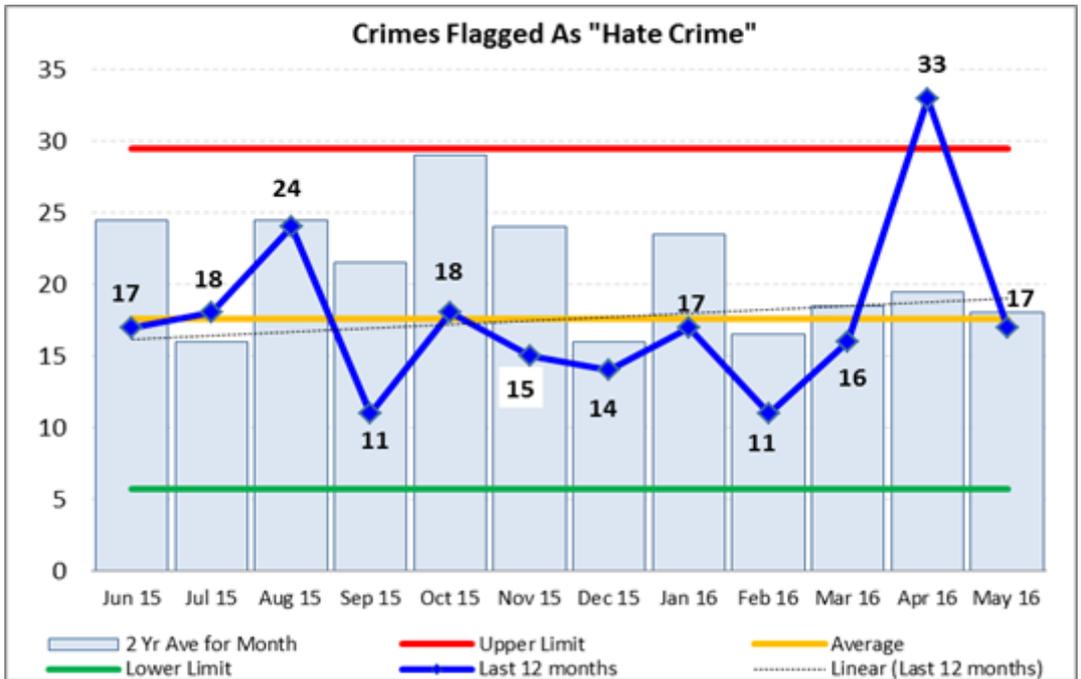
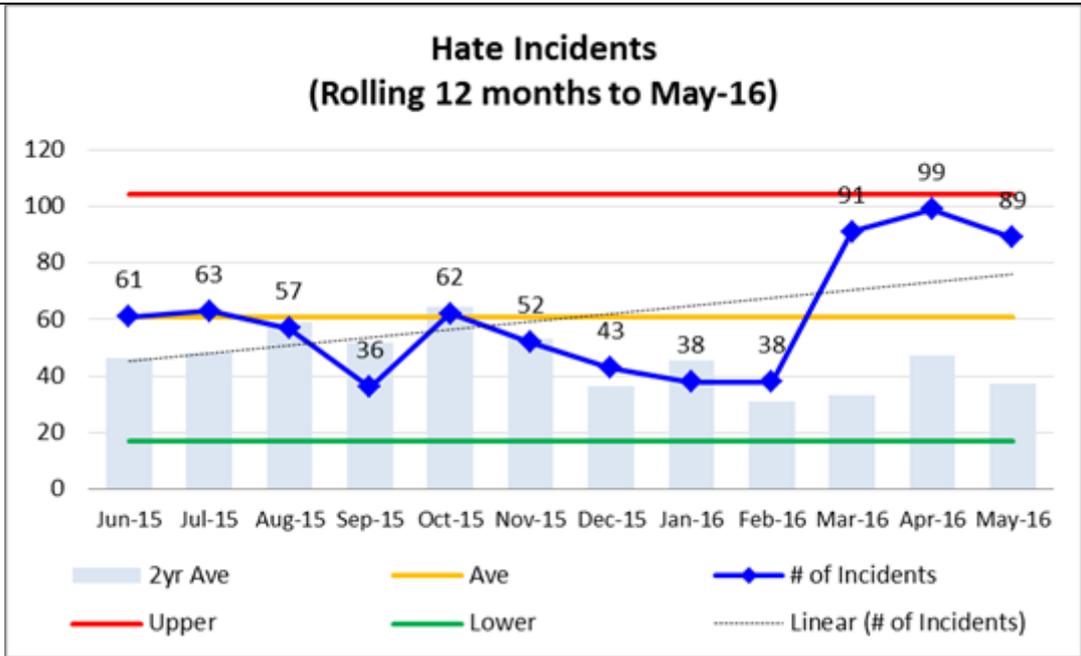
4.4

Reporting Levels

The charts below indicate recorded incidents and crimes over the past 12 months. Typically, peaks and troughs are evident throughout the year due to seasonal variations and responses to local and global events, however, figures have increased significantly over the last 3 months.

There is a high level of media interest in the current levels of hate incidents and crimes being experienced across Wales post-Brexit. All hate incidents are audited weekly by the Community Cohesion Team which will allow for continued monitoring of Brexit-related reports.

In Gwent, as of 29/06 we have received 2 reports of racially aggravated incidents where the victims have expressed concern that their experiences are linked to the election result.



When examining data for the period on the run up to the referendum, the first table below shows a significant increase in recorded racially/religiously aggravated incidents during April, May and June 2016 compared to equivalent months in 2015. However, the second table indicates there is a similar increase in the total of **all other types** of hate incidents over the same period during April and May, suggesting that wider factors (such as the rollout of Force training) may be more influential. In June this trend is reversed and will be reviewed once all data for the month has been collated.

Recorded racially/religiously aggravated incidents:

Month	2015	2016
April	38	55
May	21	43
June	28	54

Recorded totals of hate incidents (all other types):

Month	2015	2016
April	16	44
May	16	46
June	33	23 (up to 28/06)

Following the election result and in response to widely reported concerns around the impact of Brexit on community tension, press statements have been released offering messages of reassurance, and encouragement for victims to report. HCSOs have also been encouraged to engage locally with people that may be worried or fearful.

4.5

Policesol

Ongoing engagement with migrants, asylum seekers and refugees through Gwent Police's Policesol courses continues. A third course has recently been delivered to the Syrian families settled in Torfaen and a fourth is planned for 5 Syrian families in Caerphilly, starting at the end of July. Policesol courses aim to teach newcomers to Gwent about Policing culture in the UK, what rights and responsibilities they have here and cover important topics like hate crime, stop and search, child welfare, domestic abuse and drugs and alcohol. Sessions are delivered by a qualified ESOL tutor in partnership with the Community Cohesion Co-ordinator and local officers and have received overwhelmingly positive feedback. As well as our Syrian families, lessons have been delivered to around 20 Eastern European migrants and 18 BME male refugees. Outcomes from our last course are below:

Learning Outcomes:

Policing in the UK – Participants discussed how this differs to policing in Syria, the role of the police here and the difference in policing culture. Learners now know that the Police in the UK follow rules and regulations (for example they will not ask you for money or use inappropriate force)

	<p>Contacting the Police – all participants can now recognise emergency and non-emergency situations, can make a call and give details in English and know which emergency service they need</p> <p>Stop and Search – all participants know why we use stop and search, what happens when you are searched, your rights and what the police can and can't do (including discussion around carrying weapons, drugs, searching religious dress)</p> <p>Domestic Abuse – Participants can identify the different types of domestic abuse, understand that it is illegal in the UK and know how to contact the police if they, or someone they know, is a victim</p> <p>Child Welfare – Participants know basic laws and guidelines around welfare of children (smacking, safeguarding and leaving children alone)</p> <p>Hate Crime – Participants understand that it is an offence to abuse someone based on their race or religion and how to report this should it happen to them</p> <p>Participant feedback:</p> <p>“I wasn't aware of what the Police in the UK did before, they are there to make us feel safe and secure”</p> <p>“Every time I saw a Police Officer I was anxious, now I am confident that I could speak to them”</p> <p>“I am happy to be in the UK knowing that the Police have to follow rules and regulations”</p> <p>What is the most important thing you have learned on the course:</p> <p>“The rules in the UK”</p> <p>“How to protect our children”</p> <p>“How to communicate with the police and contact them if I see something is happening”</p> <p>“I have been really happy to have this opportunity and meet with the Police and get to know them”</p>
4.4	<p>Disability Hate Crime Scrutiny</p> <p>In response to recommendations made by the HMCPSI and HMI Probation report Living in a Different World: A Joint Review of Disability Hate Crime (2014 update) Gwent is piloting a Disability Hate Crime Scrutiny Group. The group is comprised of the CID hate crime lead, Community Cohesion hate crime lead and the IAG lead for disability matters. The group dip samples a number of recent disability hate crimes in Gwent and assesses the quality of the initial, investigative and victim response. Lessons learned are fed back both to individual officers and organisationally, through the Hate Crime Forum.</p> <p>The Scrutiny Panel will also begin to support the delivery of the OPCC's commitment to monitor levels of 'mate crime' and outcomes for victims of this</p>

	<p>type of crime by reviewing quarterly the levels of hate crime being reported and ensuring these cases form a part of dip sample. Hate crime guidance for frontline officers is also currently being drafted.</p>
4.5	<p>MARAC Process</p> <p>The EHRC found that found that harassment was a commonplace experience for disabled people, and a culture of disbelief and systemic institutional failures prevented it from being tackled effectively. Alongside a number of national recommendations, the EHRC recommended that specifically in Wales:</p> <p>“Partnerships to prevent and respond to harassment and share effective practice should be encouraged, including piloting Multi-Agency Risk Assessment Conferences (MARAC)”.</p> <p>In response, the 4 Welsh Forces funded a dedicated post to review information sharing and risk assessment processes across Wales to further the development of an agreed all Wales MARAC process, not only for cases that are disability-related, but in addition, incidents motivated by hostility towards race, religion, gender identity and sexual orientation. At its conclusion, the project found that due to significant differences in demand, structure and process that exist across the Forces, a common MARAC framework was not feasible; furthermore, the term ‘MARAC’ was found to be problematic due to its strong links to domestic abuse and dependence on a formulaic risk assessment process.</p> <p>In each Force area it was found that sufficient practice already exists through local case handling and multi-agency meetings to manage risk and share information where necessary. However, guidelines were needed to provide a basic level of consistency across regions by setting out minimum standards for referral, structure and outcomes of any multi-agency response to high risk and complex hate crime cases. Gwent has led on the development of a MAR (Multi Agency Response) agreement which has been accepted by the 4 Welsh Forces and British Transport Police and also circulated nationally by the NPCC Hate Crime Group in order for replication in other Force areas.</p>
5.0	<p><u>NEXT STEPS</u></p>
5.1	<p>Gwent’s Hate Crime Action Plan for 2016-2020 has now been agreed and published within our Strategic Equality Plan. Priorities are:</p> <p>1. Ensure reporting mechanisms are in place that are accessible to people that share Protected Characteristics</p> <ul style="list-style-type: none"> ➤ Implement Keep Safe Cymru (or similar) ➤ Establish a sustainable model for the Talk About It Centres ➤ Work in partnership with Tell Mama to build a better picture of people’s experiences of Islamophobia ➤ Develop easyread information that is sent in place of HCCSO referral letter to any identified victims of hate crime who may require it <p>2. Work to identify hate crime perpetrators</p> <ul style="list-style-type: none"> ➤ Work in partnership with the HCCJB and national working group to

improve the tracking of offenders through the CJS

- Carry out an initial analysis of hate crimes from an offender perspective (perpetrator characteristics, relationship with victim, other offending history etc.)
- Review the nature and impact of hate crimes committed within the late night economy and develop appropriate interventions

3. Ensure a consistent approach to case management of hate crime victims across the Force

- Produce agreed Minimum Standards and agree with other Welsh Forces
- Ensure a consistent approach to managing complex and high risk cases across the Force
- Actively monitor and review the nature and volume of cases receiving a multi agency response across the Force on a quarterly basis, and the effectiveness of this intervention

4. Improve knowledge and awareness of communities and police personnel of how hate crime impacts on people that share Protected Characteristics

- Provide comprehensive hate crime training to all frontline officers
- Further promote the availability of Hate Crime Support Officers to the public
- Train another 10 Hate Crime Support Officers
- Work with the HCCJBC throughout the year to raise awareness of hate crime throughout the year via social media
- Deliver a successful campaign during Hate Crime Awareness Week
- Work in partnership with other agencies to ensure information is made available to refugees and asylum seekers (Policiesol)
- Increase the number of positive messages and victim feedback that is released to the public
- Deliver targeted awareness campaigns/initiatives to our most under-reporting groups (Muslim communities, disabled people, transgender people, GRT, Asylum Seekers and Refugees)

5. Increase awareness of 'mate crime' and cyber crime and remedies available to assist those who are victims

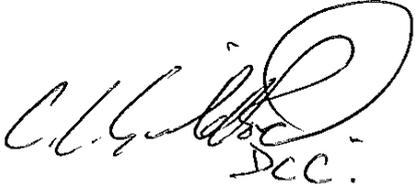
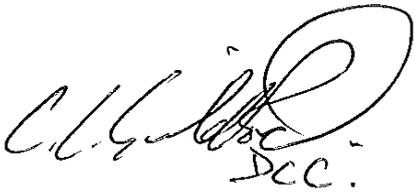
- Develop a mate crime toolkit for officers
- Work with HCCJB to develop guidance and resources for officers and

	<p>communities relating to online hate (counter narrative etc.)</p> <p>6. Work to ensure an effective response to crimes specifically affecting older people, including scams, doorstep crime and online fraud</p> <ul style="list-style-type: none"> ➤ Deliver actions identified as a result of the POET conference ➤ Focus on older and vulnerable people during annual awareness campaigns, for example, Rogue Traders Week ➤ Develop a consistent multi-agency approach across the Force area to tackling crimes targeted at older people
5.2	<p>The IAG lead for disability matters is currently working in partnership with the Community Cohesion Co-ordinator to pull together a proposal supporting the reinvigoration of Gwent's 'Talk About It' Centres. The Talk About It Centres were established a number of years ago using funding from the Police Authority to train staff within safe places that disabled people regularly visit to support them in making reports of hate crime to the Police. The new Talk About It strategy will focus on a small number of 'hubs' in each local authority area who can be better supported by both Gwent Police and the IAG lead who will take on a voluntary co-ordinators role for around 6 months to re-establish the project.</p>
6.0	<u>FINANCIAL CONSIDERATIONS</u>
6.1	<p>No significant financial costs have been identified to date regarding internal work around hate crime.</p>
7.	<u>PERSONNEL CONSIDERATIONS</u>
7.1	<p>DCS Mark Warrender has the portfolio for Hate Crime, with support from the Community Cohesion Co-ordinator. Actions are allocated to relevant departments, and progress monitored through the Gwent Police Hate Crime Forum.</p> <p>The Community Safety Department is currently under review as part of Staying Ahead 8, which includes within its scope equality, diversity and hate crime.</p>
8.	<u>LEGAL IMPLICATIONS</u>
8.1	<p>Legislative drivers include the Public Order Act 1986, the Protection from Harassment Act 1997, The Crime and Disorder Act 1998. The Criminal Justice Act 2003.</p>
8.2	<p>The Equality and Human Rights Commission (EHRC) report 'Hidden in Plain Sight' in September 2011, includes findings and recommendations from their formal inquiry into Public Authorities' response to Disability Related Harassment.</p>
8.3	<p>The HMIC, HMCPSP and HMI Probation report Living in a Different World: A Joint Review of Disability Hate Crime (March 2013) and 2014 update.</p>
9.	<u>EQUALITIES AND HUMAN RIGHTS CONSIDERATIONS</u>
9.1	<p>An Equality Impact Assessment has been completed against internal and external hate crime procedures.</p>

9.2	Consideration has been given to the general duty to promote equality, as stipulated under the Equality Act 2010 and the Force's work around Hate Crime supports this.
9.3	In preparing this report, consideration has been given to requirements of the Articles contained in the European Convention on Human Rights and the Human Rights Act 1998.
9.4	The delivery of the Hate Crime Action Plan forms one of the Equality Objectives in Gwent Police's Strategic Equality Plan.
10.	<u>RISK</u>
10.1	Operational risks are managed by the Portfolio lead and the Gwent Hate Crime Forum.
10.2	There is a significant risk to the Force should actions within the Plan not be implemented, as highlighted by high profile media cases including the deaths of Fiona Pilkington and David Askew.
11.	<u>PUBLIC INTEREST</u>
11.1	The document can be made available to the public.
12.	<u>CONTACT OFFICER</u>
12.1	Heather Powell, Community Cohesion Co-ordinator
13.	<u>ANNEXES</u>
12.1	N/A

Public Access to Information

Information in this submission is subject to the Freedom of Information Act 2000 (FOIA) and other legislation. This submission will be made available on the OPCC website following consideration by the Police and Crime Commissioner.

<p>Are you satisfied that the contents and observations made are necessary and suitable for the public domain?</p>	
<p>In producing this submission, has consideration been given to 'public confidence'?</p>	
<p>If you consider that this submission should be exempt from the public domain, please state the reasons.</p>	

For OPCC use only

Office of the Chief Constable

I confirm that the Hate Crime report has been discussed and approved at a formal Chief Officers' meeting.

It is now forwarded to the OPCC for **monitoring purposes**.

Signature: 

Date: 05.07.16

	Tick to confirm (if applicable)
Financial The Chief Finance Officer has been consulted on this proposal.	✓
OPCC The Chief of Staff has reviewed the request and is satisfied that it is correct and consistent with the PCC's plans and priorities.	✓
Legal The legal team have been consulted on this proposal.	N/A
Equalities The Equalities Officer has been consulted on this proposal.	N/A

Chief of Staff:

I have been consulted about the proposal and can confirm that financial, legal, equalities etc... advice has been taken into account in the preparation of this report.

I am satisfied that this is an appropriate report to be submitted to the Police and Crime Commissioner for Gwent.

Signature: 

Date: 13.07.16

Police and Crime Commissioner for Gwent

I confirm that I have considered whether or not I have any personal or prejudicial interest in this matter and take the proposed decision in compliance with the Code of Conduct.

The above request has my approval.

Signature:

Date: